

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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September 16, 2013

Start: 10:20 a.m.

Recess: 1:35 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:

Diana Reyna
Leroy G. Comrie, Jr.
Robert Jackson
Albert Vann
Ruben Wills
Vincent M. Ignizio
Letitia James
Jessica S. Lappin

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

Giacomo Romano
Owner
Ciccio

Female
Ciccio

Purnima Kapur
Director
Brooklyn Office of City Planning

Sanmati Nik
Project Manager
Brooklyn Office of City Planning

Winston Von Engel
Deputy Director
Brooklyn Office of City Planning

Elana Bulman
Member
Crown Heights Assembly

Manissa Maharawal

Greg Todd
Resident of Crown Heights North
Member, Crown Heights Assembly

Benjamin Dulchin
Executive Director
Association for Neighborhood and
Housing Development

Iris Weinshall
Vice Chancellor for Facilities
Planning, Construction and Management
The City University of New York

Craig Thompson
President and CEO
Memorial Sloan-Kettering Cancer Center

Jennifer Raab
President
Hunter College

Shelly Friedman
Land Use Counsel
Memorial Sloan-Kettering, CUNY and
Hunter College

Chi Chan
Traffic Engineer

Albert Butzel
Attorney
Residents for Reasonable Development

Andrea Hershey
Resident

Rita Popper
Member of Yorkville Community

Jill Eisner
Resident

Charles Washington
Administrator
Radiation Oncology at
Memorial Sloan-Kettering

Paul Sabbatini, MD
Deputy Physician-in-Chief for
Clinical Research
Memorial Sloan-Kettering

Joseph Strong
Representing Ben Kallos

Cheryl Jacobs
Resident

Mitchell Hershey
Resident

Carol Spiegelman [phonetic]
Resident

Marsha Reese [phonetic]
Resident

Bob Jackman
Chair
Residents for Reasonable Development

Dr. Donna Nickitas
Professor of Nursing
Hunter-Bellevue School of Nursing

David Foster
Rosalyn Yalow Professor of Cancer
Biology, Department of Biological
Sciences, Hunter College

Judith Schneider
East Sixties Neighborhood Association

Barry Schneider
President
East Sixties Neighborhood Association

Sarah Chu
Resident

Mina Greenstein
Resident

Ed Hartzog
Member of Community Board 8

Andrew Cook
Resident

James Cincotta
Board President
Regency East

Charles Miller
President
San Tropez Condominium

Naomi Perle
Resident

Elizabeth Ashby
Co-Chair of Defenders of the Historic
Upper East Side and on behalf of
The Historic Neighborhood Enhancement
Alliance

Teri Slater
Co-Chair of Defenders of the Historic
Upper East Side

Terry Grace
Resident

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SUBCOMMITTEE ON ZONING AND FRANCHISES

6

CHAIRPERSON WEPRIN: 'Kay. [gavel] Good morning, good morning everyone, thank you all for bein' here today; my name is Mark Weprin, I am the Chair of the Zoning and Franchises Subcommittee and the Land Use Committee; I am joined by the following members of the Subcommittee who are here today, Council Member Diana Reyna, Council Member Leroy Comrie, Council Member Robert Jackson, Council Member Al Vann, Council Member Ruben Wills, and Council Member Vincent Ignizio. We are also joined by Council Member Tish James, who has an item on the agenda in her district, which we will be getting to shortly.

Couple of housekeeping notes; there are a number of items on the agenda which are being laid over to our next meeting; the first item, which we heard the hearing on already, is Willets Point, Land Use Number 0876 to 0881 inclusive. As a side note, the Council Member for Willets Point, Julissa Ferreras, had a baby the other day, a baby boy; everyone is doing well.

New Hope Transitional Housing, Land Use Number 0891 is also laid over, Brooklyn College Campus, Land Use Number 0893 and 0892 laid over; Land

2 Use Number 0902, which is 203; those items are all
3 laid over.

4 We have a number of cafes on the agenda
5 and we're gonna take those up first; that's gonna be
6 followed by the Crown Heights item, which is a very
7 short, well shorter item and then the main event
8 we'll get to later on. So I know there are a lot of
9 people here for that, but we need to get through the
10 shorter items first.

11 So we're gonna first call... first, Land
12 Use Number 0898, which is The Original Homestead
13 Restaurant in Speaker Quinn's district; there is a
14 motion to file pursuant to withdrawal, so we will not
15 be taking that up today.

16 Land Use Number 0901, also on the
17 calendar, Five Guys Burger and Fries, in Council
18 Member Dickens' district, has a motion to file in
19 that one.

20 And then we are gonna take up... oh, and
21 then on Land Use Number 0900 we don't have anyone to
22 testify; that is The Dory Oyster Bar, also in Speaker
23 Quinn's district; that item has been... not gonna be
24 here today, but Speaker Quinn is okay, so we will be
25 voting on it today; they have resolved those issues.

2 So the one café we're gonna actually have
3 someone testify on is also in Speaker Quinn's
4 district, on Land Use Number 0899, Ciccio; did I
5 pronounce that correctly, 190 6th Avenue? No, you'll
6 pronounce it correctly when you come up. Please,
7 come on up, Giacomo Romano; that I got right; you'll
8 pronounce it for me correctly.

9 What I'd like you to do is make sure the
10 mic is on, state your name for the record and
11 describe the application. [interpose]

12 GIACOMO ROMANO: Yeah. Okay. Okay. My
13 name is Giacomo Romano; we are here for the
14 application for the sidewalk café for our small café
15 restaurant and we had a conversation with the office
16 of Council Member and office of the speaker and we
17 are here just to present some question to the.. to
18 you.

19 CHAIRPERSON WEPRIN: Great. I know I
20 have a letter. Pronounce the name of the restaurant
21 for me.

22 GIACOMO ROMANO: Yeah. C i c c i
23 o.

24
25

2 CHAIRPERSON WEPRIN: I do that for your
3 sake, 'cause you know we're on television now...
4 [crosstalk]

5 GIACOMO ROMANO: Okay. Oh yeah.

6 CHAIRPERSON WEPRIN: so there are people
7 watching at home who may wanna go. Okay; sorry about
8 that... [crosstalk]

9 GIACOMO ROMANO: Thank you.

10 CHAIRPERSON WEPRIN: I should've checked
11 with Ignizio; I apologize. I have a letter in front
12 of me which I'm gonna read into the record, which is
13 from you and you'll just acknowledge... [interpose]

14 GIACOMO ROMANO: Yeah.

15 CHAIRPERSON WEPRIN: this is from you and
16 it's been dealing with Speaker Quinn's office...
17 [interpose]

18 GIACOMO ROMANO: Yeah.

19 CHAIRPERSON WEPRIN: "Dear Council Member
20 Quinn: This letter serves as an agreement with the
21 Chair, Council Member Mark Weprin, and the
22 encompassing members of the Subcommittee that will
23 commit to the following: One, we will reduce the
24 sidewalk café from 6 tables and 12 seats to 3 tables
25 and 6 seats... [interpose]

2 GIACOMO ROMANO: That's correct.

3 CHAIRPERSON WEPRIN: Number two, we will
4 arrange our sidewalk café and tables and chairs
5 according to the Plans on file with the with the New
6 York City Department of Consumer Affairs..."

7 GIACOMO ROMANO: Yeah.

8 CHAIRPERSON WEPRIN: Okay, a yes on that
9 as well. "Number three, management and staff will
10 ensure patrons do not congregate outside the sidewalk
11 café..." [interpose]

12 GIACOMO ROMANO: Yeah, that's it.

13 CHAIRPERSON WEPRIN: Okay, you agree...
14 "and if there are any questions, please call my
15 office." And that is signed by this gentleman, Mr.
16 Romano; correct as well?

17 GIACOMO ROMANO: Yeah, thank you.

18 CHAIRPERSON WEPRIN: Bo... both... are you
19 also uh husband and wife?

20 FEMALE VOICE: No, not wife, but uhm
21 partner [laugh]... [crosstalk]

22 CHAIRPERSON WEPRIN: Okay. Okay. Would
23 you like to, 'cause we could do that here in this
24 building if you want.

25 [laughter]

2 CHAIRPERSON WEPRIN: Okay, never mind.

3 GIACOMO ROMANO: She's Ciccia...

4 [interpose]

5 CHAIRPERSON WEPRIN: Okay.

6 GIACOMO ROMANO: I'm Ciccio; she's

7 Ciccia. [laugh]

8 CHAIRPERSON WEPRIN: Oh very nice. 'Kay,
9 there you go; that explains it. Okay. Okay, I
10 understand dealing with the Council Member's district
11 office that you worked out all these issues and in
12 agreement with this letter, so we thank you very much
13 for testifying today, so we're gonna close this
14 hearing; let you get back to work...

15 GIACOMO ROMANO: Yeah.

16 FEMALE VOICE: 'Kay.

17 CHAIRPERSON WEPRIN: anticipate lots of
18 crowds, 'cause you know how many people watch us on
19 public television.

20 GIACOMO ROMANO: Thank you.

21 [laughter]

22 CHAIRPERSON WEPRIN: less than are in
23 this room, I think, but uh well... [crosstalk]

24 GIACOMO ROMANO: Thank you.

25

2 CHAIRPERSON WEPRIN: Uhm, but thank you
3 very much. [interpose]

4 GIACOMO ROMANO: Okay. Thank you
5 everybody.

6 FEMALE VOICE: Alright, thank you.

7 CHAIRPERSON WEPRIN: 'Kay, we're gonna
8 move on to the Crown Heights item, which is Land Use
9 Numbers 0883 and 0882. I'd like to call up the
10 following applicants, Ms. Sanmati Nik, Purnima Kapur
11 and Winston Von Engel. There you go, it's uh... so
12 uhm... you have an... a presentation? 'Kay.

13 Please, when you speak for the record,
14 and this is true for everybody today; when you speak,
15 please... please state your name; the transcripts gets
16 transcribed later on and we wanna know who's speaking
17 at the time so we don't have to cross-reference it
18 with the TV. So when you do speak, make sure to
19 state your name. Get... get started and then I'll call
20 on Council Member James when they're done. Tish; is
21 that alright?

22 COUNCIL MEMBER JAMES: Yes.

23 CHAIRPERSON WEPRIN: Okay. Alright,
24 whenever you're ready.

2 PURNIMA KAPUR: Good morning Chair Weprin
3 and Members of the Subcommittee and Committee; my
4 name is Purnima Kapur; I'm the Director of the
5 Brooklyn Office of City Planning.

6 We are extremely happy to be here today
7 to present the Crown Heights Rezoning to you; we hope
8 you will be as excited about it as we are at the
9 Department. We have worked over the last few years
10 very closely with the members of the community,
11 Community Board 8 and Council Members James and Vann
12 on this and I'm gonna turn it over to Winston Von
13 Engel, my Deputy and Sanmati Nik, our Project
14 Manager, to present this to you.

15 SANMATI NIK: Good morning Council
16 Members, I'm here to present the Crown Heights West
17 Rezoning... I'm Sanmati Nik, the Project Manager for
18 this rezoning.

19 So Crown Heights West is uh... I... I'm
20 sorry; I just want to go and do the right... Sorry
21 about that. So Crown Heights West Rezoning area is a
22 very small 55-block rezoning in the western portion
23 of Crown Heights neighborhood and Community District
24 8; it is generally bounded by Atlantic Avenue to the
25

1 north, Nostrand Avenue to the east, Eastern Parkway
2 to the south and Washington Avenue to the west.

3
4 We arrived at the goals for the rezoning
5 in close consultations with Community Board 8 members
6 and Council Members; the first is to maintain the
7 existing scale and character of this neighborhood;
8 the second is to create incentives for development of
9 affordable housing and the third is to match the
10 commercial zoning to the existing character of this
11 area.

12 So this image shows the existing
13 character of the rezoning area; there are buildings
14 from two- to three-story Brownstones and four-story
15 row houses, four-story smaller apartment buildings
16 and six- to seven-story larger apartment buildings,
17 so this area has already diverse building types.

18 And this image shows some of the non-
19 contextual or out-of-character buildings; the images
20 on the left, you will see the buildings are set back
21 from the street line, which breaks the continuity of
22 the street facade and the images to the right are
23 buildings which are very tower-like, which are out of
24 scale in context with the existing surrounding lower
25 building types.

1
2 So the existing zoning allows this type
3 of non-contextual developments to occur and we are
4 proposing zoning districts which are contextual and
5 which will have maximum height lights, which would
6 not allow this type of developments to occur in
7 future.

8 So this is a map showing land use; the
9 yellow and the ochre represents residential uses; the
10 peach colored uses, which are along the north-south
11 avenues are the mixed uses which contain retail uses
12 on the ground floor and residential uses on the upper
13 floors and the blue color represents community
14 facilities, so you can see the rezoning area is
15 predominantly residential; there are mixed uses along
16 north-south avenues and community facility uses are
17 scattered throughout the area.

18 And this map shows the existing zoning;
19 the ochre colored district which predominantly covers
20 the rezoning area is called R6 residential district;
21 R6 is a medium-density district which allows row
22 houses, brownstones and smaller apartment buildings,
23 similar to the ones which we saw earlier in the
24 character images.

1
2 And R7-1 zoning district, which is the
3 salmon colored area on the lower left corner; it's a
4 slightly denser district than R6 and allows for
5 larger apartment buildings.

6 We also have two pockets of commercial
7 districts, the C4-3 along four-blocks along Nostrand
8 Avenue and C4-3 is a regional commercial district
9 which allows commercial on the second floor, however
10 we saw that the existing commercial use along
11 Nostrand Avenue is of local retail nature.

12 And we also have C8-2, a small tip at the
13 southern corner of Bedford Avenue, just north of
14 Eastern Parkway, C8-2 is a heavy commercial district
15 and allows heavy commercial and auto oriented uses;
16 C8-2 does not allow any residential uses.

17 So this is just an overview of the
18 zoning, so currently the existing zoning does not
19 have height limits and allows non-contextual
20 districts, so in our proposal we would be replacing
21 this with contextual zoning districts which all have
22 height limits and would be made to line up with the
23 street wall.

24 And moving on to the second goal for our
25 rezoning, which is creating a portion of this for

1 development of affordable housing, we are mapping two
2 areas within our rezoning which would have
3 Inclusionary Housing Program. So the way it works
4 is, in exchange for 33 percent of the floor area the
5 developer has to set aside 20 percent of the floor
6 area which is to be permanently affordable for
7 families earning at or below 80 percent of the area
8 median income.
9

10 And so we have two areas in our rezoning
11 which we have mapped out Inclusionary Housing
12 Program; one is along Franklin Avenue; Franklin
13 Avenue has Franklin Avenue Shuttle, which runs
14 parallel to it; it's a major commercial corridor and
15 it also has subway stops along Eastern Avenue and
16 Franklin Avenue.

17 And the other area is at the southern tip
18 of Bedford Avenue, which is map R7D just north of
19 Eastern Parkway; this is also the area which contains
20 the existing C8-2 commercial district, which has a
21 gas station and commercial buildings and Eastern
22 Parkway is a six-lane major parkway, Bedford Avenue
23 is a wide street; also has a bus route, and also has
24 excellent transit access along a couple of blocks
25 from the area.

1 So this brings us to the residential
2 district's proposal. We are replacing the R6, which
3 was predominantly mapped and which covers the whole
4 wide variety of districts with contextual zoning
5 districts R5B, R6B, R6A, R7A and R7B, which are
6 carefully crafted to match the underlying densities
7 and heights of this area.

8 So moving on to the third goal, which is
9 to match the commercial zoning to the underlying
10 retail character. So what we see is, currently the
11 commercial overlays are mapped at 150-foot depth;
12 however, most of the commercial lots which are facing
13 the avenues are only 100 feet deep and thus we have
14 this 50-foot depth which includes the row houses. So
15 currently someone can have a commercial use on those
16 beautiful row houses, thus we are proposing to reduce
17 the depth from 150 to 100 feet, which would prevent
18 encroachment of commercial uses onto the side
19 residential streets.

20 And this map shows all the updates which
21 we are doing to the overlays; the existing overlays
22 are shown in black and we are reducing them from 150
23 to a 100 or lesser and the areas in grayish reflect
24 the commercial overlays which we are removing, which
25

1
2 currently contain residential uses. The overlays in
3 red are the ones which we are mapping new and would
4 replace the existing C4-3 and C8-2 commercial
5 districts and we are also adding a small commercial
6 overlay along Classon Avenue; this block front
7 contains existing retail uses and the commercial
8 overlay would bring these uses into conformance,
9 which brings us to the end of our proposal.

10 So in summary, we have this small area
11 which we started out with to preserve the contextual
12 nature of this area, so we are mapping these wide
13 variety of contextual districts to match the
14 underlying character and densities of this area; we
15 are also mapping two Inclusionary Housing.. mapping
16 two areas in Inclusionary Housing Program, which
17 would create some incentives for development of
18 affordable housing and updating the commercial zoning
19 to reflect the retail uses.

20 So this is the end of the rezoning
21 proposal. We also have added a text amendment to
22 this proposal which would essentially make sure that
23 the proposed zoning would conform to the
24 Administrative Code requirement along Eastern
25 Parkway, which requires buildings to be set back at

2 30 feet from the Eastern Parkway, so the zoning would
3 ensure that the Administrative Code is upheld and
4 hence, the scenic nature of Eastern Parkway is
5 maintained.

6 So with that I would like to thank you
7 for your attention and we can take any questions.
8 Thank you.

9 CHAIRPERSON WEPRIN: Thank you. I was
10 remiss in not pointing out that this is not only in
11 Council Member James' district but also in Council
12 Member Vann's district. We're gonna call on Council
13 Member James, who I know has to run to speak on this
14 item. Council Member James.

15 COUNCIL MEMBER JAMES: Thank you Mr.
16 Chair. So I have long sought the benefits of a
17 rezoning in Community Board 8 in Brooklyn; this plan
18 has involved many groups that have helped determine
19 the outcome and it basically underscores two well-
20 defined goals; one, to maintain the character of the
21 community that I represent and to incentivize the
22 development of affordable housing, which
23 unfortunately has not been developed. It's important
24 that any new multi-family development; that we not
25 squeeze out existing affordable housing and that

1 residents are not priced out of existing communities
2 and that's what has happened, as you know, in Crown
3 Heights and in Brownstone Brooklyn. And clearly,
4 going forward I would hope that we would mandate
5 inclusionary housing; unfortunately this is a
6 voluntary effort and there is a group here
7 represented by the Crown Heights Association where
8 they circulated a petition in my district and
9 thousands of individuals in Crown Heights signed onto
10 a mandatory inclusionary housing proposal that
11 hopefully the next administration will embrace so
12 that we can build affordable housing for communities
13 that unfortunately are finding themselves being
14 squeezed out of their community.

16 And so I support the rezoning's use of
17 height limits; it's important that we have height
18 limits in a brownstone community and that it be
19 contextual; this is really critically important. As
20 you know I have been urging this in my 10 years here
21 in the City Council; we've done it for over a good
22 half of the District and I'm glad that you are now
23 including Crown Heights and I appreciate that.

24 And so I do support this proposal and I
25 urge its support, but I also urge, going forward,

2 that we have some... one, I'm looking at some anti-
3 harassment policies in the City of New York, because
4 a number of residents in my District have been
5 harassed, particularly as we've rezoned parts of this
6 District and so I want stronger teeth in legislation
7 to prevent any harassment of existing low- and
8 moderate-income tenants, and two, mandatory
9 Inclusionary Housing. But for the purposes of this
10 proposal, I will support it because of its balanced
11 and because it has been negotiated with the community
12 and with the elected officials and I thank City
13 Planning for their professionalism; I thank you for
14 all of the animated hearings that we've had in Crown
15 Heights and thank you for tolerating the emotions of
16 my constituents and I look forward to supporting this
17 proposal and I would urge my colleagues to do the
18 same.

19 CHAIRPERSON WEPRIN: Thank you Council
20 Member James. I'd like to now call on Council Member
21 Vann.

22 COUNCIL MEMBER VANN: Yeah, thank you Mr.
23 Chair. Essentially I would... would ditto the comments
24 of Council... Councilperson, I agree; I would just
25 reiterate, I very much appreciate the professionalism

2 and the patience that you have shown in working with
3 my community, of which I'm very proud, Community
4 Board 8, Crown Heights North and all the
5 organizations that had enumerable meetings and had an
6 opportunity for everybody to have an opportunity to
7 learn and to voice and to ask questions so there is
8 almost a unanimous, or least a total consensus to go
9 forward, with... with some reservations,
10 understandably. But again, I wanna thank City
11 Planning, as always and my community most of all for
12 being so concerned, dedicated and informed in... in
13 arriving at our support for this proposal. Thank you
14 Mr. Chair.

15 CHAIRPERSON WEPRIN: Thank you Mr. Vann.
16 Does anyone... any members of the panel have any
17 questions for City Planning on this? I see none. We
18 thank you very much.

19 We do have some people who are here both
20 in opposition and in favor... is it just four total?
21 We're gonna bring up all four of them in opposition
22 to this item... we're good... uh... my eyesight's goin'...
23 Marissa; is that Marissa? Are you here, Marissa in
24 opposition? Yeah, come here; you'll... my eyesight's
25 too... can't get that small, you know. And then Elena,

2 Elena Pime... Palman [phonetic], Greg Todd, and then
3 there's one person in favor who's gonna speak,
4 Benjamin Ducan. You all have careers as doctors
5 after this, I want you to know, uhm I can't uh... your
6 handwriting, well...

7 So what I'd like to do is let the three
8 opposition people speak first... no more? Just one
9 second, I'm sorry. Alright. I should've announced
10 this earlier, but I don't know how long your
11 testimonies are; because we have a huge crowd today
12 we're gonna try to limit people's testimony to two
13 minutes, if we can, you know within reason; that's
14 gonna be true for the... you might've already been
15 warned about this... for the next item as well, for
16 Sloan Kettering, so if you guys in your head can
17 start planning out and make succinct... and you're
18 working with other people you can each do different
19 arguments; work together, so I apologize; so whenever
20 you're ready.

21 ELANA BULMAN: Good morning, my name is
22 Elana Bulman and I'm a member of the Crown Heights
23 Assembly, the group that Ms. James spoke of.

24 We are here to present a petition that we
25 organized calling for a couple modifications to the

1 rezoning. So first I just wanted to emphasize that
2 it's a fine distinction between opposed and in favor;
3 we're certainly supportive of the Community Board's
4 efforts to rezone for contextual residential areas as
5 well as the recommendations actually included by the
6 Community Board and mentioned by Council Member James
7 for mandatory inclusionary zoning.
8

9 So our concerns are essentially in the
10 effect of the inclusion zoning policy as is; that it
11 would not only fail to create actual affordable
12 housing for the existing residents of the community,
13 but also potentially lead to displacement by
14 incentivizing larger buildings to be built.

15 So our petition calls for two follow-up
16 corrective actions for the New York City Council to
17 implement; one would be incorporating mandatory
18 inclusionary zoning, which guarantee the creation of
19 affordable housing in new developments in the rezoned
20 area. And the second would be the establishment of
21 an anti-harassment area in Crown Heights West which
22 would increase penalties for tenant harassment in the
23 area.

24 We think this is incredibly important
25 first of all because of the poor performance of the

2 voluntary inclusionary zoning to date. A report
3 recently released by Council Member Brad Lander's
4 office found that there have only been less than
5 2,800 affordable housing units produced under the
6 voluntary program between 2005 and now, which amounts
7 to less 13 percent of the total number of market rate
8 housings produced under the Inclusionary Zoning
9 program.

10 Secondly... [chime] I'll hand it over to my
11 colleague to continue to speak, but I just also wanna
12 emphasize the real concern that we have with
13 displacements in the neighborhood; we have a number
14 of our members who have been harassed by their
15 landlords to actually leave the neighborhood and
16 these are working class families and people of color
17 who are working very hard to stay in the community
18 that we all love and so... [interpose]

19 CHAIRPERSON WEPRIN: Thank you very much.

20 ELANA BULMAN: thank you for considering
21 our testimony.

22 CHAIRPERSON WEPRIN: 'Kay ma'am, remember
23 all... all make sure to state your name when you start
24 your... your testimony.

MANISSA MAHARAWAL: Just one second.

Good morning. My name is Manissa Maharawal; I'm a... I grew up in Crown Heights and my father still lives there. And just to sort of ditto what Elana said, we're here... we support the contextual zoning, we just really wanna push for mandatory inclusionary housing. As Elana said, the current voluntary inclusionary zoning has been proven, over the past 8 years to be insufficient; as Crown Heights rapidly changes the only way we feel to preserve the character of the neighborhood is to have mandatory inclusionary housing, affordable housing.

In addition, the anti-harassment clause we feel would really help our residents who are being continuously harassed by landlords to leave their affordable units, changing again the quality of the neighborhood, yeah. Yeah.

So I guess our demands are that the... the Department of City Planning includes mandatory inclusionary zoning and constructs the policy in a way that maximizes housing for poor and working class households and establishes an anti-harassment area, such as those established in the Special Clinton District and in Williamsburg and Greenpoint. An

1 anti-harassment area requires HPD to conduct
2 investigations whenever the Department of Buildings
3 receives a permit request for building demolition or
4 substantial modification. If the investigation
5 determines that harassment occurred, the development
6 must set aside more affordable housing in the
7 resulting redevelopment.
8

9 Many affordable housing advocates believe
10 that the potential recourse would minimize the number
11 of situations in which the property owner would
12 continue to pursue a building demolition.

13 Thank you for your time.

14 CHAIRPERSON WEPRIN: Thank you very much.

15 GREG TODD: Yes, my name is Greg Todd;
16 I'm a resident of Crown Heights North and a member of
17 the Crown Heights Assembly and I've been active in
18 the community now since 1987, when a non-profit group
19 I work for, BEC New Communities, built the first
20 affordable subsidized condominiums on Bedford Avenue
21 in Crown Heights beginning in 1990 and I've seen the
22 transformation in the neighborhood and while it's
23 certainly some improvement in some ways, many long-
24 time residents are being displaced by this rapid
25 gentrification; in fact Crown Heights had the highest

1
2 increase in rents, according to Wall Street Journal,
3 last year of any community in Brooklyn. So it does
4 create a tremendous pressure, tremendous incentive on
5 developers to displace existing long-time residents,
6 but I think having a mandatory non-harassment zone
7 would be certainly appropriate, as it's been done
8 present and previously in the Clinton District in
9 Manhattan and in the Greenpoint-Williamsburg rezoning
10 a few years ago.

11 To further bring around that point, I
12 think you can look at the fact that there are a lot
13 of houses being built with the current inclusionary
14 zoning, none of which have affordable housing, the
15 classic unfortunately being 4th Avenue, which was
16 rezoned with an inclusionary zoning option and to my
17 knowledge not a single unit of affordable housing was
18 built under that option, so I think the market has
19 spoke and I think a mandatory inclusionary would be
20 the only way to go and hopefully we'll see that
21 enacted in the next administration. Thank you for
22 your time.

23 CHAIRPERSON WEPRIN: Thank you very much.
24 'Kay, we'll take the last gentleman as well and we'll
25 see if there are any questions. Great.

1 BENJAMIN DULCHIN: Good morning, thank
2 you Council Member Weprin and members of the City
3 Council Committee on Zoning and Franchise; I thank in
4 particular Council Members James and Vann. My name
5 is Benjamin Dulchin; I'm the Executive Director of
6 the Association for Neighborhood and Housing
7 Development and I'm here to testify on the Crown
8 Heights West Rezoning.
9

10 ANHD is a membership organization of
11 neighborhood-based not-for-profit affordable housing
12 groups, community organizers and affordable housing
13 developers who over the last 25 years have built over
14 a 100,000 units of affordable housing and currently
15 directly manage and operate over 30,000 units of
16 affordable housing, housing over a 100,000 people in
17 New York City.

18 ANHD and our members are committed to
19 ensuring affordable housing for the future of
20 Brooklyn neighborhoods and we have been carefully
21 considering the proposed Crown Heights West Rezoning
22 currently under review. We support the efforts of
23 Community Board 8 in consultation with the Department
24 of City Planning to rezone Crown Heights, however, we
25 urge you to request a follow-up corrected action from

1
2 DCT to change the voluntary inclusionary housing area
3 to guaranteed inclusionary housing area.

4 We applaud Brooklyn Community Board 8 for
5 their foresight and initiative for proactively
6 requesting the zoning in order to maintain the
7 community's character and their continued commitment
8 and effort to seek a near decade-long process and to
9 see it through. However, we believe the Crown
10 Heights West Rezoning proposal will not generate the
11 affordable housing as suggested in their proposal and
12 needed by the community. A review of the current
13 Inclusionary Housing Program in a report released
14 this past August by Council Member Lander's office
15 indicates that the program has not produced
16 affordable units for neighborhoods like Crown Heights
17 West. Outside of large-scale developments, many
18 developers have opted out of participating in
19 inclusionary housing, generating far fewer affordable
20 housing units than expected and that the
21 neighborhoods need. In fact from 2005 to 2013,
22 excluding the large-scale IHP areas of Manhattan's
23 West Side and North Brooklyn, only 11 developments in
24 the entire City produced affordable housing under the
25 Inclusionary Housing Program. Brooklyn has seen just

2 83 affordable housing units from the more than 1,400
3 market rate residential units built from rezoning
4 [chime] in IHP areas outside of Greenpoint-
5 Williamsburg.

6 In conclusion, as housing costs in Crown
7 Heights West in Brooklyn and across New York City
8 continue to increase, we must maintain affordability
9 and stabilize communities for the residents and
10 families that call Brooklyn home. ANHD supports the
11 efforts of Brooklyn Community Board 8 to rezone Crown
12 Heights West, however we urge you, the City Council,
13 to request a follow-up corrected action from the
14 Department of City Planning to change the voluntary
15 inclusionary housing area to a guaranteed
16 inclusionary housing area.

17 CHAIRPERSON WEPRIN: Thank you very much.
18 I'd like to call on Council Member James.

19 COUNCIL MEMBER JAMES: Just one question.
20 Are there any legal challenges to mandating
21 affordable housing in an inclusionary housing
22 proposal? Anyone have a response?

23 BENJAMIN DULCHIN: No, there are no
24 fundamental legal issues as far as we understand; it
25

2 would require DCT to amend some of the zoning text,
3 but that is within their power.

4 GREG TODD: Well, uh and it has succeeded
5 in a number of other communities around the country..
6 [crosstalk]

7 CHAIRPERSON WEPRIN: Just... just make sure
8 to say your name when you...

9 GREG TODD: Yeah, Greg Todd here again
10 just restating it has succeeded in a number of other
11 states throughout the nation and it's feasible; it's
12 simply not implemented here.

13 CHAIRPERSON WEPRIN: Okay. Anyone else
14 have any questions for this panel? I see none. We
15 thank you all very much for coming.

16 There's no one else here to testify on
17 the Crown Heights item are there that we missed? No.
18 Okay, good. So we're gonna close that public
19 hearing. We're actually gonna move to... alright,
20 we're... we are actually gonna move to vote on a couple
21 of items. Okay. Alright, the two cafes we uh, we
22 discussed before, the one that it has already been
23 worked out and the one we heard from today, 0899 and
24 900, as well as the withdrawal motion and file motion
25 for 0898 and 0901 and we're also gonna vote on this

2 Crown Heights item, 0882 and 0883; we're gonna take
3 this vote and then we're gonna move up to the
4 Memorial Sloan Kettering hearing today. Okay. So
5 with that in mind I'm gonna call on Ann to please
6 call the roll.

7 COMMITTEE CLERK: Chair Weprin.

8 CHAIRPERSON WEPRIN: Aye.

9 COMMITTEE CLERK: Council Member Reyna.

10 COUNCIL MEMBER REYNA: Aye.

11 COMMITTEE CLERK: Chair Comrie.

12 CHAIR COMRIE: Aye.

13 COMMITTEE CLERK: Council Member Jackson.

14 COUNCIL MEMBER JACKSON: Aye.

15 COMMITTEE CLERK: Council Member Vann.

16 COUNCIL MEMBER VANN: Aye.

17 COMMITTEE CLERK: Council Member Lappin.

18 COUNCIL MEMBER LAPPIN: Aye.

19 COMMITTEE CLERK: Council Member Wills.

20 COUNCIL MEMBER WILLS: Aye.

21 COMMITTEE CLERK: By a vote of 7 in the

22 affirmative, 0 negative, 0 abstentions, Land Use

23 Items 0899, 0900, 0882 and 0883 are approved and

24 referred to the full Land Use Committee. Motions to

2 file on 0898 and 0901 are approved and referred to
3 the full Land Use Committee.

4 CHAIRPERSON WEPRIN: Thank you, we're
5 gonna leave the rolls open on this throughout the
6 hearing today.

7 So... Okay, now we're gonna move to the
8 reason most of the people are here today in the
9 audience, Land Use Numbers 0897 and Land Use Items
10 0885 to 0890, inclusive; this is the Memorial Sloan-
11 Kettering Cancer Center, CUNY Hunter College Science
12 and Health Professions Building Application.

13 I'd like to call up the following people
14 who are here on behalf of the applicant; Craig
15 Thompson, Iris Weinshall, Jennifer Raab and Shelly
16 Friedman. Did I miss anybody who is supposed to come
17 up front there? No. Okay. So just to let everyone
18 know, so we're gonna let the applicants give their
19 presentation; there'll be a number of questions from
20 the panel, I'm sure and it's gonna take a little
21 while, because we really wanna get the answers from
22 them; then we're gonna call up panels alternating
23 between those opposed and those in favor until
24 everyone who gets to test... wants to testify will get
25 their opportunity. We are gonna try to limit

2 people's testimony to two minutes, so if you can in
3 your head, start working it out, like how best to do
4 that. We will... any submission we will take and put
5 in the record, so if you've got much longer testimony
6 we will put that in the record, but as far as your
7 presentation here today, if you can try to sum it up
8 in two minutes we would appreciate it. I'll try to
9 give you a little leeway if I can, but I have to
10 worry about everyone getting a chance to testify and
11 we don't want... you know, people have places to go
12 besides the City Council Chamber. So whenever you're
13 ready, uhm... we have... we each have this packet here,
14 yeah. So I don't know who wants to start; Shelly,
15 I'm gonna put you in charge of figuring it out... Iri...
16 Miss Weinshall... hi... make sure... you all are
17 experienced at this; make sure to state your name
18 when you speak so we can have a properly transcribed
19 record. Thank you very much.

20 **00:05:18**Good morning, I'm Iris Weinshall,
21 Vice Chancellor for Facilities, Planning and
22 Construction at The City University of New York.

23 CUNY and its 24 colleges, graduate
24 professional schools are a major force in supporting
25 a strong New York economy and preparing an educated

1 workforce for today and tomorrow. CUNY educates over
2 500,000 full- and part-time students and employs more
3 than 39,000 faculty and staff. An astounding 70
4 percent of CUNY students are graduates from the New
5 York City public high schools. We are the backbone
6 public education system that is taking our public
7 school graduates and preparing them for tomorrow's
8 world in fields such as health care and science.

9
10 In 2005 CUNY's former Chancellor, Matthew
11 Goldstein declared 2005 to 2015 to be the decade of
12 the sciences at CUNY, renewing the University's
13 commitment to creating a healthy pipeline to science,
14 math, technology; engineering fields and setting as a
15 priority the construction of new state-of-the-art
16 facilities for CUNY's premier institutions.

17 With Governor Cuomo's support and
18 leadership 11 new facilities dedicated to support
19 science education and research have been completed or
20 initiated in furtherance of the Chancellor's pledge;
21 with your approval of Hunter's proposed new building
22 at East 74th Street, another major step toward its
23 fulfillment will be achieved. This state-of-the-art
24 space at East 74th Street will allow Hunter to
25 consolidate its related science and health

1 professions programs, including nursing and physical
2 therapy and provide research labs for its core
3 science departments. In their new home, Hunter's top
4 faculty and science researchers will have modern
5 classrooms, laboratories equipment-appropriate for
6 the cutting edge, groundbreaking work that they're
7 doing in their fields.

8
9 As Jennifer Raab, President of Hunter
10 College will describe to you shortly, Hunter's nurses
11 and scientists will have the opportunity to develop
12 new collaborations and expand on existing ones with
13 Memorial.

14 The project is an innovative public-
15 private collaboration between two institutions that
16 play a critical role in creating jobs for the City's
17 medical and academic sectors. CUNY's capital
18 projects account for 14,000 jobs and a fifth of all
19 construction in New York City. Our nursing programs
20 produce 65 percent of associate level registered
21 nurses graduating annually from New York City
22 institutions. In the allied health fields, CUNY
23 graduates account for two-thirds of newly trained
24 workers in New York City in health and science
25 technology.

1 According to the New York City Economic
2 Development Corporation, the CUNY and Memorial
3 project at East 74th Street will create more than
4 3,200 construction jobs and nearly 830 permanent
5 jobs. This project will be no different from our
6 other construction work in terms of meeting the
7 State's MWBE goals. Governor Cuomo set a goal of 20
8 percent for overall participation by MWBE's in New
9 York State contracting and I'm pleased to say that
10 CUNY has met that goal for the last two fiscal years.

11 This project is much more than a new
12 building; it's about job creation and opportunity;
13 it's about partnership and growth. This facility
14 will allow both CUNY and Memorial Sloan-Kettering to
15 reach new heights in education, research and health
16 care. It's a magnificent project that will have a
17 lasting impact on CUNY, Memorial and the City and the
18 region beyond. Thank you very much.

19 CHAIRPERSON WEPRIN: Thank you. You got
20 applause.

21 [laughter]

22 CRAIG THOMPSON: Good morning, I'm Craig
23 Thompson, President and CEO of Memorial Sloan-
24 Kettering Cancer Center. I appreciate the
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 40
2 opportunity to address the City Council Subcommittee
3 on Zoning and Franchises.

4 Memorial Sloan-Kettering treats more
5 patients with cancer than any other hospital in New
6 York. More than 100,000 patients are in our care
7 every year, the majority of whom live in New York
8 City or the surrounding metropolitan area. MSK's
9 contributions to the economic vitality of New York
10 are significant; with more than 12,000 employees, we
11 are one of the largest employers in the City and we
12 are the primary place New Yorkers turn to for advice
13 and treatment concerning cancer.

14 New Yorkers are older than they were a
15 decade ago and life expectancy here is two years
16 longer than in the rest of the United States. As the
17 City population ages we will experience a significant
18 increase in the number of patients in need of cancer
19 care. In New York City new cancer cases will grow by
20 close to 20 percent over the next 15 years as a
21 result of the increased longevity that New Yorkers
22 enjoy.

23 Last week the Institute of Medicine
24 released a report detailing the tremendous challenges
25 U.S. cancer care. The report sets forth the ongoing

1 disparities in cancer knowledge among community
2 physicians, the expected increase in cancer patients
3 as the population ages and a shrinking oncology
4 workforce. The 74th Street facility presents a
5 unique opportunity to treat cancer patients in our
6 city while developing new and more effective
7 treatments and preparing the next generation of
8 health care professionals.
9

10 We plan to use our portion of the 74th
11 Street site to provide leading-edge treatment for
12 patients with hematologic cancers, such as leukemia
13 and lymphoma, head/neck cancers and lung cancer, as
14 well as provide radiation therapy and early-stage
15 clinical trials.

16 It may sound ominous, but 1 in every 2
17 men and 1 in every 3 women in New York City will
18 develop cancer. Thanks to the advances led by
19 Memorial Sloan-Kettering, today two-thirds of cancer
20 patients can expect to see their cancers effectively
21 treated and to be alive and back in their normal
22 lives five years after a cancer diagnosis. The new
23 out-patient facility on 74th Street is going to play
24 a critically important role in our cancer-care
25 delivery.

1
2 We also anticipate an exciting
3 collaboration with CUNY and Hunter College. Together
4 we have the opportunity provide New York's talented
5 students with career training in nursing and medical
6 technology and at the same time enhance Memorial
7 Sloan-Kettering's ability to provide help to New
8 Yorkers most in need. Thank you.

9 JENNIFER RAAB: Good morning, I'm
10 Jennifer Raab and have the great privilege to be the
11 President of Hunter College, the largest school in
12 the largest urban public university system the
13 country and we believe the jewel in the crown.

14 This project will allow us to finally
15 have the facilities equal to the phenomenal quality
16 of our nurses, our physical therapists and our
17 scientists.

18 Vice Chancellor Weinshall outlined the
19 incredible diversity of CUNY; at Hunter alone, our
20 students speak a 100 different languages, come from
21 150 different countries and very importantly, these
22 are students, 90 percent of whom come from the New
23 York City area and the environs and they stay in the
24 City to become the backbone of our workforce.

1
2 I want to focus on a few of the points of
3 why this building will be so transformative for
4 Hunter College and for the City.

5 As all of you know only too well, the
6 change in health care regulations through Obamacare,
7 The Affordable Healthcare Act, will require us to
8 have more medical professionals who can deliver
9 affordable care and nobody does that better than our
10 nurses and it's not just nurses, but it's well-
11 educated nurses that the City needs. Mortality rates
12 are linked directly to the education level of a nurse
13 when in care. In other words, the better the
14 educated your nurse, the better outcome of your care.

15 At Hunter College we make it possible for
16 nurses with associate degrees to get their bachelor's
17 degrees; we take students directly from the high
18 schools into college to get into our BS RN programs;
19 our masters programs are expanding and becoming
20 increasingly more specialized to meet the needs of
21 the various hospitals in the City. We have now
22 doctor and nursing practice, a Ph.D. program and a
23 number of clinical leadership programs for our
24 nurses. And even perhaps more importantly, we are
25 creating nurse who are culturally competent, who can

1
2 provide the care necessary for the various ethnic
3 groups in our City. The same holds true for our
4 wonderful physical therapy program and I'm proud to
5 have with us today a nursing student, Daniel
6 Penecale, who comes from Staten Island and represents
7 a growing force in the nursing field of men and
8 Reginald Holder, a wonderful young man from Brooklyn
9 who represents the growing number of underrepresented
10 minorities who are joining our physical therapy
11 programs and we're very, very proud of both of them.

12 This building will also allow Hunter to
13 really flourish in something that it does so well and
14 that's in science research. For a public college, we
15 have an extraordinary record; we have more NIH
16 funding than any school in New York State without a
17 medical school. You'll hear more about this intense
18 and groundbreaking research from Dr. David Foster,
19 who will speak in the next panel. But more important
20 perhaps than just the research we do is the
21 inspiration we create for future scientists in the
22 City. Everyone is talking about the need to develop
23 more students going into the stem area, but Hunter
24 College is doing something about it and we are

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 45
2 providing the role models in our very diverse faculty
3 to inspire our already talented students.

4 One example, our biology department, the
5 faculty are a third women and a third from
6 underrepresented minority fields, providing the
7 mentors that allow Hunter to create their world
8 record as number two in a classification of sending
9 women to get doctorates and number to send African-
10 Americans onto graduate school.

11 We're very proud of this record, but
12 we've been told very clearly by the research funding
13 institutions that if our facilities don't keep pace
14 with the talent of our students and of our faculty we
15 will risk losing our funding. So this building will
16 help us both maintain this incredible record and to
17 keep transforming the student body into talented
18 scientists and health care professionals in the
19 future.

20 And finally, our partnership with
21 Memorial will allow Hunter to increase the number of
22 nurses who deal with the problems most pressing in
23 today's health care field. This is more than a real
24 estate deal for us; this is a new partnership to
25 engage our nurses, our scientists, our faculty in the

2 medical lab field and physical therapy with the
3 Memorial Sloan-Kettering scientists and our nurses.
4 And even this morning the Dean of Nursing wanted to
5 be here this morning to testify, but she's presenting
6 with her colleagues at Memorial Sloan-Kettering about
7 how to continue to train nurses in the very important
8 field of oncology.

9 So I thank you very much for this
10 opportunity to speak about this informative impact
11 this new building would have on Hunter College.
12 Thank you.

13 CHAIRPERSON WEPRIN: Thank you. Shelly.

14 SHELLY FRIEDMAN: Good morning Mr.
15 Chairman, members of the Committee; Shelly Friedman;
16 I'm Land Use Counsel to Memorial Sloan-Kettering,
17 CUNY and Hunter College. We have a PowerPoint
18 presentation that seems to be doomed at this point to
19 consist of a waterfall. I do... you do have in front
20 of you images from the... [interpose]

21 [laughter]

22 SHELLY FRIEDMAN: the wa... the uhm, the
23 PowerPoint and it was never my intention to go
24 through all 40 some odd pages of it, but I would like
25 to briefly flip through it with you and describe... so

1 I can describe you the project and the land use
2 actions that we are seeking.

3
4 If you will please turn to Page 2 of the
5 material you'll see an aerial photograph which has
6 been modified to show you the institutional corridor,
7 the medical institutional corridor in which this
8 project... these projects will exist. It is a
9 significant corridor of medical and educational
10 facilities consisting of Cornell Weill, Rockefeller
11 University, New York Presbyterian Hospital, Memorial
12 Sloan-Kettering; Hospital for Special Surgery; it is
13 one of the premier medical corridors in the country
14 if not in the world.

15 This project will be located... this site
16 is located at the north of that medical corridor; the
17 plan that you have on Page 2 does not provide the
18 full story, however, because the full story would
19 include... there are three... three of these sites
20 currently under development; they went through the
21 BSA instead of through land use actions through the
22 City Council, but currently under construction
23 there's almost 2 million square feet of medical
24 facilities by Special Surgery, by New York
25 Presbyterian and by Memorial Sloan-Kettering and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 48
2 Cornell, and Rockefeller University has indicated
3 it's gonna proceed with another project over the
4 Drive.

5 So this project exists in an exciting and
6 very complex time for health care and New York City
7 will be the beneficiary of these four new facilities,
8 both for its economic development benefits and
9 certainly for the constituents of the Council who
10 will continue to have world-class facilities
11 available to them for medical diagnosis and for
12 treatment.

13 The site itself is at 74th and 73rd at
14 the East River; that's east of York Avenue; it is a
15 corner site. The mid-block portion of this block
16 will be developed by the Special Surgery building
17 that I just referred to; to the immediate north is an
18 active Con Ed Substation.

19 On Page 4 you see the aerial photograph
20 of the site and the extent to which it will be
21 divided between CUNY and MSK, MSK's footprint will be
22 approximately 60 percent of the site, CUNY's will be
23 40; that is reflective of the FAR as well, the MSK
24 building is approximately an FAR8 building and the
25 CUNY building, Hunter building is approximately a 4

1 FAR building. In total the site will be developed to
2 12, which is consistent with the other developments
3 of the other hospitals now underway that I just
4 mentioned.
5

6 On Page 5 you see a close-up of the site
7 plan, again with the color distinction between the
8 CUNY footprint and the MSK footprint; MSK in blue;
9 CUNY in orange. You see that the entrance to the
10 buildings, both buildings will be on East 74th
11 Street; that will be both for the CUNY building with
12 the Hunter building, which will be predominantly
13 students and faculty walking to the building; they
14 don't anticipate there will be much vehicular traffic
15 associated with the building. Just the opposite for
16 MSK, because many of the visitors to this building
17 will be undergoing treatments which will make their
18 mobility somewhat challenging and we expect that most
19 of the MSK visitors will be coming by some form of
20 vehicle, but it's by cab or by personal visit.

21 The MSK facility has been designed to
22 that people will be dropped off at the front door and
23 the cars will be taken by valet drivers to the
24 parking facility beneath the building. The parking
25 facility is limited only to cancer patients, no staff

2 will be permitted there and no one other than the
3 visitors there for treatment will be able to use the
4 facility.

5 You see what that entrance will look like
6 on the rendering on Page 5; on Page 6 you see the
7 East 73rd Street side of the building, those
8 buildings, that's where both Hunter and MSK will have
9 their loading facilities; these loading facilities
10 have been designed so that trucks will be able to
11 pull in entirely off the street so as not to
12 interfere with the entrance to the FDR on 73rd.

13 You'll also see, if you'll flip back to
14 Page 5, how much of the ground floor is taken up by
15 these loading facilities to make sure that these
16 trucks will not become a hindrance to the community
17 or to people using East 73rd Street to enter the FDR
18 Drive.

19 On Page 8 you see a staffing plan of the
20 uses in the MSK building; it is primarily clinical;
21 there are academic floors at the top, because as
22 Dr. Thompson indicated, this building will train the
23 future oncologists and doctors that will not only
24 make their practices here, but if MSK's track record
25 holds, will go throughout the world, to take the

2 training they obtain in these facilities to all
3 points of the world.

4 The staffing diagram for Hunter is on
5 Page 9; you'll see in the green there the extent to
6 which this building is doing research which is at the
7 core of President Raab's statement. You'll also see,
8 if you look at the areas in gray, those are the
9 mechanical spaces; they are the tallest floors and
10 they represent the new reality that in the City of
11 New York you will not be putting your typical
12 mechanical facilities below grade any longer, as you
13 recall other hospitals suffering through Sandy. We
14 are now, both as best practice and as law and as Con
15 Ed requires, moving transformers and equipment that
16 always existed below grade into the upper floors of
17 these buildings, which accounts in part for their
18 height and for the large floor plates that you see.

19 On Page 10 there is a further explanation
20 of the CUNY floor plates; we provided that based on
21 questions we received from Council Member Lappin and
22 we'll be happy to go over that... both architects for
23 both buildings are here; I'll be happy to go through
24 those with your questions.

1 The next pages, 10, 11, 12, 13, 14; 15
2
3 are various views of the building, taken from
4 renderings from various positions and the rest of the
5 book really involves the land use actions that are
6 part of the application before you, which I would
7 like to briefly review for you.

8 The first action before you is a zoning
9 map change; the site is presently zoned M3-2 and is
10 being zoned M1-9 to permit community facility, which
11 both these institutions require as community facility
12 uses under the Zoning Resolution.

13 Another action is a zoning text
14 amendment, this is a zoning text amendment to the
15 large-scale text in the zoning to provide for a new
16 special permit; the special permit will allow these
17 institutions to make a contribution for a public park
18 improvement as that is defined in the new text in
19 exchange for which they will be able to receive an
20 additional 2FAR, which will take this site to 12FAR.
21 Both the amount of the floor area and the procedure
22 by which there are capital improvements offered in
23 exchange for the use of floor area are nothing new;
24 12FAR is the predominant use for these community
25 institutions on York Avenue and generally in

2 Manhattan and the idea of making a contribution to a
3 capital project, whether it be the High Line or
4 whether it be repairs of a designated interior
5 landmark theatre, is a process, is a format which has
6 been used many times in the Zoning Resolution and so
7 there is nothing new here, except that for the first
8 time there will be a contribution to actually
9 increase the amount of park space in Manhattan; this
10 text amendment will permit 1.1 acres of land, which
11 currently is not open and accessible to the public,
12 to be put into service and as a result of which, due
13 to this contribution Andrew Haswell Green Park, at
14 the foot of 62nd Street will be able to complete and
15 open its Phase 2B, which has been stalled for several
16 years due to budget constraints.

17 So we provide capital to the Parks
18 Department; the Parks Department doesn't simply
19 rehabilitate or restore or repair existing park; 1.1
20 acres of new park is being created as a result of
21 this text amendment. That is a significant increase
22 in the Lenox Hill area of Manhattan in which this
23 project is located, which has been noted consistently
24 to be deficient in the amount of public park space
25 provided to its residents.

2 We then turn to the more standard special
3 permits under the large-scale general development
4 text, a group of zoning amendment waivers are
5 requested; they deal with height and set-back, they
6 deal with rear yard; they deal with other issues
7 regarding the bulk of the building; it is a suite of
8 zoning actions, there you have... thank you very much...
9 there is a suite of zoning actions which has
10 momentarily appeared...

11 [laughter]

12 SHELLY FRIEDMAN: but... [interpose]

13 CHAIRPERSON WEPRIN: That was fun.

14 SHELLY FRIEDMAN: but that... that...
15 there'll be a test on those; I hope you were
16 watching. But the actions themselves consist of a
17 bundle of actions that almost every hospital in
18 Manhattan has had to seek for one reason or another
19 from the City of New York, primarily in variances.

20 The three institutions that I mentioned,
21 for their new buildings, Special Surgery New York
22 Presbyterian and the Sloan-Kettering Surgical
23 Ambulatory facility on East 61st Street have all
24 availed themselves of the same requests through the
25 BSA for zoning waivers to reflect the specialized

1 floor-to-floor heights and the specialized floor
2 plans that institutions such as universities,
3 especially universities conducting medical research
4 and hospitals and ambulatory facilities require.
5

6 In addition, under the large scale we're
7 seeking signage waivers from the typical C1-9; we're
8 on the Drive, we'd like to have the same kind of
9 signage that Special Surgery has and that New York
10 Presbyterian has as you drive up and down the Drive;
11 we're looking for those kind of identification signs
12 and way-finding signs that will make our buildings,
13 as well as Hunter's, distinctive in a medical complex
14 where it's getting increasingly difficult to maneuver
15 around, to go from building to building. So these
16 identification signs have been designed to
17 specifically identify the buildings, identify their
18 names and not much more than that. Again, we have
19 all the backup here if the Committee wishes to review
20 those signs individually in any depth.

21 And finally we're seeking a special
22 permit for accessory parking underneath the MSK
23 building for 248 spaces, the zoning permits 150
24 spaces and we are seeking an additional... thank you...
25 we are seeking an additional allotment of spaces to

2 deal with our cancer patients who will be using the
3 building.

4 And really finally, because this is City-
5 owned property which MSK and CUNY are purchasing
6 through an RFP from and through the Economic
7 Development Corporation; there is a disposition
8 action in this ULURP for the disposition of City
9 land; the contract of sale is signed; these zoning
10 actions are required in order for the project to
11 proceed, but there is a disposition action, as is
12 always the case with the disposition of City-owned
13 property.

14 That Mr. Chairman is the fly-by the
15 application; we have the architects here, our
16 environmental analysts; you have the three principals
17 and many of their senior staff people all here
18 prepared to answer any questions or address any
19 concerns that the Committee may have. Thank you.

20 CHAIRPERSON WEPRIN: Thank you very much.
21 Alright, before we get into questions, Vincent
22 Ignizio, who wasn't here for our vote but was here
23 earlier, would like to cast his votes on the previous
24 items.

2 COUNCIL MEMBER IGNIZIO: I vote aye, Mr.
3 Chairman. Thank you.

4 CHAIRPERSON WEPRIN: He votes aye. I'd
5 like to call on Council Member Comrie to start the
6 questioning; Council Member Lappin stepped out, but
7 she'll be back in a few seconds.

8 COUNCIL MEMBER COMRIE: First on the... on
9 the signage; can you give us an idea of what the...
10 sorry. Good morning; can you tell us a little more
11 detail and/or do you have a presentation; are these
12 signage... the signage that you're projecting to have,
13 is this illuminated signage and what would be... it's
14 difficult to tell the proportions on this map,
15 especially since I don't have my glasses this
16 morning. Well what... what uh... are the... are these
17 signs gonna be illuminated?

18 SHELLY FRIEDMAN: Two of the signs,
19 Council Member, will be illuminated; the one over the
20 Drive will be illuminated to the same extent that one
21 sees the Special Surgery and New York Presbyterian
22 signs as one drives up and down on the Drive; it's
23 same type of sign, same type of illumination. The
24 other illuminated sign is on East 74th Street and
25

2 will not rise higher than the substantial Con Ed
3 steam plant to its north.

4 COUNCIL MEMBER COMRIE: And that sign
5 will be illuminated also?

6 SHELLY FRIEDMAN: Yes, sir.

7 COUNCIL MEMBER COMRIE: And what's the
8 proportion of the sign; is that sign equivalent to...
9 you said the Con Ed sign that's there or you said
10 that it's the same height as the Con Ed building...
11 [interpose]

12 SHELLY FRIEDMAN: The... the signage... the
13 signage that we're seeking that faces east, that
14 faces the Drive and the River... [interpose]

15 COUNCIL MEMBER COMRIE: No, I'm talkin'
16 about the 74th Street.

17 SHELLY FRIEDMAN: Oh the 74th Street is a
18 sign that will... you can see it... that you can see in
19 the purple hash marks in the lower right-hand diagram
20 and that sign is no higher than the Con Ed building,
21 which has no windows in it, it's just a power plant,
22 directly across; it's meant to attract... it's meant to
23 identify the building for people who are seeking to
24 find it from York Avenue.

2 COUNCIL MEMBER COMRIE: And that sign is
3 what, about four, five stories high?

4 SHELLY FRIEDMAN: The signage itself... I'm
5 going to ask for some help here from any architects
6 for the actual dimensions. The signage will have to
7 fit in a zone that's 21 feet by 50 feet, Council
8 Member, and it will be approximately 48 feet above
9 grade.

10 COUNCIL MEMBER COMRIE: Go first.

11 SHELLY FRIEDMAN: You have the diagram
12 that's on the... [interpose]

13 COUNCIL MEMBER COMRIE: I'm sorry; you
14 said it's approximately 48 feet high?

15 SHELLY FRIEDMAN: Yeah, it's on Page 22
16 of the material.

17 COUNCIL MEMBER COMRIE: Yeah, I have Page
18 22, it's just... I don't have my glasses, so I can't
19 see the small print very well. And my colleague was
20 point out to me that... what is going to be on the
21 sign; is it gonna be just the name of the building
22 and the hospital or will it be an opportunity for
23 advertising or marketing; are you gonna sell that
24 sign and raise funds?

1
2 SHELLY FRIEDMAN: It will not have any
3 advertising on it; these will be fixed letters... these
4 will be fixed letter; they will indicate the name of
5 the institution and they will indicate the name of
6 the building, purely way-finding, permanent... these
7 are not LED's, these are... these are permanent,
8 probably channel-cut letters that will identify the
9 institution and the name of the building.

10 COUNCIL MEMBER COMRIE: Okay. And you're
11 not going to allow anyone to purchase the sign to try
12 to create income for either facility for... [interpose]

13 SHELLY FRIEDMAN: Absolutely not.

14 COUNCIL MEMBER COMRIE: Okay. And the
15 74th Street; what is facing... what is that facing?
16 Will that be facing an apartment complex or just the
17 Con Ed building or?

18 SHELLY FRIEDMAN: The site across from us
19 on 74th Street is a rather massive imposing Con Ed
20 steam plant, a very active steam plant; it goes from
21 the River, in fact it goes across the Drive to docks
22 on the River which are used and it extends almost to
23 York Avenue, I think about 75 to 80 percent of the
24 way to York Avenue.

2 COUNCIL MEMBER COMRIE: Okay. Alright.
3 And then, and the other sign on the west side and
4 what is that facing?

5 SHELLY FRIEDMAN: Facing west, facing
6 York Avenue?

7 COUNCIL MEMBER COMRIE: Right.

8 SHELLY FRIEDMAN: Well most of that
9 façade will be taken up by the new Special Surgery
10 building that's going to be constructed there; there
11 are areas that, as the Special Surgery building sets
12 back, that will allow us to put, again, a building
13 identification sign, name of the building, name of
14 the institution for Hunter; advertising's not
15 permitted on these signs, we're not seeking any
16 waivers for that, it is purely way-finding.

17 COUNCIL MEMBER COMRIE: Okay. And then,
18 is the building in the flood zone; did it... was that
19 area affected in Hurricane Sandy?

20 SHELLY FRIEDMAN: We are in a zone that
21 requires us to take certain precautions; all of them
22 have been... [interpose]

23 [background comments]

24

25

1
2 SHELLY FRIEDMAN: all of them have been
3 incorporated, as I indicated; the primary one...
4 [interpose]

5 COUNCIL MEMBER COMRIE: I'm sorry... can we
6 keep it quiet? His voice is very low and I'm having
7 trouble hearing him.

8 SHELLY FRIEDMAN: I... let me try and
9 correct my side of that, Councilman. It is in a
10 flood zone that requires certain engineering and
11 architectural features to make sure that the
12 buildings remain in operation and have been designed
13 intelligently; those include removing all of the Con
14 Ed equipment from where they typically might be in
15 the basement to upper floors of the building; there
16 will be flood gates used on the MSK building at the
17 parking garage entrance, but the building complies in
18 every respect with all of the new arrangements and
19 regulations and maps that have come out since
20 Hurricane Sandy.

21 COUNCIL MEMBER COMRIE: And to access the
22 parking, are they going to be accessing the parking
23 just from East 74th Street?

24 SHELLY FRIEDMAN: Yes. The only parking
25 facility will be from East 74th Street; patients will

2 arrive at the front of the building; there is on our
3 property a three-lane porte-cochere; they will be
4 able to discharge the patient; it will be a service
5 at that point at which... a valet service at which the
6 staff will take the car below grade and park it until
7 the patient is ready to leave.

8 COUNCIL MEMBER COMRIE: Okay. And will
9 there be a emergency... a ambulance entrance is gonna
10 be where?

11 SHELLY FRIEDMAN: There are no emergency
12 facilities in this building; however, State
13 regulation requires that there be a lay-by
14 opportunity for an ambulance in case anyone has a
15 situation in which they have to be evacuated from the
16 ambulatory facility to the main campus, to the main
17 hospital... [interpose]

18 COUNCIL MEMBER COMRIE: Uhm-hm.

19 SHELLY FRIEDMAN: there is a provision
20 for that lay-by ambulance on East 73rd Street, which
21 has its own dedicated curb cut and it will be there
22 solely as a contingency in the event of need; there
23 will be no emergency services provided at this
24 building; it will have hours very similar to most
25 ambulatory facilities; it will open in the morning

2 and everybody will go home at night, there are no
3 beds, there are no admissions in this building.

4 COUNCIL MEMBER COMRIE: No beds and no
5 admissions in... [interpose]

6 SHELLY FRIEDMAN: All... all ambulatory...
7 all ambulatory treatment.

8 COUNCIL MEMBER COMRIE: Really? So you...
9 okay. I didn't absorb that in the presentation, I'm
10 sorry. So even though you're doing major... so you're
11 not... so when you bring cancer patients in, they're
12 just coming in for testing and assessment or they're
13 not gonna be treated at the facility?

14 CRAIG THOMPSON: They will be receiving
15 out-patient treatment Council Member; most of cancer
16 treatment now, after the initial surgeries are on
17 out-patient basis, and so they're be receiving
18 chemotherapy in the building, but stuff that will be
19 administered during the working day and they will, as
20 Shelly said, be going home at night; there will also
21 be ability for radiation oncology treatments on the
22 same basis. There will also, as you pointed out, be
23 diagnostic services, but this is purely an out-
24 patient facility to support the continuing care of
25 patients as they go through their cancer therapy.

2 COUNCIL MEMBER COMRIE: And but... but the...
3 I'm a little concerned that the ambulatory hol levy
4 (sic), as you say, is still on a busy congested
5 street, because durin' an evacuation time well that...
6 that street'll be crowded with people tryin' to
7 access the Drive, so I'm a bit concerned about that,
8 but... And just on the parking, I would hope that there
9 are measures created to ensure that the pumps that
10 you have that will be able to keep those basements as
11 dry as possible if in fact we do have another major
12 flood in the area; I hope that's being impacted in
13 there.

14 Just one other question that I wanted to
15 ask and that was regarding.. well I do wanna ask some
16 questions about the park, but maybe I think I'll wait
17 on that.

18 You talked about it being contextually
19 similar to other buildings in the area and you talked
20 about some other proposed buildings; where would that
21 be? You said one would be right next door to the
22 building that's coming?

23 SHELLY FRIEDMAN: The mid-block of this
24 block will... has been approved by the BSA for an
25 ambulatory facility for Hospital for Special Surgery...

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COUNCIL MEMBER COMRIE: Right.

SHELLY FRIEDMAN: Uhm...

COUNCIL MEMBER COMRIE: And how large will that be... building be; do you... [interpose]

SHELLY FRIEDMAN: That building is I believe close to an 8, FAR7 to 8FAR building; received its variance from the BSA about a year-and-a-half ago and I'm not the person to ask when they'll be proceeding with the project, but they have full land use approvals to proceed with that building... [interpose]

COUNCIL MEMBER COMRIE: They have a 7, 8FAR, so they're not looking to go past that?

SHELLY FRIEDMAN: Well that's right and in fact, the MSK building taken alone is 8FAR. The New York Presbyterian building at 71st and 70th and York Avenue is a 13.3FAR building, you know, almost 60-70 percent larger; that has been approved by the Board of Standards and Appeals; they sought the same suite of zoning relief that we did, height and setback, bulk and the like; their site is zoned to 10; the BSA has given them over 13.

The other project that is under construction now is a surgical ambulatory facility,

1 much different than this proposed building of
2 Memorial Sloan-Kettering Cancer Center on the site of
3 the old Potamkin site at 61st and York... [interpose]

4 COUNCIL MEMBER COMRIE: Uhm-hm.

5 SHELLY FRIEDMAN: that is a 12 FAR
6 building; it is under construction with a variance
7 from the Board of Standards and Appeals for again,
8 the same kind of bulk waivers.
9

10 Since then Rockefeller University has
11 announced they're going to be building another
12 building over FDR Drive... [interpose]

13 COUNCIL MEMBER COMRIE: Uhm.

14 SHELLY FRIEDMAN: I don't know enough
15 about that building to share the details of that with
16 you, but each one of these institutions has the need
17 to move forward; it's too soon to talk about
18 Rockefeller, but with regard to Memorial Sloan-
19 Kettering's ambulatory facility, New York
20 Presbyterian and Special Surgery, the Community Board
21 did not oppose any of those projects and they do not
22 oppose this project either.

23 COUNCIL MEMBER COMRIE: Okay. Thank you;
24 I appreciate that. And just one other question; you
25 talked about 284 spaces with the vehicles and that

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 68
2 would be just for patients only; are you creating
3 parking for your employees some place else?

4 SHELLY FRIEDMAN: We are not; MSK has a
5 facility on the main campus; we believe that there is
6 sufficient inventory in the area to account for that,
7 but the fact of the matter is, most of the MSK staff
8 do not arrive by vehicle, they own a number of
9 residential facilities in the area close by,
10 including Roosevelt Island; that staff, those
11 residents; those doctors are generally taking some
12 form of mass transit or walking to work rather than
13 requiring vehicular needs to get there.

14 COUNCIL MEMBER COMRIE: And there's no
15 parking for the CUNY at all?

16 SHELLY FRIEDMAN: They have expressed no
17 interest in having parking at the site.

18 COUNCIL MEMBER COMRIE: Okay. And they
19 won't need emergency parking for special deliveries
20 or projects or... that site is all gonna be research
21 that doesn't require tearing or building anything to
22 bring on-site or off-site?

23 SHELLY FRIEDMAN: Well they will have
24 their delivery needs and on East 73rd Street there
25 are major loading facilities that take up the ground

2 floor of a good chunk of both of these buildings; you
3 know, neither institution requires the large tractor
4 trailers, but vans will be able to pull in totally
5 off the street and leave head-out on both facilities.

6 COUNCIL MEMBER COMRIE: Alright. Thank
7 you; I don't have any further questions. Thank you...
8 [crosstalk]

9 SHELLY FRIEDMAN: Thank you, sir.

10 CHAIRPERSON WEPRIN: Thank you. Council
11 Member James.

12 COUNCIL MEMBER JAMES: So you indicated
13 that are a number of buildings that have been
14 proposed; I think I counted four?

15 SHELLY FRIEDMAN: Yes.

16 COUNCIL MEMBER JAMES: Four major
17 buildings that were all approved by the Board of
18 Standards and Appeals?

19 SHELLY FRIEDMAN: Well three have been
20 approved by the Board of Standards and Appeals; the
21 fourth, Rockefeller, is only recently announced and I
22 believe is going to the Department of City Planning.

23 COUNCIL MEMBER JAMES: And all of them
24 are asking for an increased FAR?

1
2 SHELLY FRIEDMAN: They all... in each case
3 they have asked for more floor area than their
4 underlying zoning permits, yes.

5 COUNCIL MEMBER JAMES: And if you know;
6 do all of them require parking facilities?

7 SHELLY FRIEDMAN: I know that MSK does
8 not, is not providing parking facilities for the
9 reasons that I articulated; I am... I know someone who
10 does know the answer to New York Presbyterian and
11 Special Surgery. New York Presbyterian is providing
12 parking; it's a major hospital facility, rather than
13 ambulatory and HSS is providing parking as well.

14 COUNCIL MEMBER JAMES: Has there been a
15 study, as far as you know, either by the Community
16 Board or some other entity regarding the impact of
17 all of this new construction on the community?

18 SHELLY FRIEDMAN: Well each one of these
19 obviously, even the ones that didn't come to the
20 Council, underwent a CECRA review. I can speak to...
21 [interpose]

22 COUNCIL MEMBER JAMES: You said each
23 individual...

24 SHELLY FRIEDMAN: each individual
25 project, but each individual project includes what

1 has been... I mean, for instance, our EIS had to
2 include Special Surgery and what we knew of, and our
3 own project on 61st and what we knew of New York
4 Presbyterian. So the last EIS always includes even
5 those sites that have not been fully developed but
6 have been approved for development. So our EIS has
7 studied... has not studied Rockefeller, but has
8 included in its analyses these other projects.

10 COUNCIL MEMBER JAMES: So I haven't seen
11 the EIS and in the past I've been suspect of a lot of
12 EIS reviews in this city and would love to see that.

13 The bulk waivers; why is it necessary to
14 receive these waivers for setback requirements?

15 SHELLY FRIEDMAN: The Zoning Resolution,
16 regardless of what district you're trying to develop
17 in, takes certain norms as the expect... an apartment
18 building, an office building; they generally do not
19 take into account specialized buildings such as
20 hospitals and universities, which share a certain
21 typology. Neither want to be vertical buildings;
22 you're only vertical because you're in New York. The
23 perfect college campus and the perfect hospital are
24 low and wide rather than tall. Because as soon as
25 you start having to convey patients, students or the

1 like up and down through buildings you're losing
2 efficiency, you're losing space and it costs an awful
3 lot to provide all that vertical transportation. So
4 there's no purchase, there's no advantage to going
5 tall; these buildings want to be large floor-plate
6 buildings, they want to have... you want to have the
7 adjacencies where you need them, you want to reduce,
8 for patient safety, for educational quality you want
9 to reduce the redundancies of repeating things on
10 floors and going up and down and so that requires
11 large floor plates and each one of these
12 institutions, including the ones who went to the BSA,
13 were seeking variances for exactly that purpose.
14 They were also seeking variances because floor-to-
15 floor heights are extremely important to these
16 institutions. The need to change air consistently;
17 with great frequency is important both for Hunter,
18 because of its high level, high grade research and
19 for MSK for its patient treatment and because of that
20 there is an awful lot of mechanical equipment within
21 the floors, there are extra mechanical floors and
22 these floors tend to be, as a result, higher and the
23 building's higher than your typical commercial
24 building or certainly your residential building.
25

1
2 COUNCIL MEMBER JAMES: Did your EIS take
3 into consideration whether or not the infrastructure
4 in the community is sufficient to handle the
5 construction of this development, as well as all the
6 others?

7 SHELLY FRIEDMAN: The Environmental
8 Impact Statement identified significant impacts in
9 three areas. One was in transportation and a number
10 of intersections were identified with potentially
11 adverse impacts; mitigations existed for almost all of
12 them; there was one intersection at 79th and York
13 Avenue which we believe we could mitigate, but the
14 Department of Transportation has indicated they do
15 not want to see that mitigation because it would result
16 in the reduction of parking spaces in that
17 intersection, so that remains unmitigated.

18 The other two areas of significant
19 impact, one has been construction impacts, the impact
20 that any construction will have on the immediate
21 environs during the short-term construction period;
22 we have provided a substantial amount of information
23 about our construction methods; we have utilized as a
24 result of this analysis best practices in the type of
25 equipment, the amount of equipment, how it will come

1
2 to the site, how materials will come to the site; all
3 of that is detailed in the EIS. We have also pledged
4 both to this process and to the Council Member and to
5 the Borough President to provide for an ongoing task
6 force which in MSK's previous building in 2002 and 3
7 it provided with, we believe, great success as far as
8 the community's reaction to it and our responsiveness
9 to it, which will meet monthly with all of the
10 elected officials, the construction companies, the
11 necessary agencies, the permitting agencies, the
12 enforcement agencies; NYPD, so that we have an
13 ongoing monthly dialog with the community about
14 specific issues of their concerns and how we can
15 address them on the spot with the permitting agencies
16 in the room, to make sure that we can reduce our
17 adverse impacts on the community during construction.

18 COUNCIL MEMBER JAMES: Is this the same
19 community where they are... where the 2nd Avenue subway
20 is under construction as well?

21 SHELLY FRIEDMAN: It is.

22 COUNCIL MEMBER JAMES: And so are... is
23 there concerns about the creation of living in a
24 construction zone for the next few years?

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SUBCOMMITTEE ON ZONING AND FRANCHISES

SHELLY FRIEDMAN: Well, I... I... I...

[crosstalk]

COUNCIL MEMBER JAMES: And I underscore a few... few.

SHELLY FRIEDMAN: I... I don't... I don't know well enough the construction schedule of the 2nd Avenue subway to know how it will dovetail and what elements of that will be evident above surface by the time these projects come in line. These projects have a 2019 build year; that means they will not be com... construction won't even begin of the buildings above-ground for several years yet. Hopefully a good portion of the 2nd Avenue subway project will be either completed or at that point taking place totally underground.

COUNCIL MEMBER JAMES: So I'm gonna defer to my colleague, Council Member Jessica Lapkin, who obviously... Jess... Jessica Lappin, who I'm sure will talk about, you know, how to mitigate a lot of these concerns. My last question, because I recognize that a number of other individuals from the community would like to testify, is; your provision for park improvements, in exchange for park improvements

2 you're seeking a bonus; could you talk a little bit
3 about these park improvements?

4 SHELLY FRIEDMAN: Yes and while I'm
5 speaking you may wanna look at the back of the book
6 that we distributed which has several pages devoted
7 to Andrew Haswell Green Park, photographs of its
8 existing condition. The renderings that you see
9 there regarding its future were actually approved
10 several times; they were approved... a preliminary
11 approval of the Public Design Commission; they were
12 urged by the Community Board, as part of its 197-a
13 and the Community Board, at the time of Public Design
14 Commission approval, approved the plans that you're
15 looking at and of course they supported the text
16 amendment now in front of you.

17 Andrew Haswell Green Park is primarily...
18 it is the terminus of the esplanade that begins up in
19 the 100's; it is the only park that is a passive
20 recreation park on the waterfront on the East Side,
21 as opposed to the more thin esplanade that continues
22 from its north. It was formerly a heliport...

23 COUNCIL MEMBER JAMES: Uhm-hm.

24 SHELLY FRIEDMAN: the heliport ceased
25 operation, to put it mildly. The hangar went to the

1
2 Department of Transportation; the Department of
3 Transportation ceded it to the Parks Department and
4 it is has been programmed for several years to be
5 upon completion Andrew Haswell Green Park.

6 The park was begun based on the plans you
7 see there in 2011; it came to a halt because
8 subsurface conditions were just unanticipated;
9 subsurface conditions were discovered that made it
10 impossible to proceed within budget and effectively
11 abandoned. In her letter to the Planning Commission,
12 Commissioner White indicates that without the
13 provision of the capital improvement that the
14 applicants were prepared to make, the park could
15 never be completed. We are not completing the park;
16 we are making a substantial contribution so that in
17 conjunction with the monies that are already there
18 Phase 2B will be finally completed fully as
19 originally approved, if you see in front of you, by
20 the City, supported by its elected officials,
21 supported by its Community Board and significantly
22 funded until this unfortunate discovery of the
23 subsurface conditions came to light.

24

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2 COUNCIL MEMBER JAMES: And you're getting
3 additional height because you're putting your
4 mechanicals on the roof; is that also...

5 SHELLY FRIEDMAN: Well that's not
6 technically related to the two; we... the additional
7 floor area does help us make up for the fact that we
8 are taking an awful lot of above-ground space and
9 demoted it to mechanical, which is not technically
10 zoning floor area, so you know, whereas much of this
11 stuff would've been in the basement, it's now above-
12 grade; it does not count as zoning floor area, but it
13 takes up volume and it means we have to... [interpose]

14 COUNCIL MEMBER JAMES: Yeah.

15 SHELLY FRIEDMAN: kind of build around
16 it. The additional 2FAR, approximately 130,000
17 square feet, will be distributed between the two
18 buildings for program space, but it is not
19 technically to compensate for the additional
20 mechanical.

21 COUNCIL MEMBER JAMES: Thank you.

22 CHAIRPERSON WEPRIN: Tish, finished?
23 Okay. Thank you, Council Member James. I'd like to
24 call on Council Member Lappin; she had some question...
25 that's alright.

1 SHELLY FRIEDMAN: Sure.

2 CHAIRPERSON WEPRIN: Go ahead.

3 COUNCIL MEMBER LAPPIN: Sure. Hi, how
4 are you? So Shelly, I wanna go right to parking and
5 I think you said that there are 284 spots that
6 you're...

7 SHELLY FRIEDMAN: 248.

8 COUNCIL MEMBER LAPPIN: 248; I transposed
9 the numbers... that's what's being built on the two
10 sub-ground floors, S1 and S2? Is that right?

11 SHELLY FRIEDMAN: Correct.

12 COUNCIL MEMBER LAPPIN: And that's gonna
13 be used for valet parking or?

14 SHELLY FRIEDMAN: It'll be valet services
15 for patients and those accompanying them only.

16 COUNCIL MEMBER LAPPIN: Okay. So but the
17 EIS identified 1,680 vehicles that will enter and
18 leave the area daily, so who are the other 1,400
19 roughly vehicles you anticipate entering and leaving
20 the facility every day?

21 SHELLY FRIEDMAN: Those may be taxi cabs;
22 they may... well, actually... one moment please. With
23 your permission I'd like to have our environmental
24 consultant, Chi Chan, who did the study... [interpose]
25

2 COUNCIL MEMBER LAPPIN: Absolutely; you
3 guys can make room.

4 SHELLY FRIEDMAN: provide the added
5 spots.

6 COUNCIL MEMBER LAPPIN: Could the
7 sergeant get another chair please?

8 CHAIRPERSON WEPRIN: Again, just make
9 sure to identify yourself... [crosstalk]

10 CHI CHAN: Yeah. Okay. I can stand;
11 it's fine.

12 CHAIRPERSON WEPRIN: when you do speak...
13 we'll get you a folding chair though... here it comes...
14 [interpose]

15 CHI CHAN: I... My name's Chi Chan...

16 CHAIRPERSON WEPRIN: There you go.

17 CHI CHAN: Thank you... and I'm the lead
18 traffic engineer in preparing the transportation of
19 the EIS. While there are a number of people in a
20 full day coming to the site, they don't all come at
21 the same time; they don't stay for the whole day, so
22 in total the MSK patients and visitors would have a
23 peak demand of about 350 parking spots; the on-site
24 parking garage would be adequate to accommodate
25 approximately two-thirds of it.

1 The other demand would come from the
2
3 employees of both institutions, as well as other
4 visitors that would be accommodated elsewhere in
5 public parking facilities.

6 COUNCIL MEMBER LAPPIN: So is this... I...
7 I'm... maybe I'm not clear; is this for that valet only
8 or this is gonna be a mixture of valet and other
9 patients or you just said employees?

10 CHI CHAN: Well, this facility, the on-
11 site facility's only for valet operation for just
12 patients and visitors. Their employees would be
13 parked elsewhere in existing parking garages in the
14 area.

15 COUNCIL MEMBER LAPPIN: 'Kay. How 'bout
16 parking nowhere at all; can the employees be
17 forbidden from driving and parking the facility? And
18 that's not really a question for you as a traffic
19 engineer... [interpose]

20 CHI CHAN: Yeah.

21 COUNCIL MEMBER LAPPIN: it's a question
22 for MSK.

23 CRAIG THOMPSON: Yes, there's no
24 intention to allow any employees or workers in the
25 building to actually have parking in the building and

1 so they will absolutely not be permitted into the
2 valet underground parking facility. Their parking is
3 substantially accounted for elsewhere in the
4 community, as well as a large number, as was said by
5 Shelly earlier, are people that actually already live
6 in the community and walk to work. We have 1,600
7 apartments in the immediate vicinity for most of the
8 workers that actually work within the Memorial Sloan-
9 Kettering main buildings.

11 COUNCIL MEMBER LAPPIN: And you said...
12 when you said the... these are... how many new employees
13 are you gonna be bringing on?

14 CRAIG THOMPSON: So we're looking to see
15 a total of 700 new employees in the facility when
16 it's fully operational, approximately 10 years from
17 now.

18 COUNCIL MEMBER LAPPIN: 'Kay. So those
19 are 700 people who don't have parking yet; would you
20 be able to accommodate them at the mothership; do you
21 have additional parking spaces available in your main
22 facility? Do you own other parking garages that are
23 nearby; do they have any vacant space?

24 CRAIG THOMPSON: We do own other parking
25 garages; not all of them would be accommodated there,

1 but we are expecting a large number of the people
2 that are working actually in New York and using
3 public transportation as they go forward and there
4 are other rentable commercial space in the area of
5 the entire campus.

7 COUNCIL MEMBER LAPPIN: You said there's
8 other rentable space in your entire campus, which...
9 you don't mean this campus; you mean your existing
10 campus?

11 CRAIG THOMPSON: In the neighborhood.

12 COUNCIL MEMBER LAPPIN: That you control
13 or that you don't control?

14 CRAIG THOMPSON: Some we control, some we
15 do not control.

16 COUNCIL MEMBER LAPPIN: 'Kay. How many
17 spaces do you have at your control that could be set
18 aside for future employees?

19 SHELLY FRIEDMAN: There is the one major
20 garage beneath the Rockefeller labs on 67th Street; I
21 don't have the number of permitted spaces there, but
22 I will certainly get that for you.

23 COUNCIL MEMBER LAPPIN: 'Kay. And going
24 back to the engineer, if you know that 350 is the
25

1
2 peak demand, why are you building a 100 spots fewer
3 than that? That doesn't make a lot of sense to me.

4 CHI CHAN: Well, first let me go back to
5 all the estimates that we used for the EIS. In
6 accordance with the City Environmental Review
7 procedures, we all have to come up with very
8 conservative estimates to project future trip-making
9 so we can identify any kind of potential impacts that
10 will result with these trips.

11 Now while we have identified a shortfall
12 of parking, the reality is that given the area's
13 transportation system, as well as the 2nd Avenue
14 coming on line at the end of 2016 and folks living in
15 the neighborhood, the number of people that will be
16 actually driving will be expected to be less than
17 what we are projecting. So while I'm saying to you
18 that we have projected 350, the likelihood of that
19 number to be realized will probably be less than
20 that.

21 COUNCIL MEMBER LAPPIN: I have a hard
22 time with that, because if you go through an
23 Environmental Review process and you make a
24 projection and you're not meeting the anticipated
25 shortfall, I have a problem with saying, we just made

1 a projection, it was part of this process, but we
2 don't think it's a real projection. So I don't... and
3 I guess my question, and this is back to you Shelly,
4 you sought a special permit for this number of spots;
5 what would be the process you could use at this point
6 to apply for a new special permit asking to build
7 more parking spots?

9 SHELLEY FRIEDMAN: It would be presently
10 out of scope to include more parking spots in these
11 applications; any new parking spots would require...
12 well, they might require a new special permit on this
13 site; they would certainly require a new special
14 permit; if there was some other site identified, it
15 would depend on the zoning at that point. May I
16 point out, Councilwoman, the analysis gets very fine-
17 grained; after a certain point in the analysis you
18 can pinpoint the exact hours at which the demand will
19 exceed the supply on this garage. In this analysis
20 we have been able to identify the shortfall as
21 occurring in midday hours, weekday hours only. That
22 shortfall did not, in and of itself, did not trigger
23 an adverse impact because under the CECRA analysis
24 there is sufficient inventory in the area to
25 accommodate that. Nonetheless, we understand that

1
2 your concern is that anyone who tries to use this
3 garage would get turned away.

4 The analysis in the EIS only permitted us
5 to include 19 garages as absorbing this shortfall,
6 because under CECRA you can only identify garage
7 spaces within a quarter-mile radius of your project.
8 If you draw a quarter-mile radius around our project,
9 a significant portion of it's to the East River; I'm
10 sure there are cars down there, but we don't get to
11 count them and the Con Ed plant to our north. So our
12 one-quarter radius is really constricted considerably
13 to 19 garages.

14 If we didn't follow the CECRA analysis,
15 and went to a half-mile, an additional five-minute
16 walk, we go from 19 garages to over 100 garages with
17 a capacity in the thousands. So we believe that the
18 practical reality will be that these cars that may be
19 turned away, that the valets will take off the hands
20 of these visitors who don't have room at the end, as
21 it were, for these hours, will end up taking these
22 cars to any one of a number of close-by facilities
23 for which we know there is sufficient capacity.

24 COUNCIL MEMBER LAPPIN: Meaning your
25 valets will take the cars 10 blocks away? I mean by

1 definition these are sick people who are coming here,
2 they're not well, so I think the idea that they would
3 walk a half-a-mile, giving the fact that they're
4 coming to Memorial Sloan-Kettering for treatment, is
5 unlikely. So is it the valets who are gonna take the
6 cars?
7

8 SHELLY FRIEDMAN: The entire... it's an
9 excellent question, Councilwoman. The design of this
10 facility is that this is a drop-off; it is... there is
11 a... there are three lanes... you know, much similar to
12 New York Presbyterian, the Milstein building, when
13 you pull in and your car is taken from you
14 immediately and taken by valet service to another
15 facility, that's what's gonna happen here whether the
16 garage is full or not. MSK's responsibilities will
17 be to find a spot for that car and to bring it back,
18 even if it requires a more expensive valet service,
19 parking them off-site, having contract relationships
20 with other operators, but it will be the valet
21 operator's responsibility to find those spaces, not
22 the pa... the patient will never know that their car is
23 in the garage or two blocks or three blocks or four
24 blocks away; that's the commitment that MSK is making
25 to its patients.

1 COUNCIL MEMBER LAPPIN: 'Kay. I wanted
2
3 to ask a question... this is more for CUNY and I
4 haven't asked in a while and if you addressed it, I
5 apologize... sort of the funding of your portion of the
6 project; is it all in the State budget already; what
7 is the funding; how much will it cost; where are we
8 with that?

9 IRIS WEINSHALL: So we anticipate the
10 total project costs; that includes all the academic
11 space, which will be from the basement to six, and
12 then the research space, which will occupy the top
13 six floor; we anticipate that that total project cost
14 is about \$720 million.

15 As is typical with CUNY projects, we get
16 state appropriations for our four-year schools and it
17 is appropriated over a number of fiscal years. It is
18 not unusual for the State to give us money to start a
19 project and then we would then, in future fiscal
20 years, get more money to move along.

21 We have made a determination that right
22 now our priority is to get the academic space
23 completed and so we will be building the, hopefully
24 building, the entire core and shell of the entire
25 building, but the research portion will be done at

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2 some later date. As Hunter and Jennifer Raab, the
3 President, start to attract researchers we will begin
4 to build out those floors for those researchers.

5 And we will have a portion of City money
6 in this project, which is also not unheard of and we...
7 if you look in the capital budget, there's already
8 allocated a \$100 million of City funds. So the
9 breakdown... What? [interpose]

10 COUNCIL MEMBER LAPPIN: And how much of
11 the State funds are allocated already?

12 IRIS WEINSHALL: We have allocated now
13 about a \$176 million in appropriations for this
14 building, plus an additional \$54 million for the
15 swing space that we will be constructing for Hunter
16 at another location. So allocated right now is about
17 \$220-odd million of State funds.

18 COUNCIL MEMBER LAPPIN: So combined with
19 the City funds you're almost halfway there?

20 IRIS WEINSHALL: Yeah, about halfway
21 there; it will allow us to build the foundation, put
22 the core and shell up and then we will go back to the
23 State in order to get the fit-out money to fit-out
24 the spaces, but the majority of funds, as you can
25 well imagine, a building of this size, will really go

1 into the foundation, the core and shell and all the
2 mechanicals that have to go in the room.

3 Also, as is typical with the State, if a
4 project is proceeding there's an acknowledgment that
5 as the fiscal years start to happen, they start to
6 fund the fruition, the completion of the project.

7 COUNCIL MEMBER LAPPIN: What would happen
8 if, God forbid, the money didn't come; what's in the
9 contract between MSK and CUNY as to who would take
10 possession of the core and shell; is it the City, is
11 it MSK or what happens in that situation?

12 IRIS WEINSHALL: As you know,
13 Councilwoman, we have spent decades looking for space
14 for Hunter for their new science... [interpose]

15 COUNCIL MEMBER LAPPIN: I don't think
16 Jennifer has spent any time on it whatsoever.

17 [laughter]

18 [background comments]

19 IRIS WEINSHALL: She's been very shy
20 about it. We have literally spent decades looking
21 for space to be able to build a new science building
22 for Hunter. If the worse were to happen, at a
23 minimum we would build the foundation of our building
24 and then in a very intricate system, cover it over
25

2 and then hopefully over time be able to come back and
3 put up the core and shell.

4 It is our hope and our desire that we
5 will keep up with Sloan-Kettering so that we will put
6 in the foundation, we will build with them the core
7 and shell, and then as I said, over time we would
8 then do the fit-out of the space. It is not CUNY's
9 intention at this moment, having gone through what we
10 went through for the last 20 years of looking for
11 space, to give up this... [interpose]

12 COUNCIL MEMBER LAPPIN: No, no; I
13 understand, but things happen. You would retain
14 possession?

15 IRIS WEINSHALL: We would retain
16 possession, unless the State or CUNY decided that
17 they weren't gonna do this, but I have to tell you, I
18 would view that, at this moment, as highly unlikely
19 to give up that space.

20 COUNCIL MEMBER LAPPIN: I do understand.
21 I wanna go back to traffic mitigation, sorry I'm
22 shuffling back and forth, particularly the three
23 intersections along York Avenue where you have
24 determined that there will be a significant adverse
25 impact, including one that's unmitigatable. So what

1
2 are you planning to do or suggesting for two out of
3 the three or all three?

4 SHELLY FRIEDMAN: I think as a general
5 matter, Councilwoman, you know the... as the building
6 comes on line what's written down in the pages of
7 CECRA analysis becomes secondary to finding practical
8 solutions to practical problems that they will need
9 and that the community and its officials expect and
10 want to see happen. We will continue to work with
11 this community, with its leadership, with its
12 Community Board to be part of any broad-based
13 discussion about the York Avenue corridor. I know
14 there is some significant misinformation out there
15 about our proposing to make York Avenue one-way or
16 some such; we have not engaged in any transportation
17 planning other than to identify what the CECRA
18 handbook requires us to identify. We have stated to
19 the Community Board; we have stated to its elected
20 officials, including yourself, that we will continue
21 to engage with the community, with the other
22 institutions; with the City as it sees fit to try and
23 study our impacts and our contribution to these
24 impacts.

1 Once again, these buildings do not come
2
3 on line until 2019; there is no real issue regarding
4 our impact on the existing conditions here, which I
5 know are troubling to many people in this room, but
6 we would... [interpose]

7 COUNCIL MEMBER LAPPIN: Right.

8 SHELLY FRIEDMAN: like to do what we can
9 to address... we have the time to do it... to address
10 transportation solutions that make sense for all of
11 the users and all of the stakeholders on York Avenue.

12 COUNCIL MEMBER LAPPIN: I guess the
13 threshold question... I mean you sort of hit the nail
14 on the head... is, you know it's bad already, I mean
15 it's very, very difficult to get up and down York
16 Avenue under existing conditions and so... and you can
17 tell what I'm focused on, you know, based on my
18 questioning with this project is that the amount of
19 vehicular traffic that MSK... and really specifically
20 MSK, because I don't think CUNY is gonna be bringing
21 students in cars... the huge number of cars that are
22 gonna be in the area and so, you know, putting the
23 terminology and all of that aside; I mean what can be
24 done; is there anything that can actually be done, if
25 you're gonna add 1,600 cars a day, to make it

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passable along York Avenue, particularly at those three corners?

SHELLY FRIEDMAN: Well the distribution of this traffic is quite broad; these are not events in which all these cars are coming or leaving at the same time or in the neighborhood or on the network at the same time. The only thing that the end users can do is cooperate with the City in its interests in addressing this problem and as the situation unfolds, as the buildings are occupied and used, if there are particular things that come up that can be addressed, I think you'll see they will be addressed; I mean MSK has been very active around its sits in working with the City with regard to signage changes and the like to improve traffic flows; I think you will see that kind of commitment continue. But at the end of the day we are kind of beholden to the bigger picture and we need to open up these facilities and see what's happening and then start to work with those instances where things are not going well to improve them.

COUNCIL MEMBER LAPPIN: I understand, but you know by then the buildings are built, right; then the cars are coming already.

1
2 SHELLY FRIEDMAN: Well, true, but the
3 streets are also already built; it's about
4 management; it's about civic management and it's
5 about institutional management and I think that these
6 are two institutions which, you know, have existed in
7 this community, in this micro community of Lenox
8 Hill, which is the area this project is in, for
9 decades and have cooperated where... understand,
10 they're not coming into this community new or fresh;
11 they're long-term stakeholders, they intend on being
12 future stakeholders and I think they'll work with
13 whatever party wants to sit down and say let's talk
14 about what your traffic is doing or might not do in
15 our community, whether that be the local block
16 association, the Community Board, its elected
17 officials or the City of New York.

18 COUNCIL MEMBER LAPPIN: If the buildings
19 were smaller I assume there would be fewer people
20 coming to them. I mean I wanna... this is the last
21 line of questioning I have and then I know we've
22 gotta move on... is... you talked about the significance
23 of the floor plates and them being what they are,
24 which I understand, but these aren't just... and you
25 talked about; you don't want them to be tall, you

1 want them to be larger, but this a pretty tall
2 building with significant height, so you're getting
3 it kinda both ways here; are there any special
4 permits or waivers that you're not asking for as part
5 of this application, Mr. Friedman?
6

7 [laughter]

8 [applause]

9 SHELLY FRIEDMAN: We're asking for
10 exactly what we need and nothing more than that.
11 12FAR is by any standard the standard at the moment
12 in this medical corridor; it's actually beneath what
13 several institutions are coming forward to build and
14 we're asking only for as much as we need to meet the
15 two programs that you've heard about on this panel
16 today; they're very exciting programs, they're very
17 necessary programs; they require building typologies
18 that work for them. To create buildings that do not
19 work for them or cease to work for them two days
20 after they're built is only... puts us on the road to
21 another building somewhere else adjacent to this,
22 most likely... [interpose]

23 COUNCIL MEMBER LAPPIN: I have a feeling
24 that's gonna happen anyway.
25

1
2 SHELLY FRIEDMAN: Well, you know this is...
3 it is a feeling and I respect that deeply, but when
4 you look at the land use patterns here, this is the
5 end of a 70-year development of what was once the
6 industrial East Side waterfront. This is all that's
7 left, we're dealing with remnant sites; this is the
8 largest of those remnants left and when these sites
9 are developed, until such time as Con Ed wants to... or
10 the MTA want to move off their very active industrial
11 sites, this is the end of a 70-year process of
12 conversion from heavy industrial use to a much more
13 productive beneficial use for the community, for the
14 City and for the world.

15 There are no other big sites here that
16 are going to be next. There are I think 17 tax lots
17 left that still have manufacturing zoning and several
18 of them are actively used for industrial purposes by
19 Con Ed and the MTA and the like. This is, from a
20 long-term planning perspective, the end of an era of
21 conversion of these manufacturing sites. Many of
22 them went residential, some of them went... [crosstalk]

23 COUNCIL MEMBER LAPPIN: Can I hold
24 Mr. Thompson to that?

25 SHELLY FRIEDMAN: I'm sorry, ma'am?

2 COUNCIL MEMBER LAPPIN: Okay. Thanks uh...
3 I don't have any further questions Mr. Chair.

4 CHAIRPERSON WEPRIN: Thank you
5 Ms. Lappin. Alright, we're gonna excuse this panel;
6 we have a lot of people, I know, who wanna testify,
7 so we wanna get to them; I assume you'll have
8 representatives here throughout the hearing, right?
9 Thank you. Thank you all very much; we appreciate
10 your testifying.

11 'Kay. As I mentioned before, we're gonna
12 alternate between those who have checked in in favor
13 and opposition; we're gonna start with opposition.
14 So I'd like to call up Albert, is it Butzel... Butzel.
15 Thank you, great to have you here, Jessica. Jill
16 Eisner, Rita Popper and Andrea Hershey. Got those
17 down huh. Okay; is that alright? And I realize
18 there are a lot of people here and we will get to
19 everybody and I know it's a long day, but we'll try
20 to do it as fast as we can, but we wanna make sure
21 everyone gets their voices heard.

22 And so we're gonna gain try to limit
23 people to two minutes, if you can. Before we start,
24 who designed the tee shirt? I wanna know. I got a
25 hand back there? Okay, good. Alright, very nice.

2 Congratulations they're... and the color, who picked
3 the color? Did you go to Syracuse or som'in? Okay.
4 Alright. Alright. So you guys decide who wants to
5 go first and again, we'll start... [interpose]

6 ALBERT BUTZEL: I'll go first.

7 [crosstalk]

8 CHAIRPERSON WEPRIN: Okay. Great.

9 ALBERT BUTZEL: Is the microphone on?
10 Yeah... [interpose]

11 CHAIRPERSON WEPRIN: Yeah, go ahead; just
12 make sure... again, I wanna remind everyone, when you
13 do speak to please say your name at the very
14 beginning. Thank you.

15 ALBERT BUTZEL: My name is Albert Butzel;
16 I am the attorney for Residents for Reasonable
17 Development and as you know from putting me here, I
18 am... appear here today in opposition to the
19 application for the Sloan-Kettering community
20 project. I have prepared and submitted to you, which
21 is being circulated right now, written materials
22 identifying the substantive and legal failings of the
23 project; in a sense the begin and end with the
24 reality that this 800,000-square-foot institutional
25 development, which will bring 10,000 people a day

2 into the neighborhood, is far too large and traffic-
3 intensive for the residential neighborhood which
4 surrounds it.

5 We do not question the importance of
6 high-quality cancer care, but in a community already
7 overrun with medical institutions, which up to now
8 have at least been confined south of 72nd Street, the
9 MSK expansion north to 74th Street is too much and in
10 the wrong place.

11 Let's be frank, for all its glamour, MSK
12 is a huge business which depends on a constantly
13 expanding patient base to justify new facilities. It
14 already has 14 separately listed facilities in
15 Manhattan, one in Brooklyn and five in suburban
16 communities. Now it wants to expand north to 74th
17 Street, but there has to be an end to this relentless
18 march of over-sized medical facilities. We just
19 heard there are three more in the works and to say
20 this is the last one, as Shelly did, is just crazy.
21 It rests with this Council to end it; that will take
22 courage, Sloan-Kettering is a powerful institution
23 and the Mayor wants what he wants on City land that
24 he is asking your approval to sell.

1 From the outset the disposition process
2
3 has been a setup specifically tailored to MSK [chime]
4 and CUNY with no consideration for the community on
5 which he intends to impose it. This has been the
6 story over the last 12 years, big projects for big
7 institutions and developers involving big money and
8 time and again this Council has gone along. This is
9 the time for it to call a halt, to stand up to the
10 Mayor and his City Planning Commission; to stand up
11 frankly to the Council Speaker and say no; to stand
12 up for local community concerns and interests. If
13 you are truly serious about hearing the voices of the
14 people rather than the interests of powerful
15 developers and powerful institutions, this is your
16 chance to show it. I urge you to vote against this
17 ill-conceived project... [interpose]

18 CHAIRPERSON WEPRIN: Thank you. Thank
19 you very much. Ladies.

20 [applause]

21 CHAIRPERSON WEPRIN: Alright. I'm gonna
22 have to ask you to limit the applause, you know,
23 within reason there. [crosstalk]

24 ALBERT BUTZEL: Why not; aren't we all
25 welcome?

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SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: I know. It's alright, but just uh... 'cause otherwise the Sergeant at Arms will... will get really mad at me and we don't want that. So whenever you're ready, uhm... 'kay.

ANDREA HERSHEY: Yes, my name is Andrea Hersey; I live on 76th Street. I'm a cancer, breast cancer survivor; I used Memorial Sloan-Kettering and it's a wonderful hospital; for 22 years I've gone back and forth there. We in the community cannot afford to have... I know what they're proposing to put on 73rd Street; when you drive down that street, you cannot even get on the FDR, it's almost preposterous if you lived in the area that you could think you could build that many buildings there and that we could withstand it in the neighborhood. It is so crowded now; you can't drive down York; how will these patients... when they say 248 parking spots, when you go to Sloan-Kettering and you need to park at Sloan they have a li... you line up on York to get on that 67th Street parking lot that he's talking about. The parking lots in our area cannot hold the cars that will be coming into the community. We need to be fair to the people who live there. We live there; we have schools, we have buses, ambulances; it's just

2 not fair if this goes through, it's not right and I
3 think the hospital is fabulous, but they need it in
4 the Bronx, Brooklyn, Queens, not here again. And I
5 speak to people for over 20 years, helping them,
6 directing them where they should go and they have to
7 travel into New York; they live in the Bronx, they
8 live in Queens, they live in Brooklyn; they don't
9 have this type of facility. Why put it right where
10 we live, where we do not need it? Thank you.

11 [applause]

12 CHAIRPERSON WEPRIN: Thank you. Than you
13 very much. Who's next?

14 RITA POPPER: My name is Rita Popper; I'm
15 a member of Community Board 8, but I'm not here as
16 that member, I'm here as a member of Yorkville
17 community.

18 This facility is being built as an
19 ambulatory chemotherapy facility and it does not have
20 door-to-door public transportation access. Public
21 transportation will take patients to 72nd Street and
22 York Avenue; this is at 74th Street, a very, very
23 long block, all the way to the end to the FDR Drive.
24 People who are on chemotherapy have compromised
25 immune systems, they're tired, they're ill and this

1 facility, where the entrance is, makes it impossible
2 to reach unless you are going by car and that brings
3 all the more cars into this area.

4 We sent a book to each of the members of
5 this Committee and I direct you to look at photo
6 number nine, as you will see just how long that block
7 is and I have a book here that we'd like to enter
8 into the testimony here. The double height of this
9 building is incongruous with receiving chemotherapy.
10 Chemotherapy is administered in a reclining chair
11 with an IV pole, it is not administered in double
12 height facilities, such as operating rooms; there is
13 no need for this height of this facility.

14 The other thing is is that we have never
15 seen the 10FAR building which was originally proposed
16 and the 12FAR building in the same room at the same
17 time. I urge the Committee to take a look and see
18 [chime] the difference between the two buildings; we
19 would like to see it too. Thank you.

20 CHAIRPERSON WEPRIN: Thank you Miss
21 Popper. Miss Eisner. Uh... comments? [interpose]

22 COUNCIL MEMBER LAPPIN: And actually, we
23 should make sure the sergeant gets from Miss Popper
24 what she wants to submit to the record.
25

1
2 CHAIRPERSON WEPRIN: Fine. Yeah, I
3 reiterate, anyone who has more information that they
4 weren't able to get in their thing and wanna submit
5 it for the record, we'll make sure to get a copy, but
6 if he or she has a book we'll take care of it. Thank
7 you. Ms. Eisner.

8 JILL EISNER: Yes. Hi, my name is Jill
9 Eisner; I'm a resident of 444 East 75th Street on
10 York Avenue and let me say that my father and I have
11 both been patients at Memorial Sloan-Kettering and I
12 spent six months going to chemo sessions with him at
13 their very nice out-patient facility on 53rd, between
14 Lexington and 3rd. I've been a resident since 1991
15 on 75th Street and I live in Yorkville, not a medical
16 corridor; it's a neighborhood of five-story walkups
17 and high-rise apartments, which is a perfect
18 demographic mix for families, but we're afraid it's
19 not an exciting time, as Sloan-Kettering has just
20 stated, for residents that pay taxes in this
21 community.

22 The sanitation garage on East 74th Street
23 was a good neighbor and no one ever had any
24 complaints about the garbage or the trucks and we
25 were quite surprised with without notice, and you'll

1 hear "without notice" used quite a bit this week,
2 because that's what happened in this project. The
3 garage was torn down and the trucks went away and we
4 were even more surprised during this recent primary
5 election when we were called garbage elitists, after
6 living side by side with a garbage garage for
7 decades, it's unfair.

9 The MSK testimony of their EIS results
10 does not all reflect reality. At 8:30 a.m. before
11 the four hospitals are built, not a car can move, as
12 all 12 schools on York Avenue, between 76th Street
13 and 72nd Street start session and the same holds true
14 in the afternoon, so that is totally bunk and untrue.

15 To add insult to injury, Community Board
16 8 ignored the brilliant work of the MSK/CUNY task
17 force subcommittee, which has several meetings open
18 to the public in which after many months of careful
19 and extensive review and diligent investigation,
20 which contrary to MSK disapproved the zoning text
21 amendment, 12 in favor, 6 opposed and one abstention.
22 This unprecedented amendment will allow the violation
23 of zoning regulations in every neighborhood in the
24 City. If this project goes forward it will set a
25 precedent that no zoning restrictions are safe.

1
2 I do not understand legal terms as ULURP
3 and zoning text, but I do understand that this
4 project [chime] was a land give-away, so I ask you,
5 you have an opportunity to tell medical institutions
6 they should be built where their services are needed,
7 not the communities that they want to serve.

8 [applause]

9 CHAIRPERSON WEPRIN: Thank you very much.
10 Alright, well thank you very much; we appreciate all
11 your testimony. Okay. I'd like to call up the
12 following people now for the next panel; Ben Kallos;
13 I think he had to step out; he has a representative
14 here, Joseph Strong, Charles Washington, Paul
15 Sabbatini and Cheryl Jacobs. Do we have... is that
16 four or five? That's... yeah and then I had Ben, so we
17 need on extra chair; there you go, thank you. Okay.
18 It's okay. There's four, okay. Alright, fine. You
19 guys can choose who goes first. But again, try to
20 keep you within the two minutes if you can; if you
21 have to just go over it's okay, but wanna be
22 courteous to everybody. Wanna go first, sir? Please
23 and make sure again, state your name for the record.

24 CHARLES WASHINGTON: Charles Washington.
25 Good afternoon. I've served cancer patients for

1 over... [clearing throat] excuse me... for over 26 years
2 in several different capacities; as a direct-care
3 provider, as a radiation therapist, an educator and
4 now as an Administrator in Radiation Oncology for
5 Memorial. I'm very, very excited to be able to offer
6 support of this particular project on 74th Street and
7 the promise that it brings to expand patient care
8 services to all of our patients.

10 We have an increased number of cancer
11 diagnoses and increasing need for advanced
12 therapeutic interventions. Combined with the mission
13 and the vision to control and cure cancer this
14 expansion itself offers a unique opportunity and an
15 important one at that to extend MSK's expertise in
16 cancer management to additional patients in New York
17 City and beyond.

18 This venture will offer many advances in
19 cancer management, inclusive of my field, radiation
20 oncology. You see radiation treatment is used in
21 over 50 percent of all cancers being managed. This
22 facility that we're talking about will offer state-
23 of-the-art treatment planning and care delivery that
24 are safe and effective in both patient and in
25 community settings. I'd like to mention just a few

1 features that will enhance our ability to manage this
2 disease for our patients.

3
4 New state-of-the-art linear accelerators,
5 many of which were designed and vetted by our
6 Memorial experts that will have advanced imaging
7 capabilities that will ensure that prescribed doses
8 of radiation are administered at the targeted sites
9 with precision that enhance the effectiveness of
10 care; CT and MRI within the planned department that
11 will provide immediate access to assess patient and
12 tumor anatomy and physiology [chime] for planning and
13 delivery of treatment.

14 The 74th Street treatment facility is an
15 important necessary component in furthering our
16 ability to treat New Yorkers, Americans and world
17 citizens that come for our care and I'm very, very
18 happy to have the opportunity to share my enthusiasm
19 of this project. [interpose]

20 CHAIRPERSON WEPRIN: Thank you. Your
21 enthusiasm is noted. Thank you. Next. Okay,
22 whoever wants to go.

23 PAUL SABBATINI: Good afternoon; I am
24 Paul Sabbatini, the Deputy Physician-in-Chief for
25 Clinical... [interpose]

2 CHAIRPERSON WEPRIN: Just get closer to
3 the mic.

4 PAUL SABBATINI: for Clinical Research at
5 Memorial Sloan-Kettering. The 74th Street location,
6 which is within walking distance to our main campus
7 will allow us to meet the growing demand for cancer
8 care without any unnecessary duplication of services,
9 which we think is very important.

10 The enhanced out-patient facilities are
11 also critical for us in developing new approaches to
12 improving cancer diagnosis and treatment which will
13 benefit members of the New York community is the
14 first to benefit.

15 As part of our commitment to providing
16 patients with the best cancer care, we have extensive
17 program for clinical research. Our patients have
18 access to more than 1,000 clinical trials that take
19 place in New York City, trials that help us to
20 determine the effectiveness of innovative approaches
21 to cancer care.

22 Clinical research provides the roadmap to
23 better care and I'm pleased to say that my colleagues
24 at Memorial Sloan-Kettering have development more

1 FDA-approved drugs than any other cancer center in
2 the United States.

3 I'll give you two quick examples. Since
4 2005 seven new drugs have been approved for the
5 treatment of advanced kidney cancer and MSKCC was
6 involved in the development of or led to clinical
7 trials for five of them. So not only have these drugs
8 made lives better for MSKCC's patients in New York
9 City, but they've improved the outcomes for patients
10 around the world.

11 More recently our immunologists, Jedd
12 Wolchok and colleagues led a groundbreaking clinical
13 trial for advanced melanoma using the immune system
14 in the same way that it fights infection to fight
15 cancer by using two agents, so-called checkpoint
16 inhibitors, and they had an over 50 percent shrinkage
17 in this clinical trial, which has now moved on to a
18 world-wide study.

19 We do know that cancer is more than one
20 disease; it is very important as we go forward to
21 group cancers on the basis of genetic drivers and
22 genetic mutations, so-called personalized medicine.
23 This means we have to have more trials for the same
24 disease, more trials for breast cancer, more trials
25

2 for prostate cancer grouped in this way [chime] and
3 the proposed building on East 74th Street will enable
4 us to support this new approach to clinical research
5 and our most important goal is to rapidly identify
6 better treatments for all New Yorkers with cancer and
7 ultimately to share these to people around the world.
8 Thank you.

9 CHAIRPERSON WEPRIN: Thank you. Thank
10 you very much.

11 JOSEPH STRONG: Hi, my name is Joseph
12 Strong and I'm here to speak on behalf of City
13 Council candidate Ben Kallos.

14 Ben Kallos grew up in the District and
15 still lives in the area in which the proposed site is
16 being built, so this is personal to him. Ben's
17 father also has monstrable mangioma (sic), a form of
18 bone marrow cancer and so he supports research
19 designed to improve treatment and hopefully produce a
20 cure for all cancers.

21 But we're here today to stand with the
22 concerned neighborhood groups, along with Residents
23 for Reasonable Development, who have already spoken
24 out on this issue and we strongly believe that there
25 are multiple issues that need to be addressed,

2 including to mitigate traffic, as well as ensuring
3 that residents aren't overcrowded in their
4 neighborhood and we believe that more open space
5 should be available to the community and that we
6 should also mitigate the impacts of construction and
7 promoting economic development.

8 With traffic one of the issues that had
9 been brought up is a concern about them changing York
10 Avenue to be one direction; we believe that this
11 can't happen and it needs to continue to be two-way
12 traffic. We also would like a bike share station to
13 be included at the site so that we encourage more
14 biking to the site rather than cars. For ensuring
15 that residents aren't overcrowded in their
16 neighborhood we would like more parking spaces to
17 accommodate cars, as well as other sites set up just
18 for [chime] residents and MASQ (sic) people.

19 Thank you so much for your time.

20 CHAIRPERSON WEPRIN: Thank you very much.

21 CHERYL JACOBS: My name's Cheryl Jacobs.

22 I've worked in the health and wellness field for more
23 than 20 years; I've facilitated workshops, support
24 groups and worked closely with individual cancer
25 patients. I lived a healthy lifestyle, did all the

1 right things; exercised, didn't smoke, ate better
2 than most and had supportive positive relationships
3 and had no family history of cancer; cancer was not
4 even on my radar for myself.
5

6 It was 4-and-a-half years ago, after
7 going through a brutal surgery to remove something
8 that was a little something that had been tested and
9 determined totally benign, but maybe was pushing on
10 something that might be causing my back and stomach
11 pain. It's at that point that I was diagnosed with a
12 very rare cancer; it took me several weeks to even
13 pronounce its name. I was told that it was like
14 being hit by lightning, it was high-grade and was
15 presenting unusually and that there was not much
16 known about it. These are not comforting words to
17 hear and they're words that I pray none of you or
18 your family every have to experience.

19 I began to do my own research; I went to
20 the multiple, highly-respected medical centers all
21 over the east coast; I met with a specialist at each
22 of them. I kept hearing that they would consult with
23 Memorial Sloan-Kettering, since they would have the
24 most in-depth and recent research. Being a New
25 Yorker it was a no-brainer; I would go to Sloan.

1
2 I met with the doctors there; true, they
3 did have research, I wish it was more, but they did
4 have some protocols and I'm gratefully here with you
5 today. I was also one lucky enough to be able to
6 walk to every one of my treatments because I live in
7 the area.

8 I've captained a team for Cycle for
9 Survival for the last 2 years; it's one of the
10 fastest-growing fundraising organizations and has
11 raised over \$31 million since its inception in 2007.
12 This year my team, The Wheeler Healers raised over
13 \$15,000 and the event raised over \$14 million. A 100
14 percent of what was raised goes directly to Sloan to
15 fund research [chime] and clinical studies for rare
16 cancers. Just so... it hasn't been stated here yet, 50
17 percent of the people who are diagnosed with cancer
18 are diagnosed with a rare cancer, cancers that we all
19 hear about, like brain cancer, pancreatic, cervical
20 sarcoma and pediatric, pediatric are considered rare.

21 I for one am here to support any project
22 that will increase the badly needed research in this
23 field. There are many patients who are alive today
24 due to the clinical studies that are being carried
25 out at Sloan. I support Sloan in this expansion and

2 I hope you will too. I for one want this research
3 being done in my area. This is my wish so that in
4 the future none of my friends and family or yours
5 hear the words, "we don't have a lot of research
6 around this."

7 CHAIRPERSON WEPRIN: Thank you. Thank
8 you very much; we appreciate all your testimony as
9 well as all your support for the charitable causes
10 that you talked about, so thank you very much and we
11 hope you're doing well.

12 Letitia James... actually, before you
13 leave, Council Member James had a comment or
14 question.

15 COUNCIL MEMBER JAMES: Just a comment. I
16 too wanna thank MSK; they serviced my mom when she
17 was alive when she was going through cancer; I
18 remember driving there every day for 4 years, so I
19 wanna thank you. But you know what also; you know I
20 am... I represent downtown Brooklyn and in Brooklyn
21 they're closing hospitals; we would love to have this
22 development in Brooklyn... [interpose]

23 [applause]

24 CHAIRPERSON WEPRIN: Please; told you, he
25 gets mad about that.

1
2 COUNCIL MEMBER JAMES: I didn't say that
3 for applause, but the point is is that Long Island
4 College Hospital; Interfaith Hospital are on the
5 brink of closure, Brookdale Hospital and Downstate
6 are facing closure and all of this development in a
7 concentrated area, and as someone mentioned,
8 primarily to serve a certain constituency I think is
9 just not fair; I think you provide great research,
10 you kept my mother alive for 10 years; I would love
11 to bring you to Brooklyn; we've got cancer rates that
12 are through the roof, we've got health care needs in
13 the Borough of Brooklyn and parts of Queens and in
14 the Bronx that are not being addressed. The
15 residents have expressed concerns with regards to all
16 this development; I understand and I believe in
17 responsible development; I've took on powerful
18 developers in Brooklyn, but my point is that we
19 really need to spread this wealth of services and
20 professionalism to all five boroughs so that
21 everyone, all New Yorkers can stay alive and so I
22 thank you for coming here today and I think you.

23 [applause]

24 CHAIRPERSON WEPRIN: Thank you. Thank
25 you Council Member James. Is... you... would you like a

2 response to that, Council Member James; you can just
3 nod and say yes, sure, go ahead.

4 PAUL SABBATINI: Well I would just only
5 add; we... we definitely understand and agree and are
6 trying to move beyond New York City; I just wanted to
7 point out, we do have a facility in Brooklyn, which
8 is largely a chemotherapy facility where patients can
9 go and receive out-patient treatments.

10 CHAIRPERSON WEPRIN: Council Member
11 James. You okay? Okay. I thought you had another...

12 COUNCIL MEMBER JAMES: I don't want this
13 to be exchange, we can... [crosstalk]

14 CHAIRPERSON WEPRIN: Okay, no problem; we
15 don't wanna debate Brooklyn today. Okay; you good?
16 Alright, well thank you all very much; appreciate
17 your time. I would like to bring up the following
18 panel in opposition; Mitchell Hershey, Marsha
19 [phonetic] Reese [phonetic], Carol Spiegelman
20 [phonetic], think it is, and Carol Lipsky [phonetic].
21 Are they all wearing orange shirts? They are. 'Kay.

22 We're missing one of them? I guess one
23 of them had to leave. Yeah. Well we understand and
24 we will read everyone's name into the record as they
25 do that. Robert Jackman; you here, Robert?

1 ROBERT: Yeah.

2 CHAIRPERSON WEPRIN: Oh that's, our tee
3 shirt designer. Welcome. For some reason you're the
4 only one covering it. Okay, there you go. Alright.
5 Come on Mr. Jackman. Again, make sure to state your
6 name, whenever you wanna decide to get started.
7 Women never go first, you notice that, I don't know;
8 whatever happened chivalry? Okay. [interpose]

9 MITCHELL HERSHEY: Good afternoon. My
10 name is Mitchell Hershey; I live on 76th Street on
11 the East River; I've lived in Manhattan at this
12 building now for 14 years and I was born and bred and
13 Brooklyn, so I'm a City resident.

14 I believe that what MSK and CUNY are
15 trying to do with HSS is a wonderful project; I think
16 it's needed; my wife spoke; she's a breast cancer
17 survivor; I had both my hips replaced at Hospital for
18 Special Surgery, I know the neighborhood; I know the
19 need for the facility. We are over-serviced in our
20 area for our immediate needs. This is an
21 international facility, people come from all over the
22 country and all over the world; they don't have to
23 come to 73rd and 74th Street; 74th Street is a two-
24 way dead end street; it is a narrow street; it dead
25

1 ends at the FDR; 73rd Street is a two-way street that
2 dead ends on the FDR, which is the entrance to the
3 FDR. If you've ever tried to get onto 73rd Street on
4 the FDR, if you live in the neighborhood, you know it
5 backs up the whole way and people back up on the FDR
6 to get off the FDR; that's the exit from the FDR, and
7 they have to wait 'til people make the turn on 71st
8 Street; there's a stop sign at Hospital for Special
9 Surgery, and it backs up for blocks onto the FDR,
10 onto 73rd and this is all the time. We don't need
11 this facility in our area, we are over-serviced with
12 medical facilities; we have five boroughs; there are
13 people from other areas that need a facility closer
14 to them; there is no parking, the promenade has a
15 waiting list for cars, the Pavilion on 76th Street,
16 across the street from Lycee Francais has a waiting
17 list [chime]. All the parking... there are no parking
18 lots on 74th Street; it is a very, very difficult
19 area to have parking spots; when I have guests
20 visiting us they cruise the streets looking for
21 parking spots 'cause it says full; you can't get into
22 parking spots... [interpose]

24

25

2 CHAIRPERSON WEPRIN: We're gonna
3 stipulation to some of that, yes. Thank you Mr.
4 Hershey. Next.

5 CAROL SPIEGELMAN: Hi, I'm Carol
6 Spiegelman; I wish I was as prepared as many other
7 people were, but... [interpose]

8 CHAIRPERSON WEPRIN: Just go right close
9 to the mic though.

10 CAROL SPIEGELMAN: I come to you as a
11 woman, a wife, a mother and a sister of a rare
12 leukemia survivor, thanks to MSK. I also am a
13 student at Hunter College, how interesting, so my
14 first question to the Hunter College people, which I
15 don't know that I'll get an answer, is; of the people
16 entering this nursing program, how many do graduate
17 and how many do congregate and smoke and hang in
18 front of this building, because on 68th and Lex it's
19 a disaster; I go there as an adult student just to
20 learn; it's my chance; I won't get those answers, but
21 put that into your thoughts.

22 I live on 74th and York; I live in a
23 Glenwood building with a garage where I park my car;
24 I call down for my car and I have to wait sometimes
25 an hour because of the lineup of hospital people who

2 are now parking in my garage as well as the Somerset
3 on 73rd. Our cars have to wait an hour to come up
4 and it's... I feel sorry for the workers because
5 they're just lining up from hospital workers now, so
6 now you're going to bring in more patients, hospital
7 workers; we have no room, nobody has anymore room.

8 I feel sorry for the children growing up
9 in the neighborhood; my son is old and gone, but this
10 was a neighborhood when he grew up; we had John Jay
11 Park, we could walk; it was safe; it wasn't over-
12 crowded; I can't even imagine. And everyone has
13 forgotten, on 74th and York, the apartment building
14 that just came down is now going go be going up; I
15 don't know the size; I don't know the amount of
16 people moving in; in addition, so you have four
17 buildings in one block going up in a period of seven
18 years; I'm just shocked.

19 So when that gentleman said that Con Ed
20 [chime], they forgot about the other new building on
21 the other corner; it's gone.

22 CHAIRPERSON WEPRIN: Okay. Thank... thank
23 you very much. Next. Just make sure... push the mic
24 right near your mouth.

25 MITCHELL HERSHEY: Push it down.

1
2 MARSHA REESE: My name is Marsha Reese; I
3 live in the Pavilion; I've been there 3-and-a-half
4 years. I am a cancer survivor and I am opposed to
5 MSK's out-patient cancer center proposed for East
6 74th Street. If thousands of new patients are
7 expected to use these proposed facilities, who is
8 really looking out for the best interests of these
9 cancer patients? Not MSK. If they were really
10 thinking of the thousands of patients per day they
11 would have secured space in each of the boroughs and
12 counties so that patients could have needed
13 chemoradiation treatments closer to where they lived.
14 If they really were thinking of these thousands of
15 patients per day they would have realized that it's
16 bad enough having cancer and the anxieties that go
17 with it that long distance traveling to East 74th
18 Street only makes it more traumatic and expensive.

19 When I underwent seven weeks of daily
20 radiation treatment I went to a medical oncologist
21 recommended by my breast surgeon who was chief of
22 breast surgery at North Shore-LIJ; it was close to
23 where I lived in Manhasset at the time. One doesn't
24 always feel good after having radiation or chemo and
25 certainly to have treatment closer to home, to where

2 one lives seems like the caring and civilized thing
3 for a cancer center to do. Why the need for a 40
4 plus story building? As I keep solicitations from
5 the multitude of cancer organizations [chime], they
6 all proclaim how close we are to finding a cure;
7 sounds good to me; then why do we need a 40-story
8 building on a residential street unless MSK is also
9 in the real estate business?

10 [applause]

11 CHAIRPERSON WEPRIN: Now come on; don't
12 lead applause like that, I don't know. Alright.

13 BOB JACKMAN: I'm Bob Jackman and yes Mr.
14 Chairman, I'm responsible for the design of the tee
15 shirt, including Save Yorkville. I'm also Chair of
16 Residents for Reasonable Development, an organization
17 of residents that supports the diverse Yorkville
18 community and is dedicated to preserving the
19 residential scale and character of this neighborhood
20 for the people who live, work and attend schools
21 here.

22 I've been a resident of Yorkville for
23 almost 30 years and a cancer survivor myself. I'm
24 not an expert on zoning, as many of these people are
25 here, nor a veteran of prior community efforts;

1 however I'd like to address the big picture.
2
3 Yorkville is a village with a diverse residential
4 population, as well as many schools and small
5 businesses; it's always been a hospital corridor,
6 from the low 60's to 72nd Street, serving the needs
7 of many New Yorkers and we've welcomed that segment
8 of our community. There are many communities in New
9 York that are under-served and I won't repeat all of
10 that.

11 For 40 years there was a sanitation
12 department garage on 73rd Street that's been
13 mentioned; we've lived in consort with that garage
14 and the truck traffic it generated; the City tore
15 down the garage and now plans to rebuild it in a
16 community further downtown, a community that's home
17 to many hospitals that we believe would welcome
18 another hospital facility, but they're fighting hard
19 to keep the sanitation garage out of their community.
20 In its infinite wisdom the City is planning to allow
21 MSK to expand the hospital corridor north of 72nd
22 Street and to relocate the sanitation garage to 25th
23 Street.

24 In return... and I saw all that stuff about
25 the park; in return for building this massive project

1
2 they've agreed to support the rebuilding of a park
3 over a half-mile away from the affected community
4 with no contribution to the quality of life in the
5 affected community of Yorkville.

6 This project, according to their own
7 figures, adds almost 10,000 people a day into our
8 community. [chime] I ask that you withhold
9 permission for MSK to build an out-patient facility
10 in this residential community and ask them to build
11 it in an under-served community and allow the
12 sanitation department to rebuild its garage on this
13 site. Thank you.

14 CHAIRPERSON WEPRIN: Thank you all very
15 much. Thank you. Okay. Thank you; I'd like to now
16 call up Barry and Judy Schneider, Donna... is it
17 Nickitas [phonetic], and David Foster. Are you all
18 here? Yes, ma'am. Whenever you're ready; I'm sorry.

19 DONNA NICKITAS: Good afternoon; my name
20 is Dr. Donna Nickitas; I am very proud to be a
21 Professor of Nursing at Hunter-Bellevue School of
22 Nursing. Because of my distinguished faculty and my
23 excellent nursing students, who by the way do not
24 smoke at 68th Street, they are located downtown, 43

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 127
2 blocks away from the main campus on 1st Avenue and
3 25th Street.

4 I have been a faculty member at Hunter
5 College for the past 28 years; during this time I
6 have experienced what every other public institution
7 in this city has experienced; upsizing, downsizing
8 and rightsizing. Today I am pleased to say that our
9 request and approval for a new building is on the
10 right side of history and just the right size. As we
11 seek to prepare the future of nursing's workforce in
12 the 21st century, we need a building.

13 Our current building was built in the
14 1950's and it's functionally outdated; wall unit air
15 conditioning frequently breaks down and not optimal
16 for a classroom environment. Our phones don't have
17 the capacity for receiving messages and as a
18 consequence for getting our work done. Our
19 technology is not up-to-date, so we cannot use video
20 conferencing without reliability. And that's what a
21 school is; it's students, it's faculty and staff.

22 So does the physical building matter? It
23 absolutely does. A state-of-the-art building will
24 bring and allow us to function at our best. In fact,
25 this fall semester, 2013, we admitted 160

1 undergraduate nursing students out of almost 700
2 applicants. So these students are at the top of
3 their class; we have dedicated faculty and
4 experienced and expert faculty. We have a wonderful
5 support system; however, our classrooms are outdated,
6 our desks are fixed to the floor; we don't just
7 lecture today; we need students to work in discussion
8 groups so that the needs and capabilities of learning
9 environment occur. A new building would allow us to
10 have state-of-the-art mechanical technology and
11 classrooms for emerging educational need... [interpose]

12 CHAIRPERSON WEPRIN: Okay.

13 DONNA NICKITAS: I hope you will consider
14 our request for this new building so that we can
15 educate a new generation of nurses who will care for
16 the City, our great city. Thank you for this
17 opportunity.

18 CHAIRPERSON WEPRIN: Got it. Understood.
19 Thank you. Who wants to go next?

20 DAVID FOSTER: Good afternoon. I'm David
21 Foster; I am the Rosalyn Yalow Professor of Cancer
22 Biology in the Department Biological Sciences at
23 Hunter.
24

1 Some of you might ask; who is Rosalyn
2
3 Yalow? Well, she's one of two female Hunter
4 graduates to win the Nobel Prize. Seven American-
5 born women have been awarded the Nobel Prizes in
6 science and two of them are from Hunter College; the
7 other being Gertrude Elion.

8 In addition, seven women from Hunter have
9 been admitted to the National Academy of Science,
10 which puts Hunter among the leaders, if not first in
11 the country for female members of the National
12 Academy. Point being that Hunter has a long history
13 for producing significant and outstanding women
14 scientists; men were not admitted until the 1960's.

15 However, the main reason for my being
16 here today is to point out the importance of the new
17 science building that is to be built in cooperation
18 with MSK and how it will benefit both the teaching
19 and research that takes place at Hunter.

20 Currently our science departments are
21 scattered throughout a building that was constructed
22 during Franklin Delano Roosevelt's New Deal. Most of
23 the research labs were built in space that was
24 originally intended for classrooms and offices not
25 laboratories; this has created situations where we've

1
2 JUDITH SCHNEIDER: Good afternoon; my
3 name is Judith Schneider and I'm speaking as one of
4 the representatives of the East Sixties Neighborhood
5 Association. We support the Hunter/CUNY/MSK project;
6 we think these two new buildings will be a valuable
7 asset to the community. We believe the synergy
8 between the college and the hospital will be
9 important to the students as well as to the medical
10 and research communities. My comments will address
11 the zoning text amendment.

12 In 2006 Community Board 8 received
13 approval of a 197a Plan for the Greater Greensboro
14 Bridge area from this City Council. This would allow
15 the residents in the southern half of Community
16 District 8 to have an open park spaces, as the
17 residents in the middle and upper portions of the
18 District have John Jay and Carl Schurz and Phase 2 is
19 planned, designed, funded and approved by the Public
20 Design Commission, so what's holding it up? Parks
21 stated that this phase and started an engineering
22 study and discovered they had a costly problem; the
23 pilings needed replacement before this phase of the
24 park could be constructed to bear the necessary
25 weight load. Until this text amendment was offered

1 there did not seem there was a viable solution to
2 obtaining these funds; as Parks has stated, it is
3 highly unlikely that the funding will be available in
4 the foreseeable future.
5

6 The waterfront level of the site is not
7 used; it's fenced off; it's unattractive and remains
8 the way it was when Parks obtained the property from
9 the EDC; it needs to be completed. As a resident of
10 the East Sixties I'm proud to count among my
11 neighbors Hunter College Community and all the other
12 institutions that will benefit from the use of this
13 park. Our neighborhood is bursting with children and
14 this park is desperately needed.

15 In closing, I believe the Parks
16 Department picked this site to be the benefit of the
17 zoning text amendment [chime] because Community Board
18 8 has approved a 197a Plan and I'd just like to add
19 one more item to the Council Member who asked so many
20 questions about transportation and traffic.

21 This area is in badly need of a traffic
22 study or analysis of York Avenue and it has come up
23 in a number of Community Board 8 meetings for a long
24 period of time. If possible it would be wonderful if
25 the Council strongly recommended to DOT to carry this

1 out with the financial support of all of these
2 institutions mentioned today along York Avenue.

3 CHAIRPERSON WEPRIN: Thank you.

4 BARRY SCHNEIDER: Chairman Weprin and
5 Council Member Lappin, good afternoon; my name is
6 Barry Schneider. I'm the President of the East
7 Sixties Neighborhood Association, a 22-year-old
8 neighborhood improvement group on the Upper East Side
9 of Manhattan.

10 I strongly support the application before
11 you brought by Hunter, CUNY and MSK. Today there are
12 no more compelling public issues than education and
13 health care and these new facilities planned for the
14 former Department of Sanitation garage on East 73rd
15 Street address these issues head-on.

16 The Upper East Side and the City at large
17 will benefit from the new campus a myriad of ways,
18 not the least of which is a realization of the vision
19 of the Andrew Haswell Green Park. It was Community
20 Board 8 that first dreamed of a waterfront park in
21 the reflection of the magnificent Queensboro Bridge
22 when it undertook the 197a Plan; that plan adopted by
23 a City Council on August 16, 2006 established what is
24 now the Andrew Haswell Green Park and today, with
25

2 your approval of the zoning text amendment this
3 community-driven public open green space of nearly 2
4 acres will become an oasis in the parched landscaped
5 of the Southeast Sixties. In support of this
6 position I present a petition signed by more than
7 1,000 of my neighbors obtained in the two weeks prior
8 to the Community Board 8 hearing on May 8 of this
9 year. These signatures show their support for the
10 construction of the Andrew Haswell Green Riverfront
11 Park through the funding offered by MSK/CUNY.

12 Further, I applaud... [interpose]

13 CHAIRPERSON WEPRIN: Is that for us?

14 BARRY SCHNEIDER: Excuse me.

15 CHAIRPERSON WEPRIN: Is that for us?

16 BARRY SCHNEIDER: Yes... yes it is, sir.

17 CHAIRPERSON WEPRIN: Okay, just keep it
18 there; we'll have the Sergeant of Arms get it.

19 BARRY SCHNEIDER: Good. Use two hands;
20 they're heavy. Further, I applaud Borough President
21 Scott Stringer's initiative in calling for a
22 comprehensive independent traffic study of York
23 Avenue to be part of the recommendation on this
24 project. For too long the residents, shop-keepers
25 and visitors to this bustling corridor have suffered

1 vehicular and pedestrian congestion, physical hazards
2 and polluted air; a remedy must be sought. I urge
3 the Council to include this very sensible proposal
4 and your approval of the Hunter/CUNY/MSK [chime]
5 project. Thank you.

6
7 CHAIRPERSON WEPRIN: Thank you very much.
8 Sergeant of Arms, he has petitions he'd like to give
9 to us; he'll collect them from you. Thank you all
10 very much. We appreciate your testimony. I'd like
11 to call up the following panel in opposition; Sara
12 Chu, Mina Greenstein, Andrew Cook and Ed Hartzog.
13 Like a caged animal Mr. Hartzog you look like, you
14 know that. Mr. Hartzog, you want me to try to get
15 you an orange tee shirt? Okay, alright. And he is..
16 you're... you're a stylish man uh... Alright, whoever
17 wants to go first; I'm sorry. Gettin' a little
18 punchy; I apologize. So whenever you're ready,
19 please state your name for the record.

20 SARAH CHU: Chairperson Weprin and
21 Council Member Lappin, my name is Sarah Chu and I am
22 a resident of the Cherokee Apartments on 77th Street
23 and York. I am also the 2nd Vice-Chair of Community
24 Board 8, but I'm here only in my personal capacity
25 today.

1 This project, it's a major project and it
2 has serious impacts on the Yorkville community and
3 it's important to note that the ULURP items passed
4 the Community Board by very thin margin, so to say
5 that there's broad community support for this project
6 is just plain not true. We're very conflicted about
7 what is going on in our community right now and it's
8 easy to gloss over the impact of this project by
9 painting my community as faceless, affluent Upper
10 East Siders who could use a little humbling and I
11 kind of feel like that's what's happening. But we're
12 not those people, we're more complicated than that
13 and we're much more interesting than that.

15 I live in a low-rise walkup and just like
16 man of my neighbors who live east and west of York
17 Avenue in R8B zoned buildings, there are many people
18 just like me, young families, non-profit sector
19 workers; immigrants and while I do have neighbors who
20 are financial comfortable, just as many of my
21 neighbors are like the people I know who live in my
22 building; there are families who send their children,
23 and their children are among the 3,000 students who
24 attend schools within three blocks of this new site
25 and there are young people living with multiple

2 roommates because they're just starting jobs and
3 trying to get by and there are seniors living in
4 rent-controlled apartments and in fact, Yorkville has
5 one of the highest concentrations of seniors in all
6 of New York City.

7 So let me tell you a little something
8 about young families and seniors. We don't move far
9 and we don't move fast, so putting the park benefit
10 down where some people need to travel up to 20
11 blocks, it's really not something that's [chime]
12 going to benefit us directly. Every park deserves to
13 be enhanced, but before you hit Andrew Haswell Park
14 we had the East Side Esplanade as well as John Jay
15 Park that has an unfinished older adult recreation
16 area that could be enhanced, so please don't squander
17 my family's quality of life for an empty promise; we
18 need a give-back, not a give-away.

19 [applause]

20 CHAIRPERSON WEPRIN: Thank you Miss Chu.
21 Next please. [interpose]

22 MINA GREENSTEIN: Good afternoon, my name
23 is Mina Greenstein... [interpose]

24 CHAIRPERSON WEPRIN: Wait, hold on, hold
25 on, just to a microphone. Okay.

1 MINA GREENSTEIN: My name is Mina
2
3 Greenstein; I have lived in Yorkville for 50 years;
4 during that time I, together with community groups
5 have fought to retain the residential qualities of
6 the area for family and neighbors.

7 My involvement started with a group of
8 moms buying brooms to clean up Cultures Park (sic)
9 and to deter the Koch administration from building a
10 two-lane road to Gracie Mansion through the park. We
11 worked to save City and suburban homes for middle and
12 low-income families. We worked to save PS 158 from
13 being torn down to create high-rise developments and
14 now we, as Residents for Reasonable Development are
15 working again to save our fragile neighborhood from
16 being demolished by unnecessary over-building by
17 Memorial Sloan-Kettering and Hunter College under the
18 guise of medical research; in essence, a fat lady
19 squeezing into a too-tight girdle. I am sure you can
20 relate to this unnecessary and unwarranted
21 encroachment upon a neighborhood where the connected
22 developers get the breaks and we... well you know what
23 I mean. I invite you to come and see our
24 neighborhood and its problems, see the present over-
25 crowding, see traffic tie-ups not only on York

2 Avenue, but on the FDR Drive access roads. See the
3 lack of public spaces, parks and plazas. See trucks
4 backing up and down 73rd Street and 74th Street
5 because there's no space to adequately turn around on
6 the narrow dead end roads. These are the same
7 streets that MSK/Hunter wants to use for their
8 ambulances; taxis, students, teachers and maintenance
9 staff; these are the same streets that will bring in
10 8,000 persons daily, the infirmed, students, doctors,
11 nurses, maintenance workers; these are the same
12 streets [chime] where an estimated 1,600 cars from
13 MSK will roam the streets looking for parking.

14 This is the last gasp for Yorkville; the
15 medical corridor is no yellow brick road to Oz
16 leading us to a better future; rather it will become
17 another sterile medical corridor that will hasten the
18 end of the viable Yorkville community we know.
19 Please help us save Yorkville.

20 And may I... just wanna add something about
21 the orange... orange is in the New York flag behind
22 you; it symbolizes our Dutch origin; it is for the
23 House of Orange.

24 CHAIRPERSON WEPRIN: Okay. Thank you.

25 [applause]

2 CHAIRPERSON WEPRIN: Thank you for this.
3 You didn't go with the blue though.

4 MINA GREENSTEIN: Pardon?

5 CHAIRPERSON WEPRIN: Could've gone with
6 the blue. Okay, you got them both. I... I should
7 start... [interpose]

8 MINA GREENSTEIN: That... yes, the blue
9 one... no, that's what the Dutch called us with the
10 flag.

11 CHAIRPERSON WEPRIN: Great. Alright.
12 Thank you. You got a tough act to follow Mr.
13 Hartzog.

14 ED HARTZOG: You're right Mr. Chairman,
15 thank you. Ed Hartzog, member of Community Board 8,
16 a member of the MSK Community Task Force, a recent
17 candidate for Council and I will tell you why I
18 mentioned that here, but again, as a father, as an
19 individual, that is why I'm here in my capacity
20 before you today.

21 This project, Mr. Chairman, there are so
22 many serious issues; I'm gonna be very direct with
23 you. We are talking about unequivocally plucking
24 down Rockefeller Center in this location, size,
25 scope, bulk; it is Rockefeller Center, no way around

1
2 it and the problem is that the process by which this
3 project is being implemented is just making a sham of
4 the entire democratic process and you are charged,
5 this Committee is charged with some serious land use
6 choices and issues and the process by which we're
7 doing it today... the question I have is; why the rush?
8 Why constantly the rush?

9 Just to lay bear a couple of things; one,
10 with respect to this open and green space, as of
11 November, two days after Sandy, when the applicants
12 here stated publicly that the City was back to normal
13 on November 1st, back to normal when we had this
14 first hearing... you can check the record... they moved
15 forward with this project; at the same time the
16 public is crying out, where is the notification of
17 this? There was no green space contemplated with
18 this project.

19 When you check the record, my letter to
20 Mr. Kulikowski on December 14th, I raised the issue
21 of open space in this project. Not until after the
22 holidays, in January, was the idea of open space
23 offered as part of this project; at no time during
24 any of the appearance before the Community Board did
25 anyone offer up the cost of this building or this

1 project. We only could guess... only today did we hear
2 that CUNY's portion of it is \$720 billion; we can
3 only imagine what MSK's portion is; probably a
4 billion. As you know, as this Committee is well
5 aware, you're selling a City asset under-valued at
6 \$300 million knowing that they are going to be using
7 DASNY bonding and for those of you playing at home,
8 that's [chime] public financing. So if you're
9 financing over a billion dollars, you are, according
10 to real estate experts, shaving anywhere from 3 to 6
11 points off those bonds over the course of 10 years;
12 you're going to confer on these applicants a benefit
13 of upwards and over half a billion dollars and my
14 question and the community's question to you Mr.
15 Chairman and this Committee is; what are we getting
16 in return, especially to Councilwoman James, who
17 unfortunately must've had another appointment, with
18 the outcry for public housing and the lack of money,
19 how is it that we are able to confer over \$800
20 billion to this applicant in an area that the
21 community does not want, yet we don't have a nickel
22 for public housing in this budget and that's a
23 question that I wonder and if you could answer that
24
25

2 somewhere down the road, I'm sure everybody would be
3 happy about it. Thank you today.

4 CHAIRPERSON WEPRIN: Thank you.

5 [applause]

6 CHAIRPERSON WEPRIN: Mr. Cook.

7 ANDREW COOK: Yes, uh my name's Andrew
8 Cook; I live on 76th Street and the East River and I
9 have a few hard acts to follow here. I... I've heard
10 people talk for the hospital and against the
11 hospital; everyone I've heard talk about for the
12 hospital has said cancer research; cancer treatment
13 is important. I don't think anyone in the opposition
14 would disagree with that; that's not really the issue
15 here. The issue is whether... are we going to build
16 this 450-foot building in a residential neighborhood;
17 that's the issue.

18 And a couple things were brought up.
19 One, Councilwoman... I... I forgot her name; she brought
20 up... James... [interpose]

21 CHAIRPERSON WEPRIN: It's James, yeah.

22 ANDREW COOK: brought up the idea; there
23 are ho... [interpose]

24 CHAIRPERSON WEPRIN: Miss James; remember
25 that.

2 ANDREW COOK: going out of uhm...

3 [interpose]

4 CHAIRPERSON WEPRIN: She wants you to
5 remember, I promise.

6 ANDREW COOK: I will remember that. I
7 will remember that. Hospitals are going out... they're
8 closing down; they're going out of business; why not
9 renovate? Here you are, you're trying to do an out-
10 patient... create an out-patient facility; why not use
11 these structures that already exist and create an
12 out-patient facility where you're doing chemo; you're
13 doing things like this? I don't see why it can't be
14 done. Why build it in a neighborhood that has a
15 whole corridor of hospitals? The people in this
16 neighborhood have ample treatment in this area; why
17 not the other boroughs; why don't they have
18 treatment?

19 Another thing that was brought up,
20 parking and I know I'm kinda jumpin' here, but
21 there's a plan for what, 248 parking space; even by
22 their own plans they don't have enough to cover the
23 number as... as... Council... Miss Lappin, you... you pointed
24 out; they don't even have, under their own numbers,
25 enough spaces.

1
2 And then we talked about having people
3 park in lots that are over a half-mile away and
4 Council suggested the idea that, well we use, you
5 know, valet; we'll have someone at the hospital, I
6 guess drive their person back and forth; if I'm not
7 mistaken, I believe that's what was said. I mean
8 you're gonna ask someone coming in for chemo
9 treatment to give someone else their car keys to
10 drive around this congested neighborhood for a half-
11 mile and park their car. And then you're gonna have
12 the... how many valet people are we gonna have? Who's
13 gonna pay for the accidents that take place when the
14 cars will be driven back and forth? Who's gonna have
15 the insurance to cover something like this?

16 This is not the place to build this
17 hospital. 73rd Street is a mess; I... I... I live on
18 76th; I don't even take... get on the FDR Drive there
19 anymore because it is backed up all the way; the cars
20 getting off the FDR Drive are funneled right into the
21 cars trying to pull onto the FDR Drive, so it backs
22 up on 73rd Street; that's where the ambulance bay
23 [chime] is supposed to be also on 73rd Street; that
24 could create a problem right there. There are so
25 many problems with this project.

2 CHAIRPERSON WEPRIN: Thank you; we
3 appreciate it. Thank you all very much; we
4 appreciate your patience. Alright, I'd like to call
5 up the following panel in favor, Dr. Donna Nickitas.
6 Did we... did we already do them? Charles Miller,
7 Naomi Perle and James Cincotta. How many of those do
8 we have? We may have... is anyone missing, do you
9 know? One, two, three; I'm gonna call... I've got two
10 more people only I think in favor, right? I'm gonna
11 call them both up now. Alright, Sam Levine; are you
12 here and Ann Locke, either one? They both had to
13 leave?

14 SHELLY FRIEDMAN: Miss Locke was only
15 here in case the... [interpose]

16 CHAIRPERSON WEPRIN: Pardon?

17 SHELLY FRIEDMAN: Miss Locke was only
18 here in case the Committee had questions for
19 environmental [crosstalk]

20 CHAIRPERSON WEPRIN: Oh okay. Okay,
21 sorry. Okay, Sam Levine's not here. Alright. So
22 this will be our final panel in favor of the project.
23 Does anyone else here wanna testify in favor that I
24 didn't call their name? Okay, thank you. Whenever
25 you're ready.

MALE VOICE: Very uncomfortable chair.

[laughter]

CHAIRPERSON WEPRIN: 'Kay.

: Good afternoon; my name is James Cincotta and I'm here representing 150 homes at the corner of 2nd and 64th as Board President. However, coincidentally, I have been an educator in the neighborhood for the last decade; I'm a professor at NYU and Marymount Manhattan College. I have also been an entrepreneur and business owner over the last decade in the neighborhood.

I've been involved with hiring thousands of people and educating thousands of people and I have to say, I see the bulk of them leave Manhattan, leave the country with all the benefits that this city and this country offer and they go home, to my dismay and then they compete against us.

I support these projects on so many different levels as the 150 homes I represent, but most importantly I'm concerned about Manhattan maintaining its competitive edge that business and education and these facilities help support the cornerstone of what we offer here.

1 The park is another cornerstone to our
2 competitive edge and I think it's a key link to
3 supporting a greenway all around Manhattan, if anyone
4 here dares to continue to envision it, dream about
5 it, plan for it, hope for it and build for it. I
6 support this project wholeheartedly as the 150 homes
7 [chime] I support.

8 CHAIRPERSON WEPRIN: Thank you very much;
9 well-timed. Yes, sir. [interpose]

10 CHARLES MILLER: Hello. My name is
11 Charles Miller; I have the privilege of being
12 president of the San Tropez Condominium, 300 units;
13 probably over a 1,000 residents.

14 Basically, I heard previous speakers
15 extolling the benefits this facility will provide for
16 educating future health professionals and treatment
17 for people afflicted with very dreadful disease.

18 Our park though has become embroiled with
19 this issue. We're funded for the park; I believe it
20 was \$16 million and the City really noted that we
21 should have a green park there and it's for the
22 beautification of the waterfront. Right now there
23 are two other very tall high-rise buildings being
24 built right on 59th Street and York Avenue, meaning
25

2 the park would service thousands of more people; we
3 have nothing near us, other than Carl Schurz and
4 another one downtown that's anything like this.

5 As far as I'm concerned the proliferation
6 of hospitals in our area, along with Rockefeller
7 University, is really a necessary adjunct to living
8 in our neighborhood. MSK is presently building an
9 office building right across the street from the San
10 Tropez on 64th Street and 1st Avenue. They have
11 already moved west with a large building on 2nd
12 Avenue in the 60's. So the hospitals have to build.

13 Everybody talks about the traffic; that
14 traffic's been there; it will be there whether you
15 have this project or not. The key is, not how many
16 garage spaces they're putting in, how many garages
17 are around or anything else; you are in dire need of
18 a traffic study in that whole area and that's the
19 key, [chime] not that this is going up and everybody
20 talks about the traffic, the traffic, the traffic.

21 What about the people who need the
22 service of this facility? You don't build this
23 facility in Brooklyn; it has to be coordinated with
24 the hospital here and that's why it has to be there,

2 for the research and other things that have to be
3 done. Can I... [interpose]

4 CHAIRPERSON WEPRIN: Thank you Mr.
5 Miller.

6 FEMALE VOICE: There is another...

7 CHAIRPERSON WEPRIN: 'Kay, you guys can
8 discuss this afterwards, okay. No, I know...
9 [crosstalk]

10 CHARLES MILLER: The park on 65th and
11 1st is... [interpose]

12 CHAIRPERSON WEPRIN: 'Kay... oh... alright,
13 **03:01:36** debate; it's okay; we're... we're aware of the
14 other park as well... [crosstalk]

15 CHARLES MILLER: limited... limited to
16 adults; you have to have children with you...
17 [interpose]

18 CHAIRPERSON WEPRIN: Thanks to Council
19 Member Lappin, yeah. Yes.

20 NAOMI PERLE: Hello, my name is Naomi
21 Perle; I live on 63rd and 2nd and I'm on the Board of
22 Directors in my building and I support the CUNY and
23 MSK project. I think the Upper East Side is hospital
24 row and that's what people know us from and I believe
25 that these institutions should go forward.

1 I also support the zoning text to the
2 amendment which will allow us to have a green park.
3 We have nothing in our neighborhood at all; it's just
4 tar all over the place, concrete. I was in Boston
5 about a year ago and I walked around the town; I
6 couldn't believe how many beautiful parks and there
7 were buildings, but they made their parks very
8 special. We have overlooked our parks in our
9 neighborhood. I'm shocked that we're paying the
10 amount of money to live there and not to have a park,
11 you know. And this is the most beautiful thing I've
12 seen; you're on the water, you have a park, people
13 can go there, enjoy themselves and have a nice day.

14 So that's it; that what I have to say.

15 Thank you. [interpose]

16 CHAIRPERSON WEPRIN: Thank you very much.

17 Okay. We have... we only have one more panel in
18 opposition as well; let me see; Elizabeth Ashby, Teri
19 Slater, Terry Grace and Eileen Monahan. Is anyone
20 else here to testify who I've not called today? Just
21 wanna see. Okay, no. Ladies... again, I understand
22 people have to leave; we understand that and these
23 always go longer than we anticipate and we do
24 appreciate everyone's patience. So ladies, well
25

1 coordinated; I'm impressed and whenever you decide.

2 Yes, I... I've seen that shirt. Whenever you're ready.

3
4 ELIZABETH ASHBY: Should I go ahead? My
5 name is Elizabeth Ashby and I'm Co-Chair with my
6 friend on the left, of Defenders of the Historic
7 Upper East Side and I'm also speaking in behalf of
8 the Historic Neighborhood Enhancement Alliance. I
9 live nowhere near this, but I'm speaking here because
10 this applicant would cause great damage to this
11 residential neighborhood and to the residents'
12 quality of life.

13 The unsuitability of this location for
14 the proposed development is acknowledged in the City
15 Planning Commission Report where it says and I quote,
16 "compensating for the unusual circumstance of two
17 major facilities located on one dead end street at
18 the edge of Manhattan." The City Planning
19 Commission's approval is based upon an unacceptable
20 standard of what is appropriate, they really used the
21 standard of what the applicant wants to build and
22 upon inaccurate and misleading observations about the
23 surrounding community, there are tall buildings in
24 the area, but they're on the avenues and on the wide

2 side streets, and we submitted an analysis of the
3 City Planning Commission Report.

4 The character of the surrounding
5 neighborhood features low-scale, low-density
6 residential and low-traffic developments. R8B is the
7 prevailing zoning on the Upper East Side side
8 streets. If the site is to be rezoned it should be
9 rezoned like all the other side streets east of York
10 and north of 72nd Street to R8B. All the side
11 streets east of York are zoned R8B; there is not one
12 inch of C1-9 zoning on a narrow cross-town street in
13 this area or in any part of the Upper East Side; it
14 only exists on some wide north/south avenues.

15 Furthermore, the applicant [chime] wants
16 no part of the Zoning Map change; he wants to waive
17 all its provisions; the height, the setbacks, the
18 rear yard requirements, the side yard requirements,
19 the lot coverage, the bulk limit; even the signage
20 and the parking regulations. Please do not give him
21 something he doesn't want.

22 CHAIRPERSON WEPRIN: Thank you;
23 appreciate it.

24 [applause]

25

2 CHAIRPERSON WEPRIN: Ah go ahead, what
3 the hell. Just kidding... [interpose]

4 TERI SLATER: Hi, Chairman Weprin,
5 Council Members; thank you for making it possible to
6 testify before you today; I'm Teri Slater, Co-Chair
7 with my friend on the right of Defenders of the
8 Historic Upper East Side; we are testifying in
9 opposition to the application which would permit the
10 construction of Memorial Sloan-Kettering Cancer
11 Center's Ambulatory Care Center, over 400 feet in
12 height and the CUNY/Hunter Science and Health
13 Professions building over 300 feet in height.

14 These bulky, over-sized and obtrusive
15 buildings are completely inappropriate for one of
16 Yorkville's densest residential neighborhoods and the
17 zoning text amendment encourages even more
18 institutional height and bulk along the avenue zone
19 C1-9.

20 Having grown up on York Avenue in the low
21 60's I can testify with some accuracy about the
22 pattern of institutional development during the last
23 50 years. The institutions along York Avenue
24 embarked on a patter of expansion which dismissed the
25 residential character of the neighborhood and

1 resulted in the destruction of thousands of units of
2 affordable housing, displacing and relocating
3 residents to other parts of the City; not-for-profits
4 replaced taxable real estate. The Zoning Resolution
5 permits community facilities in residential areas as
6 of right because they are considered compatible. The
7 planners never envisioned the voracious behavior
8 which is occurring throughout the Upper East Side.
9 The City Planning Commission has ignored this
10 epidemic; I can assure you, I can assure you there is
11 a way to grapple with this issue on a zoning and
12 planning level.

14 Permitting community facilities to locate
15 anywhere without master plans, long-range planning,
16 using variances, waivers, special permits and zoning
17 text amendments is dangerous and unhealthy for our
18 residential neighborhoods.

19 Community Board 8 has consistently
20 initiated and championed zoning changes which support
21 the preservation of the residential character of the
22 Upper East Side by limiting the height and bulk of
23 [chime] buildings. The proposed zoning text
24 amendment flies in the face of Community Board 8
25 zoning history included in the RRD books received.

1 This application is the straw that breaks
2 the camel's back. York Avenue in the 70's, from 72nd
3 Street on is a residential neighborhood in a
4 Community Board zone for residential use; we ask you
5 to modify this application by reducing the height and
6 bulk of the proposed buildings and include on-site
7 public open space and even consider, and even
8 consider the possibility of rebuilding a sanitation
9 garage on the site which would be an efficient and
10 logical use of the space under the present zoning.

11 In our experience, working with many,
12 many community groups we are astounded by the
13 residents' willingness to accept a sanitation garage
14 over the proposed application. We implore you to
15 work with out residential community to find a more
16 appropriate solution; no world-class city can do
17 without livable residential neighborhoods and I thank
18 you.

19 CHAIRPERSON WEPRIN: Thank you. Thank
20 you.

21 [applause]

22 CHAIRPERSON WEPRIN: And our last but not
23 least. I used to think that was my last name, by the
24

2 way; I was always W, so we always got the last but
3 not least Mark Weprin, so don't feel insulted, okay?

4 TERRY GRACE: Thank you Councilman. My
5 name is Terry Grace; I've lived on the Upper East
6 Side for longer than I think I want to admit and I've
7 lived on East 75th Street since 1989.

8 My father, my mother and I all had
9 cancer; I'm happy to say and I'm blessed to say that
10 my mother and I are both alive still. I had my
11 surgery at Sloan-Kettering; it was an ambulatory
12 treatment and that was 15 years ago, touch wood.
13 That was ambulatory; it was followed by ambulatory
14 chemo and ambulatory radiation. My chemo was in a
15 reclining chair in a regular office, no high
16 ceilings, no fancy stuff; there were about six or
17 seven chairs there with curtains pulled across for
18 privacy; no big deal; you wanna get in and get out,
19 no funny stuff.

20 There were times when I was too weak to
21 get there and even to walk the 6 blocks to get the
22 treatment, so I took a taxi. I don't know where all
23 these walking cancer patients are gonna be coming
24 from.

1 But this is not about cancer, this is
2
3 about... electronic communications can allow research
4 to be done and communicated; the research can be done
5 anywhere and communicated to wherever it needs to be
6 communicated; I hope all over the country. This is
7 about public land, my land, your land being supplied
8 without public input by an unelected authority for
9 below a reasonable amount of money; there was no bid
10 process that allowed all the developers in the City
11 to participate; it was set up so that it was only for
12 one particular group of developers; I suppose just
13 hospitals [chime] and just universities; maybe even
14 for the applicants themselves.

15 I would like to submit that public policy
16 should not have Economic Development Corporation who
17 we did not participate in electing or anything
18 putting out an RFP and then having the applicant and
19 the policy run ramshod over a residential
20 neighborhood and then say that they're making a fair
21 trade-off if they can trade zoning variances and
22 adjustments in order to create a park that will never
23 be seen by the people who are most impacted, the
24 people who live in the residential neighborhood north
25 of 72nd Street.

2 Please, don't let this go north of 72nd;
3 there are many other parts of the City that
4 desperately need this development.

5 CHAIRPERSON WEPRIN: Okay. Well thank
6 you very much.

7 [applause]

8 CHAIRPERSON WEPRIN: Yeah, give
9 yourselves a round of applause, everybody. I uhm...
10 obviously we're not voting today; we have a lot of
11 information to digest, obviously; we all seem to like
12 Sloan-Kettering; we all like Hunter and we all like
13 parks and open space and we hate traffic, so that
14 basically sums up 3 hours, but I understand we have
15 some issues to work out though.

16 So we will be discussing this; we have a
17 little time on this and we're gonna be discussing a
18 lot of the issues we heard here today and at this
19 point we're gonna close the public hearing portion of
20 our discussions and... Okay. So we're gonna close the
21 public hearing and we're gonna adjourn the
22 Subcommittee on Zoning and Franchises to a date to be
23 decided in the near future. We thank everybody for
24 their patience; I know it was a long day, but I do
25 appreciate, not only your patience, but you also were

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very well-behaved, despite a little applause, which
you can't always control. Thank you very much.

[background comments]

[gavel]

[applause]

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 09/23/2013