

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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March 18, 2026
Start: 11:01 a.m.
Recess: 12:01 p.m.

HELD AT: 250 Broadway - 8th Floor - Hearing
Room 3

B E F O R E: Farah N. Louis,
Chairperson

COUNCIL MEMBERS:

David M. Carr
Elsie Encarnación
Amanda C. Farias
Simcha Felder
Kamillah Hanks
Christopher Marte
Yusef Salaam
Justin E. Sanchez
Lynn C. Schulman
Shanel Thomas-Henry

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

Max Bookman

Attorney at Pesetsky & Bookman, P.C.

Jon Neidich

Principal CEO of Golden Age Hospitality

Ron Ryer

Self

Michael Levario

Self

Rachel Wilkerson

Self

Deirdre Carson

Attorney with Greenberg Traurig

Armand Quadrini

Architect

Emanuel Kokinakis

Mega Group

Theo Perez

SEIU Local 32BJ

Jack Connors

City Legislative Manager at Open New York

Michael DeVito

New York Center for Interpersonal Development

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

Mary Sobiechowski
Self

SERGEANT AT ARMS: Good morning. This is a mic check for the Subcommittee on Zoning and Franchises. Today's date is March 18th, 2026. We're in Hearing Room 3, and this is being recorded by Mike Kane.

SERGEANT AT ARMS: Good morning, ladies and gentlemen. Welcome to the New York City Council hearing for the Subcommittee on Zoning and Franchises. At this time, I'd, I'd like— can't hear me.

At this time, I'd like to remind everyone to please silence all devices and cell phones, uh, and at no point may you approach the dais. Chair, we are ready to begin.

CHAIRPERSON LOUIS: [GAVEL] Good morning and welcome to our meeting of the Subcommittee on Zoning and Franchises. I'm Council Member Farah Louis, Chair of the Subcommittee. This morning I'm joined by Chair Marte, Majority Whip Hanks, and Council Member Felder.

Today we are holding two public hearings on a sidewalk café proposal by Le Dive in Council Member Marte's district, and 3759 Hamilton Avenue residential mixed-use rezoning in Council Member Hanks' district. This meeting is being held in

hybrid format. Members of the public who wish to testify may testify in person or via Zoom.

Members of the public wishing to testify remotely may register by visiting the New York City Council website at www.council.nyc.gov/landuse to sign up, or for those of you here in person, please see one of the Sergeant-at-Arms to prepare and submit a speaker card.

Members of the public may also view a livestream broadcast of the meeting at the Council's website.

When you are called to testify before the Subcommittee, if you are joining us remotely, you will remain muted until recognized by myself to speak. When you are recognized, your microphone will be unmuted. We will limit public testimony to 2 minutes per witness.

If you have additional testimony that you would like the Subcommittee to consider, or if you have written testimony that you would like to— you would like to submit instead of appearing in person, please email it to landusetestimony@council.nyc.gov.

Written testimony may be submitted up to 3 days after the hearing is closed.

Please indicate the LU number and/or project name in the subject line of your email. We request that witnesses joining us remotely remain in the meeting until excused by the Chair, as Council Members may have questions.

Lastly, for everyone attending today's meeting, this is a government proceeding and decorum must be observed at all times. Members of the public are asked not to speak during the meeting unless you are testifying. The witness table is reserved for people who are called to testify, and no video recordings or photography is allowed from the witness table.

Further, members of the public may not present audio or video recordings as testimony but may submit transcripts of such recordings to the Sergeant-at-Arms for inclusion into the record. And we've been joined by Council Member Thomas Henry.

I will now open the public hearing on LU number 47 regarding an application for a sidewalk café at Le Dive located in Lower East Side in, in Chair Marte's District. The request is to operate 9 outdoor tables with 2 chairs each.

For anyone wishing to testify regarding this proposal remotely, if you have not already done so,

you must register online by visiting the Council's website at council.nyc.gov/landuse.

For anyone with us in person, please see one of the Sergeant-at-Arms to submit a speaker card. If you would like to— if you would prefer to submit written testimony, you may do so as well at landuse@testimony@council.nyc.gov. I will now call the applicant panel for the— hold on, do you have a statement? Alright, so now we're going to hear from Chair Marte.

COUNCIL MEMBER MARTE: Uh, thank you, Chair Lewis, and good morning to all. I'm here to speak about Le Dive and their application for a sidewalk café. I called this application up about a year ago today, and I called it up because we received exactly the same application as last time.

As I stated last year, my office has been able to work effectively with residents and businesses to resolve many issues and support successful outdoor dining programs throughout Lower Manhattan. At the time, Le Dive, however, had not met the concerns of residents about noise, sidewalk congestion, and overall disruption.

As of today, however, representatives of Le Dive had newly committed to addressing these concerns expressed by their neighbors. They have agreed to the stipulations set forth by Community Board 3 and have reduced overall 311 complaints compared to last year.

They have committed to proactively responding to the concerns of neighbors and community members regarding noise, smoking, and overcrowding on the sidewalk in real time, and to reduce the number of tables on the sidewalk from 9 to 6.

While we must continue to hold all businesses accountable to uh, standard the community's well-being. I believe that these new commitments are a sign of good faith. I look forward to any testimonies we might hear today on this application and look forward to continuing and fostering a good working relationship between my office and businesses like Le Dive and the community to make sure that we have a win-win solution in our communities. Thank you all.

CHAIRPERSON LOUIS: Thank you, Chair Marte. I will now call the applicant panel for this proposal, which consists of Max Bookman. There you go.

Alright, this speaker panel consists of Max Bookman and Jon Neidich. Counsel, please administer the affirmation.

COMMITTEE COUNSEL: Good morning. Could you please raise your right hand and state your name for the record?

MAX BOOKMAN: Max Bookman.

COMMITTEE COUNSEL: Do you swear to tell the truth and nothing but the truth in your testimony this morning in response to Council Member questions?

MAX BOOKMAN: I do.

COMMITTEE COUNSEL: Thank you.

CHAIRPERSON LOUIS: Thank you, Counsel. You may begin your testimony, which is limited to 8 minutes, and I will just ask that you restate your name and organization from— for the record. You may begin.

MAX BOOKMAN: Thank you, uh, thank you, uh, uh, Chair Louis, um, and Council Member Marte. Uh, my name is Max Bookman. Pardon? Oh, is that better? Thank you, Chair Louis and Council Member Marte. Good morning. My name is Max Bookman. I'm an attorney. My law firm is Pesetsky and Bookman. With me to my right is John Neidick. He is a Founder, Principal, and Operator of Le Dive on Canal Street.

Um, I've been representing businesses in sidewalk café matters for the last 11 years, uh, before the Department of Consumer Affairs and now the Department of Transportation and my firm's been doing so for the last 40 years.

Um, as you heard from, uh, Council Member Marte's remarks, this is an application to the Department of Transportation for a sidewalk café license for Le Dive on, uh, Canal Street there on the corner of Canal and Ludlow. Um, there's been a sidewalk café in one form or another at this location since going back to at least 2007 and perhaps earlier. Um, Ladiv is a Parisian-style eating and drinking establishment. They opened in 2021. They're supported by so many people in the community. Um, when we were here over a year ago, or about a year ago, um, we provided letters of support and examples of the philanthropic work that they do to give back in the community. Um, we're here today to talk about the future, not the past. We were disappointed in the outcome last year, but we accepted it. Um, we rose to the occasion, and we are extremely pleased to hear, um, Council Member Marte's remarks concerning how the business has performed over the last year.

Um, and we expect that to continue in the years to come.

Um, this is before the Council again because we refiled with DOT after not having a sidewalk café last season. We wish to have one this season. Um, and as you heard from Council Member Marte, um, we worked with his office to reach a compromise, as opposed to the 9 tables, um, with 18 seats that we had, uh, proposed.

Um, we have worked it down to 6 tables, uh, for a total of 12 -12 seats. Um, while it's not the full 9 tables that we had hoped for, um, we understand that it is a compromise, and we deeply appreciate Council Member Marte for coming to the table with us addressing the concerns, um, of, uh, that, that various members of the community had brought to his attention and allowing us to reach a mutually agreeable compromise.

So we thank you, Council Member, for that and, um, on behalf of John and Le Dive and the entire Golden Age Hospitality family, we look forward to working with you in the future. Um, our- the door is always open, and, um, we, we look forward to a

productive relationship, um, in the future. Thank you.

JON NEIDICH: Great, and I'll, I'll say a couple of words too. Hi, I'm Jon Neidich. I'm the Principal CEO of Golden Age Hospitality. Um, as Max said, we, uh, we heard everything that was said last year and, um, and Councilman's, uh, concerns, um, for, for the community and all the 311 complaints, and we worked really hard to make sure that we were being as responsible neighbors and adding value as much as we could. Um, we were able to reduce the 311 complaints from 26 all the way down to, um, under, under 7. And the noise complaints went from 17 down to 2, which we were really proud of because we, we heard the, the concern of that. And I just want to echo what Max said.

Um, I just want to thank Councilman Marte for, for reaching out to us and for entering into discussions and, um, yeah, for being willing to work with businesses in the neighborhood and, um, and, and generously allowing us to have a compromise and, um, and a pathway back to, to ultimately having, um, the full sidewalk as we talked about.

1 So I just— but again, I just wanted to say thank
2 you. Um, and, uh, this has been a much more
3 enjoyable process than last year. And, uh, you know,
4 I hope that we can continue to, to, to have a, a more
5 constructive working relationship between, um,
6 between businesses and city officials, just the way
7 that this was able to go down.

8 So thank you so much.

9 CHAIRPERSON LOUIS: Thank you, uh, Councilman,
10 uh, Chair Marte, you have questions?

11 COUNCIL MEMBER MARTE: Not anymore, thank you.

12 CHAIRPERSON LOUIS: Alright, thank— do any
13 members of the Committee have questions? Okay, uh,
14 Counsel, are there any members of the public who wish
15 to testify remotely or in person regarding this
16 application?

17 COMMITTEE COUNSEL: Uh, yes, we in fact have 3
18 people signed up online to testify.

19 CHAIRPERSON LOUIS: For members of the public
20 here to testify, please note that witnesses will,
21 will generally be called in panels of 3. If you are
a member of the public signed up to testify, please
stand by when you hear your name being called and
prepare to speak when I indicate that you may begin.

Please also note that once all panelists in your group have completed their testimony, if remotely, you will be removed from the meeting as a group and the next group of speakers will be introduced. Once removed, participants may continue to view the livestream broadcast of this hearing on the Council website.

Members of the public will be given 2 minutes to speak, speak. Please do not begin until the Sergeant-at-Arms has started the clock. The following individuals who signed up to testify shall- shall now come to the witness table, but online. Oh, and this panel is now excused. Thank you so much, both of you.

PANEL: Thank you, thank you.

CHAIRPERSON LOUIS: Alright, we're gonna start with Ron Ryer. Ron? Alright, we're gonna now go to Michael Levario.

RON RYER: Can you hear my voice?

CHAIRPERSON LOUIS: Oh, you're here. Alright, you may begin.

RON RYER: Okay. Good morning. My name is Ron Ryer. I'm a 25-year resident of the Lower East Side and longstanding member of the Space Block

Association and a direct neighbor of Le Dive. I'm here to urge you to deny the land use café permit for Le Dive.

In July 2021, our association met with Jon Neidich in good faith. Since then, Le Dive has systematically ignored every neighborhood stipulation. It is important to recognize how they achieve their outdoor dining footprint by triple dipping into 3 separate city programs. They utilize the land use permit for sidewalk seating, the Dine Out NYC program for parking lane sheds, and Open Streets program on Canal Street for excessive seating in the traffic lane.

Based on 3 years of constant 311 complaints and blatant disregard for the Smoke-Free Air Act and open container laws, we have zero reason to believe this business will remain diligent if these 18 seats are returned. The impact of this footprint is already egregious, with 97 outdoor seats dwarfing their 74-person indoor capacity. This saturation is about to become a crisis as the owners take over the location across the street at 89 Canal Street.

Granting this permit now would effectively hand over a residential intersection to a single operator

who has proven they cannot or will not manage their current footprint responsibly. Do not reward 3 years of neighborhood harassment by returning a privilege they have already abused. Please deny this application.

CHAIRPERSON LOUIS: Thank you. Michael Levario.

MICHAEL LEVARIO: Hi, good afternoon, Chair. Um, good afternoon, everyone. Thank you for your time. Uh, my name is Michael Levario. I live near Le Dive on East Broadway and Canal Street. My third floor bedroom window overlooks Canal Street and East Broadway, and I hear, see, and smell much of what happens on the street below.

Uh, I also serve on Manhattan Community Board 3 and am a member of the SLA Committee, but I wanna make it clear I'm speaking on my personal capacity here.

Uh, so my wife and I are expecting our first child in a couple of months, and we- we will be raising that child here in this neighborhood and the operators of Le Dive have proven themselves to be the kind of operators that we as a community should keep, have, and promote. I believe their application for a sidewalk café should be approved as is but I

1 appreciate the compromise they've struck with
2 Councilman Marte. Um, the Le Dive owners are heavily
3 invested in the success and well-being of our
4 community. Beyond owning numerous establishments
5 within CB3, Co-Owner Jon Neidich also serves on
6 Manhattan Community Board 3 with me. Uh, and the
7 owners have proven that they're responsible and
8 receptive operators and sensitive to the concerns of
9 their neighbors. Uh, and following discussions with
10 the neighbors, our community board, and our Council
11 Member Chris Marte last year, you know, I saw that
12 they worked hard to address the concerns of noise,
13 crowd control, smoking, outdoor dining. And given my
14 experience on the SLA, I can tell you I have seen
15 other operators with sidewalk cafés playing loud
16 music late into the night, overflow crowds, illegal
17 covered sidewalk settings, and with more regard to
18 their own bottom line than their neighbors and
19 residents.

20 Uh, and these aren't those operators. Uh, folks
21 at Le Dive care about the community. They're part of
our community and that's why I support, uh, their
application.

And lastly, I just want to give a shout out to my Council Member Chris Marte, who I respect and admire for his, his commitment— for his commitment to the neighborhood and who I trust to get this right. So thank you, folks.

CHAIRPERSON LOUIS: Thank you. We've also been joined by Minority Leader Carr and Council member Salaam.

We will now hear from Rachel Wilkerson.

RACHEL WILKERSON: Hi, uh, my name is Rachel Wilkerson. I live on the Lower East Side, and I'm here to express my full support for the Le Dive Sidewalk Café. Because there's no one way to call 311 and report things that are working, you likely only heard complaints in terms of how things went in 2025. But I live nearby and rely on outdoor dining because I'm immunocompromised, so my partner and I dined outdoors on Canal Street a lot last summer.

In doing so, I witnessed how seriously all the restaurants, including Le Dive, took the community's feedback. I personally witnessed their staffers telling smokers to move away from open windows and making them— making people keep the sidewalks clear. They went above and beyond to keep their patrons

under control and even intervened with people who weren't patrons but were being loud or playing music in the open streets.

They made a sincere effort to comply despite bad faith attempts by neighbors to get outdoor dining shut down, including calling the cops at 10:01 p.m.. One website of a local community group even stated on their website, if you see them on the street at 10:01, take a photo and send it to us.

I don't think that's sincere or good faith, and I do think Le Dive is operating sincerely and in good faith. Outdoor dining is the only way immunocompromised people like me can safely enjoy New York City's restaurants, so any limits to the program meaningfully affects our ability to participate.

If you've never had to think about this, you likely don't know how hard it is to socialize in these circumstances. A lot of outdoor dining is partially enclosed or only has a couple of tables, and I can't just pop inside when that happens. I've missed coworkers' goodbye drinks, friends' birthday parties, casual networking opportunities, and so many other gatherings that most people take for granted.

I bundled up and sat outside on very cold nights

1 because I don't have another choice, and every year I
2 see more and more of these options vanish. Having
3 more options available would remove a huge barrier.
4 Being sick and having to be so cautious is deeply
5 isolating, but being able to easily meet up with
6 friends at a cool or trendy restaurant allows me to
7 feel normal and like my old self again.

8 I think it's important to take a more expansive
9 approach to outdoor dining in 2026, not less, and I
10 really hope that this application will be approved.
11 Thank you.

12 CHAIRPERSON LOUIS: Thank you. We've also been
13 joined by Chair, um, Council Member Sanchez. Uh, are
14 there any Council Members that have any questions for
15 this panel?

16 COMMITTEE COUNSEL: No, not at this time, Chair.

17 CHAIRPERSON LOUIS: Alright, being that there are
18 no members with questions for this panel, this panel
19 is now excused.

20 If there are any members of the public who wish
21 to testify regarding this application remotely,
please press the raise hand button now. If you are
in person, please identify yourself to one of the
Sergeant-at-Arms, and this is the last call.

Okay, there are no other members of the public who wish to testify regarding LU number 47, relating to the application for a sidewalk café Le Dive. The public hearing is now closed and these items are now laid over.

I will now open the public hearing on LU's- LU numbers 45 and 46 regarding 3759 Hamilton Avenue, a mixed-use residential rezoning proposal in St. George on Staten Island in Council Member Hanks's District. The proposal involves a zoning map and text amendment. Applicant is seeking to build a mixed-use residential building with approximately 369 apartments that would be a part of the St. George Special District.

Mandatory inclusionary housing would be mapped as part of this application, so approximately 111 of the apartments would be permanently affordable depending on the affordability option selected. For anyone wishing to testify regarding this proposal remotely, if you have not already done so, you must register online by visiting the council's website at council.nyc.gov/landuse.

For anyone with us in person, please see one of the Sergeant-at-Arms in the back to submit a speaker

card. If you would prefer to submit written testimony, you can always do so by emailing landusetestimony@council.nyc.gov. I will now recognize Majority Whip and Council Member Hanks for remarks.

COUNCIL MEMBER HANKS: Thank you, Chair. I appreciate it and good morning, everyone. I'm Council Member Kamillah Hanks, and I'm here today to discuss, uh, 37-59 Hamilton Avenue rezoning application proposed. This proposed project would produce an 18-story mixed-use building providing 369 residential units, which, um, 111 would be affordable-- would be provided at affordable rates through the Mandatory Inclusionary Housing Program. The project is located within the St. George neighborhood of Staten Island. Proximity to the St. George Ferry, SIR, and various bus lines. This project can provide much-needed housing to the area while also providing health benefits such as public open space and community, um, an open, uh, community facility space.

I very much look forward to the hearing today from the applicants, colleagues, and constituents as we advance the public process to ensure the outcomes meet the needs of my constituents. And I really

thank you all for being here and participating in this hearing.

So thank you, and we'll have some questions afterwards. Thank you.

CHAIRPERSON LOUIS: Thank you. I will now call the applicant panel for this proposal, which consists of Deirdre Carson, Armand Quadrini, and Emanuel. Okay, Emanuel, how do you pronounce your last name?

EMANUEL KOKINAKIS: It's Kokinakis.

CHAIRPERSON LOUIS: Kokinakis. Emmanuel Kokinakis. Got it. Counsel, please administer the affirmation.

COMMITTEE COUNSEL: Um, good morning. Could you please raise your right hand? Thank you. Could you please state your name? Uh, could you please state the name for the record?

DEIRDRE CARSON: Deirdre Carson.

ARMAND QUADRINI: Armand Quadrini.

EMANUEL KOKINAKIS: Emanuel Kokinakis.

COMMITTEE COUNSEL: Do you swear to tell the truth and nothing but the truth in your testimony this morning in response to Council Member questions?

DEIRDRE CARSON: I do.

ARMAND QUADRINI: I do.

EMANUEL KOKINAKIS: I do.

COMMITTEE COUNSEL: Thank you.

CHAIRPERSON LOUIS: Thank you. You may begin your testimony, which is limited to 8 minutes, and I will just ask you all to please restate your name and organization for the record. You may begin.

DEIRDRE CARSON: Good morning, Madam Chair, Council Member Hanks, and other Members of the Committee. Um, my name is Deirdre Carson. I'm an attorney with Greenberg Traurig representing the applicant.

Um, next- go past, uh, the next 2 slides, please. We'll come back to those. This proposed- next slide. This proposed project is located in Staten Island on the north side of Hamilton Avenue between Stuyvesant Street and St. Mark's Place in an R-6 district within the Special Hillside Preservation District. The zoning lot has an area of slightly more than 53,000 square feet.

The application- applicant is seeking 4 actions. The first is a rezoning of most of the zoning lot from R-6 to R-7-3 with a small C-2-4 overlay. A portion of the site has already been zoned to that

zoning. Note that the eastern most part of the site has already been so zoned.

We also seek to remove the property from the Special Hillside Preservation District, placing it in the adjacent Special St. George District, amend the St. George text to revise the map of the upland subdistrict to include the site, and map an extension of the Staten Island Area 5 MIH District to include our site.

The physical context of the— if I can go to the next, please. The physical— the physical context of the site is a block containing two 20-story towers built in the 1970s, a development parcel called River North, which is in this photograph adjacent to our development site on the right, that was rezoned R73 with a C2-4 overlay in 2021, and several smaller sites at the northeastern side of the block that are the subject of another pending application for rezoning to R73.

Across St. Mark's Place from the site is the landmarked Curtis High School, which you can see again to the left in the photograph. And on the right side, you see the Wheel site, now the subject of a redevelopment plan spearheaded by EDC, which is

down the hill and across Richmond Terrace from the site.

Next slide, please. While historically developed with single-family homes, higher density structures have long been present- next. Next picture, please. Have long been present on either side of it, as you can see on this photo, with, uh, some 8-story buildings on the left-hand side and the 20-story buildings I referenced earlier on the right-hand side.

Next picture, please. This is a view looking down the hill towards the harbor. The applicant proposes, um, the- I'm sorry, next slide, please. This is the top of the hill where you see the 20-story building. Next slide, please.

The site is very transit-oriented, as was noted earlier by Council Member Hanks. Two bus lines stop on St. Mark's Place outside the project's proposed front door. Numerous bus lines run along Richmond Terrace with stops a block from the foot of Hamilton Avenue. These lines lead to and from the St. George Ferry Terminal as well as the termini of the Staten Island Railway and many of the bus lines that serve the island.

Next slide, please. The applicant, as we said before, proposes a new mixed-use building containing up to 369 units. The, ah, architect Armand Quadrini will now tell you more about the proposed building.

ARMAND QUADRINI: Next slide, please. So my, uh, portion of the presentation will focus on the strategy to deploy the bulk, where the, um, the, how the stories are arranged on the site, and also the exterior architectural character.

Um, we purposefully designed varying numbers of stories, so we have 3, 6, 8, 16, and 18-story elements. Um, this is a tool in our toolbox to allow us to make the building very contextual with the surrounding multi-family housing. Um, we purposefully offset the street walls from St. Mark's and Hamilton in a generous way. We're 23 feet off St. Mark's from the curb edge to the street wall and 18 feet 7 inches off Hamilton.

Um, you know what, this is one of these cases where what's best for the neighborhood is best for the project. So we've increased, um, the humane aspects of neighborhood, uh, walkways, planting opportunities and so that first step was super important.

Uh, the 16-story element, which is right almost in the exact center of the proposed project, um, sets back 43 feet 10 inches from Hamilton, and the 18-story piece, um, over 60 feet. Um, again, being as respectful to the neighborhood and as contextual as possible.

Next slide, please. Um, this is a purposely green slide, so we're showing the 20, uh, st- street trees along Hamilton and St. Mark's, and on the plan north or the top of plan, um, outdoor amenity spaces for those that live in the development, and then a public open space on the lower right. And I have a slide later that'll talk about the details there.

So the strategy was really simple for the deployment of the bulk. Um, we really wanted the St. Mark's, uh, the corner of St. Mark's and Hamilton to respect the 8-story language of 30 and 60 Hamilton across the street, and then pushing the higher elements, um, next to Castleton Park, and then when River North is built, adjacent there.

So, so, you know, so- so sandwich the new development between existing multi-family housing and respect the height of the ex- those existing elements.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 29
2 Next slide. Uh, materiality is a, is a fancy
3 architect's word to think about color and texture.
4 Um, we, we, uh, part of our legacy working with WRS
5 and with MEGA is to be as contextual as possible with
6 the neighborhood. Uh, we really are respectful of
7 Curtis High School. It's a landmark building, as was
8 mentioned earlier. We really like the blended buff
9 and sand-colored brick. There's patina-colored metal
10 elements and then the cast stone.

11 Next slide, please. So while our building will
12 be very modern in its language and its vocabulary,
13 um, the, the colors and textures will reflect back to
14 what was built in the landmark building across the
15 street. Next slide.

16 So the next couple of slides are- are a walk down
17 Hamilton. This is at the top at St. Mark's. You'll
18 notice a super strong horizontal element above the
19 sidewalk on St. Mark's. Um, this demarks, uh, the
20 pedestrian experience along that area and also where
21 the community facility elements will be, the program
pieces.

 Next slide, please. Still at the top of
Hamilton. Um, there's the main entrance to the, uh,

er, main lobby and amenity spaces for the residential development. Next slide.

Now moving down more towards the center of Hamilton, we purposely proposed a single garage access point. This improves safety and security. Um, it also— uh, we pushed the garage access back from Hamilton as far as we could so that there's plenty of good visual lines for cars coming and going from the development. Next slide, please.

Super excited about the public open space, um, at the bottom of Hamilton. Um, next slide, please. So many opportunities for active and contemplative, uh, activities, um, in, in the public open space. Uh, we hope that we can have a modest barista, um, in that location. Um, and, and again, whether you're a family with the children in the stroller or you have a walker, if you're more senior, um, the— these are— is intended to appeal to, to a big, uh, swath of, of our community that would live here.

Next slide. So the total of the open, uh, areas or landscape open space is over 4,000 feet with, uh, north of 75 seating opportunities. Um, this will be very manicured in the landscape. This will also be the likely place where, um, our residents, if they're

going down towards the water or towards the ferry, will use this access point. You're 3/4 of the way down Hamilton here. I think that's going to be the last of my slides. Go ahead.

EMANUEL KOKINAKIS: Thank you Armand. Emanuel Kokinakis representing Mega Group. Um, just quickly about Mega Group and your applicant team. Um, Mega Group has over a 35- a 35-year history of building in New York City. We built over 10,000 units of housing, um, and the overwhelming majority of that is affordable housing.

So we're proud to be part of this project and representing the Hamilton Properties team. Uh, my partners, WRS Associates and, um, Will Robertson are in the room with me today. Um, Billy Stein of WRS has a long history and track record of developing in New York City. And Bill Robertson is actually a resident at one of the, uh, houses on the block currently, long, um, community- longtime community member and intends on staying in the community.

Next slide, please. So, to recap quickly on the proposed development plan here, um, 18 stories, um, over 300,000 square feet, um, with 369 units proposed. Um, initially we're looking at 111 units

1 of affordable housing. Um, throughout this process,
2 we've engaged with the community, local civic
3 associations, and with Council Member Hanks. And I
4 think we've gotten great guidance and leadership, um,
5 as far as, um, catering our programming in a way that
6 benefits the community the most. And, uh, a constant
7 theme that we heard was to include a homeownership
8 component.

9 So we're looking to, um, include a middle-income,
10 100% affordable component, um, as a portion of this
11 project and are in active discussions with HPD to try
12 to execute that. Um, we also have some ground floor
13 retail space and community facility space, um, which
14 we intend to, um, program with, uh, complementary
15 community uses. Um, we've spoken to some local
16 community groups that, um, may complement the, uh,
17 high school across the street with, with some
18 programming, um, and are trying to focus on other
19 groups as well to best utilize those spaces.

20 Another, um, point of feedback we've consistently
21 heard is the amount of parking that we're proposing
in the project. So we have 146 parking spaces. This
is more than is required by zoning, but, um, we've
received consistent feedback that there's a concern

1 if this is ample, um, for the building and for the
2 community.

3 Um, I'd say that we're— our intent here is to be
4 thoughtful in the design of the parking structure.
5 So, these 146 spots as currently contemplated reflect
6 self-parking spots. Um, if the demand is there, we
7 intend to attend the parking to increase the number
8 of parking spots, as well as include stackers. So
9 we're going to allow for more height on the parking
10 structure to accommodate stackers, again, to allow
11 for more parking.

12 Next slide. Here's a rough idea of, um, the unit
13 mix that we're contemplating. So we— as Council
14 Member Hanks mentioned and Deirdre mentioned, we view
15 this obviously as transit-oriented development. Um,
16 so we have a good mix of studios and ones, but also
17 a, a great number of, uh, family-size units, twos and
18 threes, 35% of the project, um, to accommodate, um,
19 local, uh, families.

20 Next slide. So here, this slide just
21 demonstrates, um, the types of professions that would
qualify for the housing that we're looking at. So,
um, middle-income households, um, your chefs, your
teachers, your construction workers, your nurses.

Um, as I mentioned, um, Mega has a long history working and developing in the city, so we have, um, a great infrastructure setup to support local hiring. Um, and if we go to the next slide—

We also intend to make this an amenity-rich, um, project, you know, very similar to a lot of the other waterfront neighborhoods that we've seen developed in Queens, Brooklyn, the Bronx. Um, and we intend to make this a Type A product to attract, um, a competitive marketplace here.

Next slide. So these are the types of amenities, uh, indoor basketball facility. Next slide. An interior neighborhood café that would be accessible off the plaza area. Next slide. So another point of feedback we've received through the process is the lack of, um, walkable, uh, commercial space. Within the, uh, the community here.

So I think with a lot of the development that's proposed, that, that's going to naturally come along. But in the meantime, we want to make sure that our residents are able to utilize technology to the utmost, you know, with fresh direct type services and the like.

So we'll, uh, plan for that. Next slide.

So as I mentioned earlier, we have a community facility space that's going to be catty corner to the high school across the street, and I think our goal is to, uh, tie those two elements together with the complementary community use, potentially with STEM education space. Next slide.

CHAIRPERSON LOUIS: How many, how many more slides do you have?

EMANUEL KOKINAKIS: Uh, two more, two or three more. Sorry.

CHAIRPERSON LOUIS: Alright, thank you.

EMANUEL KOKINAKIS: From a sustainability perspective, uh, I'll, I'll try to go quickly. Um, we're gonna explore geothermal, full electric, solar. So we're gonna propose cutting edge from a sustainability perspective. Next slide.

And as I mentioned, Mega has a long history, um, working with both local hiring and MWB hiring. We have a great infrastructure in place and a great track record in the success stories and local hiring, bringing local residents up through the ranks and, and not only employment opportunity, but employment growth within the company, as well as, um, a great stable of MWBE subcontractors and new contractors

that, that grow with us, um, and, and develop their companies. Next slide.

And that concludes our presentation. Thank you.

CHAIRPERSON LOUIS: Thank you. Um, I have a quick couple of questions. I wanted to know, how did you arrive at the proposed rezoning district R73?

DEIRDRE CARSON: It's an extension of an existing, uh, district that is adjacent to us. It is also the fact that a part of the site was already zoned at R73-C24.

So, uh, I admittedly it was only one of the lots in the grouping, but it was already there.

CHAIRPERSON LOUIS: And does it allow you to, to build a taller building with the R-73?

DEIRDRE CARSON: Well, yes it does. The existing zoning is extremely limiting. Um, mostly because it has a very strict limitation on the number of parking spaces you're permitted to have on a zoning lot. Um, and that significantly limits the amount of floor area that you can build on the lot.

CHAIRPERSON LOUIS: Sorry, taller than what was initially proposed? That's what I meant, sorry.

DEIRDRE CARSON: Uh, taller than the 18 stories that we're proposing? No, that's a limitation that's

baked into the text of the zoning resolution. It's 185 maximum.

CHAIRPERSON LOUIS: Okay and how are you responding to the community board and the Borough President's recommendations?

DEIRDRE CARSON: We have heard the discussion about homeownership and as Mr. Kokinakis has stated, there are very active discussions going on about a structure for homeownership here. Um, we have considered, um, uh, the parking issue. Again, as Mr. Kokinakis has told you, trying to find a way to mitigate that. Um, those seem to have been among the two most significant. I think there were objections to height, um, their objections to density.

Generally, the community Catacorner to this is a single-family home district and I understand that phenomenon. I live in Brooklyn Heights, uh, on a brownstone block, but at the end of my block there's a 30-story building and somehow we've gotten used to it.

So, um, it's, um, I, I understand the, the psychological issue, but I think that it's, um, something that people will grow accustomed to and if the building operates well as we expect it will and

provides services which we expect it will, that it will be a contribution to the community and not a deficit.

CHAIRPERSON LOUIS: Alright, thank you. I'm gonna turn it over now to Majority Whip Hanks for questions.

COUNCIL MEMBER HANKS: Thank you, Chair. Thank you very much. Um, thank you, Mega. Um, this has been a long journey coming, and I just want to say for the record, thank you so much for, uh, listening to, to me, listening to the community. Um, you can rest assured that we'll hold you to it.

Um, one of the things that I like about this project is aesthetically, it's- it's a beautiful building and I think that that was always one of my biggest issues, you know, being in, uh, economic development in this neighborhood for 20 years, you know, um, we understand what the, the pushbacks are going to be.

We understand what needs to be done. And as someone who purchased their home in their late 20s, uh, we don't have those opportunities for- for young people to be homeowners. And, and one of the things that the community was really big on was

1 homeownership. And while the Chair had, you know,
2 asked questions about that, this is going to be one
3 of the pieces that is - is a make or break for me.
4 Um, so the homeownership options, uh, especially in
5 the North Shore of Staten Island, we are a bedroom
6 community. Um, don't present themselves quite often,
7 particularly in the affordability circle. Explain
8 how homeownership can be included in this project,
9 and please provide any updates on how this could be
achieved.

10 EMANUEL KOKINAKIS: So we're, we're looking at a
11 middle-income affordable homeownership model for- so
12 to be a standalone 100% affordable middle-income
13 building roughly we're thinking in the 100-unit
14 range. Um, we've submitted underwriting to HPD and
15 are in active discussions with them to try to make
that happen.

16 COUNCIL MEMBER HANKS: Thank you. And, uh, has-
17 have you been successful in, in, in the past of
18 including homeownership options with any of your
19 other projects? So, um, we're probably one of the
20 first to complete an MIH affordable homeownership
21 project. So we did that in Astoria, Queens. We have
sold those units, so they're now, um, they were 80%

AMI units that are now currently owned, um, by local homeowners. Um, so that has been executed and completed by Mega.

COUNCIL MEMBER HANKS: Thank you. Um, one of the other questions on the 18-story, uh, this neighborhood, I, we're probably not alone in that, um, -we're used to approving, uh, projects. One of them is River North, where we approved a project, and they came back and asked for an R7 rezoning. And then, because they had R7, they went higher than what was- what the community had, had offered and what they approved.

Um, how can we be assured that what we approved with an R7 zoning upzone that we're going to remain at 18 stories? And I think you said baked in, but we just want to talk about that, that baking recipe.

DEIRDRE CARSON: As I read the zoning text, there is a height limit for the R-73 district within the St. George Special District. So, um, it's not, uh, it's not voluntary. I, I, I'm surprised to hear- I knew that River North was going to reconfigure its project. I didn't understand that they were going to go higher.

1 EMANUEL KOKINAKIS: And, and to just add to
2 Deirdre's point, if, if it's part of a condition,
3 we're, we're more than happy to hold ourselves
4 accountable and stick to that limit. So we'll sign
5 on the dotted line to that.

6 COUNCIL MEMBER HANKS: Um, thank you so much.
7 Uh, lastly, uh, one of the biggest is- uh, I know,
8 givebacks that the community really is looking for is
9 arts and culture, STEM. And I see that you have
10 7,000 square feet of- of open commercial space. Um,
11 I also like the fact that there is not as much retail
12 space because of where retail is going. So I do
13 commend this project on, on taking that into
14 consideration and, and looking at larger, um, commer-
15 uh, excuse me, community space as opposed to retail
16 space.

17 So I just want to give a nod to that. But how do
18 you, um, how do you envision that you'll be working
19 with the community to make sure that that 7,000
20 square feet of, um, of community spaces is what the
21 community wants?

 EMANUEL KOKINAKIS: Yeah, so I think we're gonna,
 you know, work with your office. Um, we've spoken to
 some local groups already. Um, you know, I think our

1 intent there— we've been very successful in sourcing
2 community tenancy. We're not looking for the top
3 dollar as far as rent goes for those spaces, working
4 with those local organizations so they could have
5 stability, affordable rents, and, um, and provide
6 services. Um, so that's our goal here.

7 COUNCIL MEMBER HANKS: Thank you, Chair.

8 CHAIRPERSON LOUIS: Minority Leader Carr.

9 COUNCIL MEMBER CARR: Thank you, Chair. Uh,
10 thank you for that presentation that you gave earlier
11 and your answers to my colleagues' questions. Um,
12 you talked about, uh, the flexibility that you're
13 kind of approaching the parking question with. So
14 you talked about, you know, making a decision based
15 upon, I guess, interest or need from the prospective
16 owners and tenants who would be in the site. Am I
17 understanding that correctly?

18 EMANUEL KOKINAKIS: So we're— our current plan
19 has 146 parking spots. That's calculated based on a
20 self-park estimate. Yeah, so we're gonna initially
21 have 146 self- park spots.

COUNCIL MEMBER CARR: So could you just describe
a little bit more about how you would make a decision

1 to increase it, since that's what you testified to
2 earlier?

3 EMANUEL KOKINAKIS: Right, so if, if the demand
4 for additional parking is- is there and we see that
5 the lot is full, um, I think a first natural step
6 would be to attend that lot. That would nearly
7 double, um, the capacity of parking spaces. And
8 then, um, there's the option for stackers, which
9 would again um, put another increase factor on the
 parking capacity.

10 COUNCIL MEMBER CARR: So the stacking, I
11 understand. Can you explain what you mean by attend?
12 Like, uh, there would be a parking attendant, so you
13 would just pull in initially. You wouldn't park in
14 your own spot. The attendant would take your spot,
15 so he would be able to, in essence, block cars in
 and, and- exactly, increase the number of spots.

16 COUNCIL MEMBER CARR: Understood. Thank you.
17 Those are my questions, Chair.

18 CHAIRPERSON LOUIS: Now we're gonna hear from
19 Council Member Thomas-Henry.

20 COUNCIL MEMBER THOMAS-HENRY: Thank you, Chair.
21 Um, I wanna echo my colleague's sentiments on the
 availability of possible home ownership because

again, that does set our future generation up for generational wealth and long-term economic, um, success. My question is, what are you considering the sales price to be on those 100 units?

EMANUEL KOKINAKIS: So, um, preliminary underwriting of ours— and it's preliminary, it has to be vetted by HPD— but we're talking, you know, in the neighborhood of \$300,000-\$400,000 a unit, um, for those middle-income units for 1s and 2s.

COUNCIL MEMBER THOMAS-HENRY: And are you anticipating those to be sold as condos or co-op units?

EMANUEL KOKINAKIS: I think given the structure, again, we have to kind of work out the legal structuring here, but most likely it would be a co-op.

COUNCIL MEMBER THOMAS-HENRY: Um, and within that, any ideas on like a maintenance range given this building, what the maintenance would look like?

EMANUEL KOKINAKIS: So the sales prices are dictated, um, it's almost a reverse calculation taking into account real estate taxes and the maintenance due. So those households, um, would pay no more than 30-35% of their income in their entire

house payment, including maintenance, real estate taxes, and their mortgage payment.

So we kind of back into the calc based on the real estate taxes and the maintenance costs to determine a supportable mortgage and the sale price.

COUNCIL MEMBER THOMAS-HENRY: Thank you.

CHAIRPERSON LOUIS: One more question by Council Member Hanks.

COUNCIL MEMBER HANKS: Thank you, Chair and thank you, Council Member Thomas, for, um, those questions. Uh, when we talk about the remaining— because we discussed the, uh, the the homeownership component, which would probably be a standalone, um, can we talk a little bit about the affordability option, or the option, um, that the remaining, um, uh, units would be? And can we talk about why you chose the 1-2 bedroom mix, um, on, on the, the entire project?

EMANUEL KOKINAKIS: So I think right now the game plan is for the balance to be a rental. Um, I think we- we're gonna take a close look at the affordability and AMI mix there. Um, but, ah, I, we view this as transit-oriented, so I think there's, um and in conversations with community feedback with, with your office, I think there's a desire to provide

opportunities for the youth of Staten Island to stay local.

Um, so we want to produce a product that would attract, um, local Staten Island residents to stay in their communities, grow in their communities, develop families in their communities. And I think the unit mix that we're providing-- studios, ones, as well as twos and threes-- so we're talking young professionals, young families and keeping them in the community.

COUNCIL MEMBER HANKS: Thank you so much.

CHAIRPERSON LOUIS: Are there any other members of the-- no? Okay. Alright, Counsel, are there any members of the public who wish to testify remotely or in person regarding this proposal?

COMMITTEE COUNSEL: Uh, yes, we have, um, 2 members in person who would like to testify and 2 to members of the public who signed up online.

CHAIRPERSON LOUIS: For members of the public here to testify, please note that witnesses will generally be called in panels of three. First, this panel is excused. Thank you.

If you are a member of the public signed up to testify, please stand by when you hear your name

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 47
2 being called and prepare to speak when I indicate
3 that you may begin. Please also note that once all
4 panelists in your group have completed their
5 testimony, if remotely, you will be removed from the
6 meeting as a group, and the next group of speakers
7 will be introduced.

8 Once removed, participants may continue to view
9 the livestream broadcast of this hearing on the
10 council website. We've also been joined by Council
11 Member Schulman. Members of the public will be given
12 2 minutes to speak. Please do not begin until the
13 Sergeant-at-Arms has started the clock.

14 The following individuals who signed up to
15 testify should now come to the witness table. Theo
16 Perez and Jack Connors. Theo Perez and Jack Connors.
17 You may begin.

18 THEO PEREZ: Alright, well, thank you, Chair
19 Louis, to Council Member Hanks, and to the rest of
20 the Committee here today. Uh, my name is Theo Perez,
21 and I'm here today representing SEIU Local 32BJ.

32BJ is the largest union of property service
workers in the country, representing over 175,000
members across 13 states, including tens of thousands
of commercial cleaners, security officers,

residential building staff and even window cleaners, in New York City.

Uh, so 32BJ supports responsible developers who invest in the communities where they build, and I'm happy to report that the developers of the proposed project have made a credible commitment to creating good jobs for the workers who will permanently staff these buildings.

Good jobs mean prevailing wages, meaningful benefits, and a pathway to the middle class for the local community members who often fill such positions. We estimate that this project will create somewhere in the neighborhood of 5 permanent building service jobs.

Moreover, we need housing to be built in every neighborhood of New York City to ensure that working families are not displaced by dwindling supply and skyrocketing rents. The proposed development will include 3, uh, roughly 360 residential units, over 100 of which will be permanently income restricted for low to middle income residents.

So as the cost of living rises and working New Yorkers struggle to stay in their homes, It's more important now than ever to create both affordable

housing and good jobs which uphold industry standards in the city.

For these reasons, 32BJ is in strong support of the 3759 Hamilton Avenue project. Thank you for your time.

JACK CONNORS: Good morning, I'm Jack Connors, City Legislative Manager at Open New York, a statewide grassroots advocacy group that advocates for abundant homes and lower rents. Thank you to Chair Louis and members of the Committee for the opportunity to speak in support of land use items 45 and 46 today. These items would construct over 300 new homes at 37 to 59 Hamilton Ave, 111 of them affordable.

New York faces a historic housing crisis decades in the making. It's crucial that we build more homes, especially in neighborhoods with good access to transit, green space, and other amenities. Hamilton Ave is a short walk to the Staten Island Ferry, New York City Ferry, and Ferry Hawk Stadium in St. George. Far and away the most transit-rich part of Staten Island.

On top of 111 new affordable homes for New Yorkers making 80% of AMI, this project will yield

10,000+ new square feet of open and community space, complementing, uh, two nearby parks, including the North Shore Esplanade.

Creating workforce housing with easy access to jobs, schools, and services and the Ferry Hawks is a home run. I urge the Council to vote yes on this proposal. Thank you.

CHAIRPERSON LOUIS: Are there any members of this panel that have questions? Any Council Members that have questions for the panel? Alright, this panel is now excused. We will now shift to the online panel. Uh, Michael DeVito.

MICHAEL DEVITO: Yes, Chair, can you guys hear me okay?

CHAIRPERSON LOUIS: Yes, you may begin.

MICHAEL DEVITO: Wonderful, thank you so much. Good afternoon, or soon to be afternoon, uh, awesome to have both— 2 of my Council Members here. Very cool. Uh, my name is Michael DeVito Jr. from New York Center for Interpersonal Development, otherwise known as NYCID. Uh, we are Staten Island's mediation center, partnering with many agencies at all levels of government, from COMPASS to SONIC to SYEP, from community schools to learning to work, helping those

in crisis, those in the process of re-engaging in their education, and those joining the workforce.

I'm here today to express strong support of the 3759 Hamilton Avenue rezoning and to speak to what this project can mean for young people in our community, particularly our YouthBuild Impact participants.

YouthBuild Impact is a nationally recognized model that connects opportunity youth, young people who are out of school and out of work with hands-on construction training, education, and credentialing. Projects like 3759 Hamilton Avenue are precisely what YouthBuild was designed for. Uh, a development in- of this scale spanning multiple stories, incorporating sustainable features, and including community infrastructure represents months of meaningful construction activity.

That, uh, those months of real-world training, real wages, and real credentials for young people in need of a foothold in our economy. This is not a simulation or a classroom exercise. This is the actual work where they get to be in their community producing something that will stand for generations. And when the building is complete, the 7,000 square feet of nonprofit community, uh, facility space

that's being presented has the potential to house the very program that keeps the pipeline going.

Workforce readiness, crisis intervention, and wraparound support that help young people stay on track long after construction projects end.

Imagine a young person from Staten Island North Shore who helped—

CHAIRPERSON LOUIS: Thank you, Michael.

MICHAEL DEBITO: Building—

CHAIRPERSON LOUIS: Thank you so much. We appreciate your testimony. Now we'll call on Mary.

MARY SOBIECHOWSKI: Okay. Hi, good morning. Um, my name is Mary Sobiechowski and I'm here today to support this 369-unit residential development on Hamilton Avenue.

I want to take you back about 45 years to when I first moved to New York City and bought real estate in Williamsburg, Brooklyn. Back then, Williamsburg was a neighborhood that many had written off. It was underinvested, overlooked, and struggling. It was a place to raise children, so I moved to a home in St. George but kept a foot in Williamsburg. When the developers there began proposing larger residential buildings a number of years later, there was

1 skepticism, even resistance. People worried about
2 change, and they questioned whether the neighborhood
3 could handle growth on that scale. But I watched
4 something remarkable happen as these buildings went
5 up, people followed, restaurants opened, shops came
6 to life.

7 It's what we need in St. George. Transit already
8 here is viable. Young families and working
9 professionals put down roots in Williamsburg. The
10 tax base grew, which meant better services for
11 everyone.

12 Today, Williamsburg is one of the most vibrant
13 neighborhoods in the city. Transformation didn't
14 happen despite residential development, it happened
15 because of it. I've owned residential properties in
16 St. George for 40 years. The development here has
17 been so much slower, but now I see the same
18 potential. This waterfront community has already
19 incredible bones. We have the ferry terminal,
20 cultural institutions, and amazing tree-lined streets
21 and views. What's needed is density to activate it.
The Hamilton Avenue building means hundreds of new
neighbors who will shop locally, support our small

businesses, and invest in this community every single day.

I hope the density will even help revitalize the-

CHAIRPERSON LOUIS: Thank you, Mary. We appreciate your testimony. Thank you so much.

If there are any members of the public who wish to testify regarding this proposal remotely, please press the raise hand button now.

If you are in person, please identify yourself to one of the Sergeant-at-Arms, as this is the last call.

Being that there are no members of the public who wish to testify regarding LU's numbers 45 and 46 relating to 3759 Hamilton Avenue, a mixed-use residential rezoning proposal, the public hearing is now closed and these items are now laid over.

That concludes today's business. I would like to thank members of the public, my colleagues, the Subcommittee, Council Land Use and Council Staff, and the Sergeant-at-Arms for participating in today's meeting. This meeting is hereby adjourned. [GAVEL]

C E R T I F I C A T E

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



Date June 14, 2026