

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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April 26, 2022
Start: 11:38 a.m.
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HELD AT: REMOTE HEARING - VIRTUAL ROOM 1

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

COUNCIL MEMBERS:

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

A P P E A R A N C E S

Eric Palatnik
Bishop Taylor
Alvin Schein
Silas Leavitt
Richard Lobel
Amanda Iannotti
David Parnes
Elissa Gelnick
Kevin Williams
Sam Feigenbaum
Richard Bienenfeld
Agnes Reichert
Cory Kantin
Danielle Dorchester
Karen Seifert

2 SERGEANT LUGO: Cloud recording has
3 started.

4 SERGEANT KOTOWSKI: Sergeant Hope, could
5 you give us the opening, please?

6 SERGEANT HOPE: Good morning. Welcome to
7 today's New York City Council remote hearing on the
8 Subcommittee on Zoning and Franchises.

9 At this time, would all panelists please
10 turn on your videos. I repeat, all panelists please
11 turn on your videos. Thank you.

12 To minimize disruption, please place all
13 electronic devices to vibrate or silent mode. Thank
14 you.

15 If you wish to submit testimony, you may
16 do so by email at landusetestimony@council.nyc.gov. I
17 repeat, landusetestimony@council.nyc.gov.

18 Thank you for your kind cooperation.
19 Chair Riley, we are ready to begin.

20 CHAIRPERSON RILEY: Good morning. Welcome
21 to a meeting of the Subcommittee on Zoning and
22 Franchises. I am Council Member Kevin Riley, Chair of
23 the Subcommittee. This morning, I'm joined remotely
24 by Council Members Schulman, Hanks, Bottcher, Carr,
25 Abreu, Won, and Moya.

2 Today, we will vote on the rezoning
3 proposal for 1220 Avenue P in Brooklyn and Our Lady
4 of Pity at 272 East 151st Street in the Bronx that
5 were heard by Subcommittee on April 12th and hold
6 public hearings on rezoning proposals for 35-01
7 Vernon Boulevard in Queens and 840 Lorimer Street and
8 2300 Cropsey Avenue in Brooklyn.

9 I would also like to note that the Lee
10 Avenue and the Guy R. Brewer Boulevard rezoning
11 proposal originally planned for today's agenda are
12 being laid over.

13 Before we begin, I recognize the
14 Subcommittee Counsel to review the hearing
15 procedures.

16 ANGELINA MARTINEZ-RUBIO, MODERATOR: Thank
17 you, Chair Riley, and good morning, Council Members.
18 I am Angelina Martinez-Rubio, Counsel to the
19 Subcommittee.

20 Members of the public wishing to testify
21 were asked to register for today's hearings. If you
22 wish to testify and have not already registered,
23 please do so now by visiting the New York City
24 Council website at www.council.nyc.gov/landuse to
25 sign up.

2 Members of the public may also view a
3 livestream broadcast of this meeting at the Council's
4 website. If you need an accessible version of any of
5 the presentations shown today, please send an email
6 request to landusetestimony@council.nyc.gov.

7 When called to testify, individuals
8 appearing before the Subcommittee will remain muted
9 until recognized by the Chair to speak. Applicant
10 teams will be recognized as a group and called first
11 followed by members of the public. When the Chair
12 recognizes you, your microphone will be unmuted.
13 Please take a moment to check your device and confirm
14 that your mic is on before you begin speaking.

15 Public testimony will be limited to 2
16 minutes per witness. If you have additional testimony
17 you would like the Subcommittee to consider or if you
18 have written testimony you would like to submit
19 instead of appearing here before the Subcommittee,
20 you may email it to landusetestimony@council.nyc.gov.
21 Please indicate the LU number and/or project name in
22 the subject line of your email.

23 During the hearing, Council Members with
24 questions should use the Zoom raise hand function
25 that appears at the bottom of your participant panel

2 or the primary viewing window. Council Members with
3 questions will be announced in order as they raised
4 their hands, and Chair Riley will then recognize
5 Members to speak.

6 Witnesses are requested to remain in the
7 meeting until excused by the Chair as Council Members
8 may have questions for you.

9 Finally, there will be pauses over the
10 course of this meeting for various technical reasons,
11 and we ask that you please be patient as we work
12 through any issues.

13 Chair Riley will now continue with
14 today's agenda items.

15 CHAIRPERSON RILEY: Thank you, Counsel.
16 Today, we will vote to approve preconsidered LUs 37
17 and 38 related to Our Lady of Pity, 272 East 151st
18 Street rezoning proposal in Chair Salamanca's
19 district in the Bronx. The proposal will rezone an
20 existing R6 to an R7A district and establish an MIH
21 program area utilizing MIH options 1 and 2. These
22 approvals will facilitate the development of a new
23 100 percent affordable 9-story building. Chair
24 Salamanca is in support of this proposal.

2 We will also vote to approve
3 preconsidered LUs 35 and 36 for the 1220 Avenue P
4 rezoning proposal relating to property in Minority
5 Whip Vernikov's district in Brooklyn. The proposal
6 would rezone an existing R5B to an R7A district and
7 establish an MIH program area utilizing option 1 and
8 2. These approvals will facilitate the enlargement of
9 an existing Levit Medical Center. Minority Whip
10 Vernikov is in support of this proposal.

11 Members of the Subcommittee who have
12 questions or remarks about today's items should use
13 the raise hand button now. Counsel will announce
14 Members in the order that their hands are raised.
15 Counsel, are there any Council Members with questions
16 or remarks at this time?

17 ANGELINA MARTINEZ-RUBIO, MODERATOR:

18 Chair, I don't see any Council Members with questions
19 or remarks at this time.

20 CHAIRPERSON RILEY: I now call for a vote
21 to approve preconsidered LUs 35 and 36 relating to
22 1200 Avenue P rezoning proposal and preconsidered LUs
23 37 and 38 relating to the Our Lady of Pity rezoning
24 proposal. Counsel, please call the role.

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2 ANGELINA MARTINEZ-RUBIO, MODERATOR: Chair
3 Riley.

4 CHAIRPERSON RILEY: Aye on all.

5 ANGELINA MARTINEZ-RUBIO, MODERATOR:
6 Council Member Moya.

7 COUNCIL MEMBER MOYA: I vote aye.

8 ANGELINA MARTINEZ-RUBIO, MODERATOR:
9 Council Member Abreu.

10 COUNCIL MEMBER ABREU: I vote aye.

11 ANGELINA MARTINEZ-RUBIO, MODERATOR:
12 Council Member Bottcher.

13 COUNCIL MEMBER BOTTCHEER: Aye.

14 ANGELINA MARTINEZ-RUBIO, MODERATOR:
15 Council Member Hanks.

16 COUNCIL MEMBER HANKS: Aye.

17 ANGELINA MARTINEZ-RUBIO, MODERATOR: All
18 right. Thank you, Council Member. Council Member
19 Schulman.

20 COUNCIL MEMBER SCHULMAN: Aye.

21 ANGELINA MARTINEZ-RUBIO, MODERATOR:
22 Council Member Carr.

23 COUNCIL MEMBER CARR: Aye.

24 ANGELINA MARTINEZ-RUBIO, MODERATOR: The
25 vote currently stands at 7 in the affirmative, no

2 negatives, no abstentions, and we will leave the vote
3 open.

4 CHAIRPERSON RILEY: Thank you, Counsel. To
5 continue with today's meeting, I will now open the
6 public hearing on preconsidered LUs relating to the
7 ULURPs numbers C 220050 ZMQ and N 220051 ZRQ relating
8 to relating to 35-01 Vernon Boulevard Rezoning
9 proposal in Council Member Won's district in Queens.
10 This application seeks a zoning map amendment to
11 rezone an existing R5 to an M1-4/R7A and establish a
12 special mixed use district and a related zoning text
13 amendment to establish an MIH program area. For
14 anyone wishing to testify on this item, if you have
15 not already done so, you must register online, and
16 you may do that now by visiting the Council's website
17 at council.nyc.gov/landuse. Once again, that's
18 council.nyc.gov/landuse.

19 Is Council Member Won still here?

20 ANGELINA MARTINEZ-RUBIO, MODERATOR: She's
21 here, Chair.

22 COUNCIL MEMBER WON: Yes, I'm here.

23 CHAIRPERSON RILEY: Good morning, Council
24 Member Won. I would like to allow Council Member Won

2 to give any remarks regarding this project. Council
3 Member Won.

4 COUNCIL MEMBER WON: Thank you. Hi,
5 everybody. It's good to see you all. For 35-01 Vernon
6 Boulevard, the community has been very supportive as
7 well as the developer and team who have been very
8 engaged with the needs of the community, which I
9 truly appreciate. Because representing District 26,
10 which encompasses Long Island City, Woodside,
11 Astoria, and Sunnyside, my district is the second
12 most developed within the last decade in all of New
13 York City. It is really important to me that we work
14 to promote responsible neighborhood community-led
15 development to make sure that we have affordable
16 housing as well as the community-based needs that are
17 agreed upon are continued to be kept accountable as
18 well as continuing to commit to making sure that we
19 are working with the community. Thank you so much for
20 allowing me to be here, and I look forward to working
21 with this team right here as well as the team that's
22 on the call right now to continue to make our
23 neighborhood a better place to live.

24 CHAIRPERSON RILEY: Thank you, Council
25 Member Won. We've also been joined by Chair Louis.

2 Counsel, would you like to take Chair Louis' vote
3 real quick?

4 ANGELINA MARTINEZ-RUBIO, MODERATOR: Yes.
5 Continuing the vote on LUs 35 and 36 and 37 and 38,
6 Chair Louis.

7 COUNCIL MEMBER LOUIS: I vote aye.

8 ANGELINA MARTINEZ-RUBIO, MODERATOR: The
9 final vote is 8 in the affirmative, no negatives, no
10 abstentions. The items are approved and will be
11 referred to the full Land Use Committee.

12 CHAIRPERSON RILEY: Thank you, Counsel.
13 Counsel, can you please call the first panel for this
14 item?

15 ANGELINA MARTINEZ-RUBIO, MODERATOR: Yes,
16 the panel for this item is Eric Palatnik, Bishop
17 Taylor, Alvin Schein, and Silas Leavitt. Sorry if I
18 mispronounced any of your names.

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

21 ANGELINA MARTINEZ-RUBIO, MODERATOR:
22 Applicants, can you please raise your right hand, and
23 I will call on you individually to respond to the
24 following question. Do you affirm to tell the truth,
25 the whole truth, and nothing but the truth in your

2 testimony before this Subcommittee and in your
3 answers to all Council Member questions? Eric
4 Palatnik.

5 ERIC PALATNIK: Yes, I do.

6 ANGELINA MARTINEZ-RUBIO, MODERATOR: Alvin
7 Schein.

8 ALVIN SCHEIN: Yes, I do.

9 ANGELINA MARTINEZ-RUBIO, MODERATOR:
10 Bishop Taylor.

11 BISHOP TAYLOR: Yes, I do.

12 ANGELINA MARTINEZ-RUBIO, MODERATOR: Silas
13 Leavitt.

14 SILAS LEAVITT: Yes, I do.

15 CHAIRPERSON RILEY: Thank you. For the
16 viewing public, if you need an accessible version of
17 this presentation, please send an email request to
18 landusetestimony@council.nyc.gov. Once again, that's
19 landusetestimony@council.nyc.gov. Now the applicant
20 team may begin. Panelists, as you begin, I just ask
21 that you please restate your name and organization
22 for the record. You may begin.

23 ERIC PALATNIK: Thank you very much, Chair
24 Riley. My name is Eric Palatnik. I'm the attorney
25 that's representing 35-01 Vernon Boulevard. I would

2 like to thank you and all the Members of your
3 Committee for taking the time to help improve
4 conditions around New York City, and, as the Council
5 Member just said, making each neighborhood a better
6 place.

7 We are proud to be here today with our
8 entire team with what is really a community-involved
9 rezoning even though it is privately sponsored. We
10 have been working at ULURP on this process for about
11 3 years with City Planning very collegially and with
12 Community Planning Board 1, and we spent a lot of
13 time in the development here, and you're about to see
14 a 9-story building that's in an R5 district in the
15 middle of Vernon Boulevard which is certainly not an
16 R5 type of community, and it's going to allow for a
17 host of different uses, some of which are private.
18 They'll be market-rate housing, but, equally as
19 important, they'll be affordable housing at option
20 level 1. Equally as important, they'll be larger unit
21 sizes which was something that the community had
22 asked us to do. In addition to the R7A that we're
23 asking you to go to, uniquely at the ground floor we
24 are proposing an MX district. The MX district would
25 allow for light manufacturing use to occur at the

1 second floor. We're proposing to have a combination
2 of 27,000 square feet of space at the second floor
3 and at the ground floor. The ground floor will be
4 retail, but the second floor will be light
5 manufacturing space to which we've partnered, you
6 might've noticed Bishop Taylor was introduced a few
7 moments ago, and he's going to speak to you about the
8 different ideas we have for that space and the
9 different initiatives he's been involved in. Also,
10 we've been working with, I believe we just had a
11 meeting as a team, I was not there, with PS76 which
12 was a request of the Council and, admittedly, a very
13 good idea to work with PS76 to try to find a way that
14 we can contribute to some improvements around the
15 school since we hope to bring many young people to
16 the neighborhood that are going to go to school, and
17 that's the hope that we're going to do so we don't
18 want to stress the system but we want to improve it.
19 All that's being done to say to you that we've
20 created a very harmonious development. You did
21 pronounce it correct, the names of everybody when you
22 introduced everybody a few moments ago, that is Silas
23 that is on the phone, Silas Leavitt, he's with HANAC.
24 I know that was a risk. You could've said Seelus
25

2 which I did (INaUDIBLE) Silas' name, and he is a
3 representative of HANAC, and he's proudly here to
4 speak to you about how they're going to be partnering
5 up on administering the affordable housing. They are
6 a local, to this community, Astoria-based, not-for-
7 profit that provides affordable housing affordable
8 housing and other social services. We're proud of the
9 whole team. With that as the introduction, if you
10 could pull up the screen, I'll go through the
11 application relatively quickly in a New York kind of
12 way. Because we have so much support, I don't think
13 that anything's controversial, but, if you want to
14 come back to anything, if I do go too quick, I've
15 been accused of speaking too fast, so if you do have
16 any questions please come back.

17 This shows you the image of the building.

18 Next slide, please.

19 The owner right now is a for-profit
20 automotive parts distributor. You can go to the next
21 slide introducing them. They distribute auto parts
22 out of this building which is a turn, early century,
23 of the last century, rather nondescript manufacturing
24 building. They have other locations, most notably the
25 Bronx, where most of their employees work and they

2 can consolidate their work in to and they will be
3 doing so no jobs are going to be lost. Next slide,
4 please.

5 This gives you a good depiction for what
6 the neighborhood looks like. You can see the Vordonia
7 Towers are cattycorner to us as they say, diagonally
8 to the top left image of your screen. That's a
9 relatively new development that's an R7 development.
10 We're asking you for a similar development here, an
11 R7A. That has 300 units. The East River is to our
12 left you could see, and Manhattan's over there, and
13 to our right of our property is an interesting
14 development called the Cigar Factory, which is a
15 repurposed cigar factory that now has makers' space
16 types of uses similar to what we're proposing on the
17 second flood. If you can go to the next slide,
18 please.

19 This gives you a good idea for the zoning
20 districts if you're looking at it from a zoning lens.
21 You can see that we are in what I described before as
22 an R5 district, and, if you take look at the pictures
23 as we go around, it certainly doesn't look like an
24 R5. What we're proposing here I think would be more
25 consistent with what's going on along Vernon

2 Boulevard. We're just a few blocks away from Rainey
3 Park and a Gucci Museum, Socrates Sculpture Park,
4 this Costco down there for those who go shopping over
5 there so the R7 is really more suited to what we're
6 asking for here, it's more suited to the community,
7 and that's why I think we've had so much support in
8 the application. Next slide, please.

9 This is just a very technical slide, but
10 the left side shows you what's now and just
11 reinforcing as we are here for a zoning application,
12 the left side is what it is now, the right side is
13 what we are proposing, and in the middle is what's
14 allowed. We give you an idea, but, basically, if you
15 take a glance there, you can see we're proposing 107
16 dwelling units, 26 of which would be permanently
17 affordable under option level 1, 77 parking spaces
18 would be in a cellar and a sub-cellar, they'd be
19 ground floor commercial, second floor light
20 manufacturing that Bishop Taylor is going to speak
21 to, and then you've got residential above. If you
22 could go to the next slide, please.

23 I guess I spoiled the surprise because
24 this tells you all of that once more. This gives you
25 a good image of the building. The building fronts on

1 3 blocks, 9th Street, 35th, and Vernon so, because of
2 that, you're looking at the building from a couple of
3 different perspectives here. The bottom one shows you
4 the perspective on 9th Street. That's where the
5 parking entrance will be on the far left. The top one
6 shows you the perspective as if you're on the corner
7 of Vernon Boulevard and 35th. To the right side of
8 the top one is the street frontage on 35th. The
9 building, as you can see here, has the attributes and
10 is laid out and it calls out in specificity the
11 breakdown of the commercial space, which is about
12 8,000 square feet for general retail at the ground
13 floor and 18,000 square feet of light manufacturing
14 space. The next slide will show you that really
15 clearly and a breakdown of the building so you can
16 see how it looks in a cross-section here. It's just
17 like you would've imagined. The upper floors are
18 residential, 2 floors are the commercial, and then
19 well parked downstairs. Next slide, please.

21 The next slide gives you a good image for
22 what this area is all about. The top of the slide,
23 you can see much taller buildings up on 12th Street
24 at the top of the image, but the bottom of the slide,
25 the very bottom where you don't see anything, that's

2 the East River so you can see that we are on Vernon
3 Boulevard which historically is underdeveloped here
4 we all believe. Really, I think that's what the
5 overwhelming support for the application shows, but
6 it does demonstrate that there's obviously a good
7 spot here to create more housing. Next slide, please.

8 The next slide, I won't dwell on it, but
9 the program, because it was so well-supported at the
10 Community Board, I think it's self-evident that it
11 does align with their needs. Most importantly, we
12 worked very closely, it's a hallmark tradition of
13 what I do, I never want to come before a Committee
14 and give you people that are arguing. I want to try
15 to come before your Committee with problems solved.
16 Next slide, please.

17 I'm going to pause here. I'm going to
18 let Bishop Taylor speak for a few moments. I know
19 he's on the phone, and he has been working a lot of
20 outreach. Bishop, do you want to speak for a few
21 moments maybe about what we're proposing here and you
22 can go now. While he does that, maybe whoever's
23 controlling the slide could flip to the next slide.

24 BISHOP TAYLOR: Thank you, Eric. Chair
25 Riley, to my Council Member Won, and to all the

2 Committee Council Members on the call today, thank
3 you for hearing us. We worked very hard with the
4 developer and ownership to create something that
5 would be a little different in our space, and we
6 built on our business innovation work that originated
7 in Astoria and wanted to expand that work to include
8 Ravenswood and Queensbridge, taking a play off of We
9 Work, and we created a model called We Work (sic)
10 which will support local M/WBEs, local WBEs, LBEs,
11 entrepreneurs, people that are interested in flushing
12 out their ideas and building their business. Urban
13 Upbound is going to locate business innovations in
14 this space and then create some ancillary space for
15 makers that are in development and give them the
16 technical assistance needed in order to help their
17 businesses thrive. Urban Upbound has a long list of
18 cooperative businesses that we have launched using
19 this particular model, and we're looking forward to
20 expanding that in this particular space. Also, we've
21 met with PS76, the local principal, Timothy Miller,
22 did a walkthrough of the playground, the large
23 playground which is in serious disrepair, and looking
24 to work very closely with Dr. Composto who is the
25 superintendent for District 30 and the principal to

2 figure out how we can comprehensively beautify that
3 playground. It's a very large playground. We've also
4 had meetings with all tenant association presidents,
5 particularly Ravenswood, Queensbridge, and Astoria,
6 the closest to this particular development, and we're
7 excited about not only the We Make space but also the
8 laborers, the construction jobs that Urban Upbound
9 will be sourcing for, and also any permanent jobs
10 that are there working closely with 32BJ to source
11 those permanent jobs in the building as well.

12 Overall, this was an easy project to promote because
13 the developer had such a willingness to add value to
14 the community, and he's also committed to continued
15 partnerships with nonprofits in our area with
16 financial resources and technical support so I'm very
17 encouraged by the path that this project is taking.

18 Thank you.

19 ERIC PALATNIK: Sorry about that. I muted
20 myself while you were speaking, and it turns out I
21 could not unmute myself, which I think my family
22 would like that feature by the way if you all wanted
23 to speak to my family.

24 Thank you, Bishop, very much for giving
25 us all that information, and we'll come back to

2 Bishop if anybody has any questions. If you can go
3 now to the next slide, please.

4 Oonee is an organization we've started to
5 talk to. We have not made final arrangements with
6 them, but we are trying to promote the idea with
7 them, if not on this project, at least on other
8 future developments as well as a recent one we did
9 before in a previous committee on 4th Avenue. Oonee
10 is a large black, brown bike self-storage facility
11 operator that creates these pods that can go anywhere
12 basically, both in public spaces and in private
13 spaces, and here we're on the bike path on Vernon
14 Boulevard which is part of the Queens Greenway so
15 we're hoping that we'd be able to include this within
16 the development, although we have not yet come to an
17 agreement with them. Shabazz Stuart is the gentleman
18 who runs it. You might have seen some of his
19 installations. I believe there is one at Domino Park
20 so it's a public installation. It's free bicycle
21 parking. I don't know how he makes money out of it,
22 but he does. Next slide, please.

23 Here you can see some renderings of the
24 building. I think you've become intimately familiar
25 with that already so I won't go there. I'm going to

2 ask you to go 2 slides forward, and we'll pause for a
3 moment there and talk about the affordability and
4 then I think that would be a good time to, there's an
5 affordability chart, if you can go one more slide,
6 please, one more after this, next one, please. There
7 you go.

8 Great. This is a good place to stop.

9 Alvin Schein is on the call with Seiden and Schein,
10 and so is Mr. Leavitt who is here with us as well
11 with HANAC. Silas would be happy to speak to you as
12 well as to what he's going to do to implement the
13 affordable housing, and Alvin is here to speak to you
14 about the breakdown of units and the square footages
15 and the percentage of AMIs that we've tried to
16 achieve. Alvin, if you want to give everybody just a
17 few minutes of your time just to explain.

18 ALVIN SCHEIN: Sure. We have a chart of
19 the approximately allocation of affordable units. I'm
20 sure as everyone knows MIH is based on residential
21 square footage and not unit count so based on
22 whatever the final plans are of the units, these
23 numbers may change because we have to achieve the
24 requirements under MIH for 60 percent average AMI,
25 but, in any case, this is an approximation of how the

2 income levels would show at today's AMIs so it would
3 have a segment at 40 percent AMI which would allow
4 for 1-bedroom households earning 33,440 dollars per
5 year with a rent at 823 per month and 2 bedrooms
6 would have a slightly higher income level and the
7 rent for those units would be 981 a month. There
8 would also be a 3-bedroom unit at 1,126 per month. At
9 60 percent AMI, they go up correspondingly higher and
10 then there would also be units at 80 percent AMI. In
11 that way, you're addressing different income levels
12 in the community, not all at 60 percent, not all at
13 40 percent, or not all at 80, but you have a good mix
14 of different affordable units.

15 ERIC PALATNIK: Thank you, Alvin. I think
16 we'll pause here, and then we'll come back
17 afterwards. If any of the Council Members would have
18 any questions, we'd be happy to come back to it. I
19 guess this is probably a good place for us to wrap up
20 and hear a little bit from Silas. Silas, do you want
21 to just give a little bit of an explanation to as far
22 as to how you'll be implementing the affordable units
23 and if you can answer any questions anyone may have
24 about that?

2 SILAS LEAVITT: Yes. Good morning, Members
3 of the Subcommittee on Zoning and Franchises. Thank
4 you for hearing us today. My name is Silas Leavitt,
5 and I'm the Housing Development Coordinator for
6 HANAC. I'm here on behalf of HANAC to voice our
7 support for the rezoning application being presented.

8 HANAC is an affordable housing and social
9 services nonprofit that was founded in 1972 in
10 Astoria. Currently, we serve over 30,000 community
11 members from youths to older adults throughout New
12 York City. Additionally, for the last 20 years, HANAC
13 has played an ever-expanding role as an affordable
14 housing developer and property manager in New York
15 City. We own 650 units of affordable housing in
16 Queens and are the property managing agent of 4
17 different affordable senior housing buildings
18 throughout the borough. We are fully committed to the
19 development of affordable housing within New York and
20 especially in Astoria, and we support any efforts
21 towards that goal. For this project, we have been
22 engaged as the administering agent for the 26
23 mandatory inclusionary housing units included with
24 the proposal. As the MAH unit, HANAC will be
25 responsible for ensuring that the affordable units

2 are rented and maintained in compliance with zoning
3 provisions and applicable guidelines. HANAC will be
4 working with the developer in 2 ways for this
5 process.

6 First, in terms of marketing the MIH
7 units, HANAC will develop the CUNY outreach strategy
8 and work with city agencies to ensure all
9 requirements are met. This includes entering
10 applications into the Housing Connect portal, working
11 with a lottery log, and interviewing potential
12 tenants.

13 Secondly, after the units have been
14 rented, HANAC will ensure that all the MIH units in
15 the project meet all requirements and comply with
16 city agency regulations such as income verification.
17 We are very experienced and familiar at working with
18 HPD's Housing Connect lottery process. HANAC has been
19 a member of HPD's Housing Ambassador program since
20 2017. This program helps people prepare and apply for
21 Housing Connect affordable housing lotteries, and,
22 under the program, HANAC provides information and
23 assistance with the application process so we're very
24 familiar with the (INAUDIBLE) process for projects
25 like this and how it works.

2 HANAC has been working in Queens for 50
3 years, and we are deeply aware of the housing needs
4 in the area. High-quality projects like this one are
5 essential to adding to the affordable housing stock
6 available to the neighborhood, and thus we are
7 strongly supporting this application. Thank you very
8 much for the opportunity to testify here today and
9 for your consideration for this project.

10 ERIC PALATNIK: Thank you for your
11 presentation. It's Eric Palatnik, and I'll wrap up.
12 Two things to clear the record.

13 First of all, just so everybody is alert,
14 we do not have an arrangement with 32BJ. That was
15 something that Alvin had mentioned. Usually, we do.
16 We try very hard to do that with them. In this case,
17 we've offered this building to 32BJ for their
18 involvement, and they've declined. They don't feel
19 the building is the right fit for them so I wanted to
20 let everybody know that.

21 The second thing I wanted to let
22 everybody know is that we have been working with the
23 Borough President's Office on their recommendations
24 as well as that of the Council Person who asked us to
25 try to achieve 30 percent local hiring and use of

2 minority and women-owned business enterprises within
3 the development and operation of the building, which
4 we are going to be striving for and reporting back to
5 the Borough President about that as we continue on
6 with our development. We wanted to just update you on
7 that, and, of course, with respect to green features,
8 I (INAUDIBLE) through, but the building will be
9 designed with a host of green features. It will not
10 be a LEED Certified building, but it will be an
11 electric building in compliance with the new laws
12 that your Council has enacted as well as other energy
13 efficient inclusions such as a green roof, they'll be
14 energy and sound attenuated and insulated windows as
15 well as all of the individual cooling units or
16 heating units that might be in any units.

17 We want to say thank you. That's the
18 conclusion of our application. We know we went on a
19 little bit longer than I would have liked to, but we
20 tried to really answer any question you may have had.
21 Thank you very much for your time.

22 CHAIRPERSON RILEY: Thank you. I just have
23 a few questions for the applicant team before I turn
24 it over to Council Member Won. This application
25 currently maps both MIH option 1 and option 2. Can

2 you confirm that the applicant intends to develop
3 under MIH option 1?

4 ERIC PALATNIK: Yes, we do. It's left on
5 there as a vestige of the original application which
6 started at 2. Of course, it's up to the Council's
7 discretion to strike it, but we do agree to do option
8 level 1.

9 CHAIRPERSON RILEY: Thank you, Eric. Has
10 the applicant made a commitment to hire, I think you
11 just said it, but M/WBE contractors for project
12 construction as recommended by the Borough President?

13 ERIC PALATNIK: Yes, of course, 100
14 percent. Well, not 100 percent M/WBE but 100 percent
15 yes, committing to having a diverse workforce
16 including minority and women-owned business
17 enterprises, definitely.

18 CHAIRPERSON RILEY: Thank you. I will now
19 turn it over to Council Member Won to ask any
20 questions that she may have. Council Member Won.

21 COUNCIL MEMBER WON: Thank you so much for
22 the presentation. To follow up on Kevin's last
23 question for the use of 30 percent local hiring and
24 the use of M/WBEs, have you started the outline of a
25 reporting scheme or a reporting structure with the

2 Borough President's Office for quarterly reporting as
3 requested on the number of people hired to make sure
4 that these goals are reached?

5 ERIC PALATNIK: No, we haven't yet, really
6 just because we don't have an approval in place, and
7 we haven't commenced doing anything other than this
8 part of it, but, of course, once we're done with
9 that, Bishop will be involved in it, I will stay
10 involved with it, and we have been in touch with the
11 Borough President. We recognize that this is a new
12 procedure that is going into place, and, as with
13 anything that's new, it needs a little bit of
14 initiative from the people that are starting it to
15 begin with to make sure it works well so we do have
16 our commitment that we will be continuing on with
17 that, and we're a dedicated partner on all of our
18 applications we work with you on as most of the
19 developers we work for are local. That's the unique
20 thing about New York City. These people are coming
21 back to you again. It's a relatively small handful of
22 people who are developing the buildings in New York
23 City.

24 BISHOP TAYLOR: Eric. You know what I
25 forgot to mention in my presentation, I have it here

2 in my notes, that we have a comprehensive list and
3 we're building more of M/WBEs, MBEs, and LBEs to work
4 on the project, and we're trying to hit that 30
5 percent threshold. We're definitely trying to do
6 that, and I'm going to be monitoring that very, very
7 closely. When I come on board with these projects
8 with these guys, I tell them, listen, this is a 2-
9 edged sword because my assistance is going to be in
10 the form of making sure that my community is fully
11 benefiting from this particular development so, yeah,
12 so I'm going to be monitoring it all the way through
13 the process, Council Member.

14 COUNCIL MEMBER WON: Great. Thank you so
15 much, Bishop. If you need additional recommendations
16 for M/WBEs that are local, please feel free to reach
17 out to our office, especially because I know that
18 there is a growing population of APIs, especially the
19 Bengali community as well as Tibetan and Nepali so we
20 would like to see those businesses supported in this
21 project as well.

22 BISHOP TAYLOR: Thank you. I'll make sure
23 that I have one of my staff members reach out and get
24 the list from you. We want that list. Thank you.

2 COUNCIL MEMBER WON: Great. My next
3 question is on update from the local schools and the
4 community-open spaces based on their needs. Can you
5 give us an update on the discussion with PS76
6 regarding the potential upgrades to their location?

7 BISHOP TAYLOR: Yes, so I met with Dr.
8 Composto, and I met with Principal Miller and Felix
9 who is the son of the owner of the project, and we
10 did a walkthrough of the school and the playground.
11 The playground is humongous. It's like maybe 200 by
12 100. We're doing a little bit more research now
13 because I understand there may be a shared
14 relationship that was established like 1,000 years
15 ago between the school and Parks which is probably
16 one of the reasons why no one is taking
17 responsibility for the maintenance thereof, and so
18 I'm kind of digging into that as well as a larger
19 inquiry of why we're kind of in this in-between space
20 where nobody wants to do anything. In the meantime,
21 we're going to start getting estimates on the very
22 basic upgrade for the playground, and that's the
23 asphalt. It's uneven, it's dangerous, kids are
24 running around there all the time, and I saw a trip
25 factor 1,000 times when I was there, and so I think

2 that at the very base of what we want to do is redo
3 that asphalt and then in tandem with that working
4 along with the Principal and Dr. Composto in figuring
5 out this maze of easement, shared usage,
6 responsibility, etc., etc., so I can report back to
7 you, Council Member, on that because I'll probably
8 need your office to figure that out as well too.

9 COUNCIL MEMBER WON: Sounds good. Do you
10 have any other schools regarding partnerships at this
11 time?

12 BISHOP TAYLOR: With this particular
13 developer, no, but with another project we have,
14 Andromeda is working with PS1111 to put up that new
15 LED sign and the contractor was there yesterday, took
16 the measurements, and so we're like hopefully in a
17 week that'll be done.

18 COUNCIL MEMBER WON: That is great to
19 hear. I know Principal Dragin (phonetic) will be so
20 excited to see that come to real life because I know
21 that's been a long-time dream of hers to have that.

22 Will you commit to having a written
23 agreement with these schools after you have ironed
24 out all the details, memorializing the support,
25 especially for the asphalt and if any other schools

2 like PS111 comes to fruition before the vote for this
3 project?

4 BISHOP TAYLOR: Yes. Again, the PS111 is
5 connected to the Andromeda project, not this project,
6 but the asphalt for PS76 we will memorialize that in
7 a document.

8 COUNCIL MEMBER WON: Okay, great. My last
9 question is would you be willing to send a letter to
10 my office memorializing your community partnerships,
11 everything that you've outlined today including
12 M/WBEs and the partnership with schools and
13 everything else that you have in your proposal before
14 the final vote for this project?

15 BISHOP TAYLOR: Yes.

16 COUNCIL MEMBER WON: Okay. Thank you so
17 much. My dog has made an entrance. Thank you.

18 CHAIRPERSON RILEY: Thank you, Council
19 Member Won. I now invite my Colleagues to ask any
20 questions. If you have any questions for the
21 applicant panel, please use the raise hand button on
22 the participant panel.

23 Counsel, are there any Council Member
24 questions?

2 ANGELINA MARTINEZ-RUBIO, MODERATOR: There
3 are no Council Members with raised hands at this time
4 so no questions.

5 CHAIRPERSON RILEY: Thank you, Counsel.
6 There being no future questions for this applicant
7 panel, you guys are excused.

8 Counsel, are there any members of the
9 public who wish to testify on 35-01 Vernon Boulevard
10 proposal?

11 ANGELINA MARTINEZ-RUBIO, MODERATOR: I
12 don't believe so, but I do need to make a quick
13 announcement because there's a caller that we're not
14 sure if the caller is here for this item. If the
15 caller with number ending 7980 is here to testify on
16 35-01 Vernon Boulevard, could you please press *9 on
17 your phone so staff can identify you?

18 No response so I guess the caller is not
19 here for that item so no members of the public to
20 testify on this item so we can go ahead and close the
21 hearing, Chair.

22 CHAIRPERSON RILEY: There being no members
23 of the public who wish to testify on preconsidered
24 LUs relating to ULURPs number C 220050 ZMQ and N
25 220051 ZRQ relating to the 35-01 Vernon Boulevard

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

4 I will now open the public hearing on
5 preconsiders LUs relating to ULURPs C 210299 ZMK and
6 N 210300 ZRK relating to the 840 Lorimer Street
7 Rezoning Proposal in Council Member Restler's
8 district in Brooklyn. This application seeks a zoning
9 map amendment to rezone the existing M1-2/R6 and
10 R6A/C2-4 districts to a C4-5D district and the
11 relating zoning text amendment to establish an MIH
12 program area.

13 For anyone wishing to testify on this
14 item, if you have not already done so you must
15 register online, and you may do that now by visiting
16 the Council's website at council.nyc.gov/landuse.
17 Once again, that's council.nyc.gov/landuse.

18 We've been joined by Council Member
19 Restler, and I would like to give him the floor to
20 give any remarks regarding this project. Council
21 Member Restler. Good afternoon.

22 COUNCIL MEMBER RESTLER: Great. It is
23 always a good day to be with you, Mr. Chair. Good to
24 see you, Chair Riley, and I think I can speak for all
25 of my Colleagues that while we were pleased by the

2 appearance of Council Member Won's dog, I think we
3 were all hoping for the baby. Sorry, did not get a
4 chance to see that cutie.

5 I want to thank you for holding this
6 public hearing today and having the opportunity to
7 speak on 840 Lorimer. Our Council District, the 33rd,
8 has had dramatically more housing starts than other
9 Council District in the city of New York over the
10 last decade, in fact over the last 15-plus years.
11 What we have been sorely lacking are the necessary
12 infrastructure investments to meet the needs of our
13 growing community. This is a project where they can
14 build as of right, where they can continue to expand
15 housing supply without going through a zoning change.
16 If they are insistent on going through with this
17 ULURP process as they appear to be, then we just need
18 to make sure that the infrastructure investments are
19 being made to actually meet the needs of our growing
20 community, that we're not just seeing luxury housing,
21 we're seeing deep and true affordable housing beyond
22 what MIH requires, and this site overlooks McCarren
23 Park, which is our crown jewel of our parks in North
24 Brooklyn and a park that needs a whole lot of tender
25 loving care and so we're hoping that, if this were to

2 move forward, that the applicant understands that
3 McCarren is a site that is really in need of
4 additional support and investment to accommodate the
5 number of individuals that will be living in this
6 building as well as neighbors.

7 The last thing I'd say is I appreciate
8 that the applicant is a long-time owner of the
9 property, going back over 40 years, been a business
10 at this location for a long time. They've been a
11 solid neighbor in our community, but we need to see
12 significantly more from the applicant with regard to
13 real investments in affordable housing and our
14 infrastructure to get us to a good place on this
15 project. I'm hopeful that we'll hear that commitment
16 today and look forward to their presentation.

17 CHAIRPERSON RILEY: Thank you, Council
18 Member Restler.

19 Counsel, please call the first panel for
20 this item.

21 ANGELINA MARTINEZ-RUBIO, MODERATOR: The
22 first panel for this item is Richard Lobel, Amanda
23 Iannotti, David Parnes, Elissa Gelnick, Kevin
24 Williams, and Sam Feigenbaum. Sorry if I missed
25 pronounced your name.

2 Applicants, can you please raise your
3 right hand, and I will call on you individually to
4 answer the following questions. Question, do you
5 affirm to tell the truth, the whole truth, and
6 nothing but the truth in your testimony before this
7 Subcommittee and in your answers to all Council
8 Member questions. Richard Lobel.

9 RICHARD LOBEL: I do.

10 ANGELINA MARTINEZ-RUBIO, MODERATOR:
11 Amanda Iannottie.

12 AMANDA IANNOTTI: I do.

13 ANGELINA MARTINEZ-RUBIO, MODERATOR: David
14 Parnes.

15 DAVID PARNES: I do.

16 ANGELINA MARTINEZ-RUBIO, MODERATOR:
17 Elissa Gelnick.

18 ELISSA GELNICK: I do.

19 ANGELINA MARTINEZ-RUBIO, MODERATOR: Kevin
20 Williams.

21 KEVIN WILIAMS: I do.

22 ANGELINA MARTINEZ-RUBIO, MODERATOR: Sam
23 Feigenbaum.

24 SAM FEIGENBAUM: I do. Feigenbaum, you got
25 it right.

2 ANGELINA MARTINEZ-RUBIO, MODERATOR: Good.
3 Thank you.

4 CHAIRPERSON RILEY: Thank you. For the
5 viewing public, if you need an accessible version of
6 this presentation, please send an email request to
7 landusetestimony@council.nyc.gov, and now the
8 applicant team may begin.

9 Panelists, as you begin, I just ask that
10 you please restate your name and organization for the
11 record. You may begin.

12 RICHARD LOBEL: Thank you, Chair Riley,
13 Council Members. Once again, Richard Lobel of Sheldon
14 Lobel PC for the applicant joined here by the
15 applicant team who you were introduced to moments
16 ago.

17 I think we have the wrong presentation
18 loaded up. Is that possible? I think we need 840
19 Lorimer.

20 ANGELINA MARTINEZ-RUBIO, MODERATOR: While
21 we do that, I don't know if I got Richard, did I
22 swear you in, Richard Benefiel? Richard Lobel, can I
23 just swear him in real quick?

24 RICHARD LOBEL: Please.

2 ANGELINA MARTINEZ-RUBIO, MODERATOR: For
3 Richard Benefiel, can you raise your right hand and
4 answer the following question. Do you affirm to tell
5 the truth, the whole truth, and nothing but the truth
6 in your testimony before the Subcommittee and in your
7 answers to all Council Member questions?

8 RICHARD BENEFIEL: I do so affirm.

9 ANGELINA MARTINEZ-RUBIO, MODERATOR: Thank
10 you.

11 RICHARD LOBEL: Okay. Thank you, Angelina.
12 So this is the 840 Lorimer Street rezoning. Next
13 slide.

14 By way of project summary, as was already
15 discussed this is a rezoning from an existing mixed
16 use R6A/C2-4 district to a C4-5 district, and this
17 rezoning would result in here a 10-story plus cellar
18 mixed use commercial and residential development with
19 approximately 83,000 square feet of floor area,
20 roughly 5.5 FAR, and a total of 74 dwelling units.
21 Again, as a function of mandatory inclusionary
22 housing, the applicant would be mapping options 1 and
23 2 on the site which here would provide for at option
24 1, 19 affordable dwelling units. As was suggested by
25 Council Member Restler, there are as-of-right options

2 on this property. With an existing mixed use R6
3 district, you can build a fairly robust building to a
4 height of 110 feet. The issue, of course, is that you
5 don't get a great mix of uses. It's heavily weighted
6 towards community facility use, and, most
7 importantly, you don't get the same affordability as
8 you would under the proposal so we, first of all,
9 would like to acknowledge that Council Member Restler
10 has been exceedingly generous with his time and
11 energy on this project in putting us in touch with
12 local stakeholders and meeting with them and his
13 office and also to acknowledge that there is a path
14 forward here where we would be able to facilitate
15 additional community benefits through this rezoning
16 as will be detailed in the rest of the presentation.
17 Next slide.

18 You can see from the zoning map presented
19 on the next slide that we are a part of this MX8, M1-
20 2/R6 mixed use district established after the
21 Greenpoint Williamsburg rezoning in 2006. Next slide.

22 The next slide demonstrates with a little
23 bit more particularity the exact boundaries of the
24 zoning district at the C4-5D, and the land use map,
25 which is the next slide, kind of better illustrates

2 the land use rationale for why the C4-5D would be
3 appropriate here. The parks here from a zoning
4 standpoint operate to provide somewhat of an open
5 space, and so, generally, the city believes that
6 additional density is merited, not only along street
7 corners as this is but also along the park because
8 really it is a marginal increase in terms of density
9 and bulk. Here, you've got great street access to
10 the site, you've got G-train stop which is relatively
11 close to the site along Manhattan Avenue. With that
12 and with other buildings which sit upon the park,
13 City Planning has approved in their most recent
14 consideration the application of the C4-5D. Next
15 slide.

16 Here we have some pictures of the
17 existing manufacturing facility. You can see a
18 longstanding building on the site, most recently used
19 a feather manufacturing. It, itself, is rather bulky
20 at roughly 40,000 square feet, but it's a
21 manufacturing use. It is a noxious use. Upon
22 conversations with community stakeholders including
23 the Community Board, in the past there have been
24 complaints with regards to the fact that this use is
25 not entirely compatible with some of the surrounding

1 residential uses which we hope to bring into the area
2 if the rezoning is approved. Next slide.

3
4 The next slide, and feel free to page
5 through some of the pictures here, demonstrates this
6 3-story building including a 4th story from various
7 angles, and, if you want to go to page 10 of the
8 presentation, we have the statistics with regards to
9 the proposed development. If you want to page through
10 to the sheet which says "Proposed Development,"
11 giving our photographer a good workout here. There we
12 go.

13 The proposal would allow, again, for this
14 10-story plus cellar building. The breakdown in floor
15 area would be as follows. There would be 83,000
16 square feet, of which roughly 59,000 square feet
17 would be for residential, 24,000 for commercial. It
18 would rise to a height at the street of 93 feet with
19 a total height of 115 feet. Again, this is roughly 5
20 feet less than is available under the existing R6 in
21 a feasible building. There would be setbacks along
22 Driggs Avenue and Lorimer. Parking in the cellar
23 would be tenant parking with 30 spaces. With regards
24 to the unit breakdown, you've got 74 units of housing
25 created hereby with a relatively robust mix of 12

1 studios, 20 one-bedrooms, 35 two-bedrooms, and 7
2 three-bedrooms. One of the things I think that's
3 attractive about the proposal and which was
4 recognized by the Community Board is that the
5 affordable units here, which per MIH are in the same
6 ratio as the market rate units, in terms of unit
7 sizes would be in a building on the park. This is not
8 necessarily a vantage and frontage which would be
9 accessible to people in affordable units frankly so
10 we would be creating 3 studios, 5 one-bedrooms, 9
11 two-bedrooms, and 2 three-bedrooms situated on the
12 park, and those would be in accordance with MIH
13 option 1. Next slide.

14
15 The other slides demonstrate buildings
16 around McCarren Park. We were provided with some
17 rendering massing plans by Kevin Williams, Equity
18 Environmental, who is on the phone with us, and so
19 you can see some of the taller buildings massed along
20 the park. It's an area where density of this nature
21 is not unknown so you can see buildings ranging up to
22 and above 90 feet including buildings that are 12 to
23 14 stories.

24 If you page past those renderings, you
25 get to the Community Board and Brooklyn Borough

1 President recommendations. While we did indeed
2 include most of the provisions of those
3 recommendations, in the interest of time, I will run
4 through them fairly quickly. The applicant here,
5 David Parnes, who is on the phone with us, looks
6 forward in current communications and future
7 communications with the Council Member in satisfying
8 many of these recommendations as well as others that
9 are under discussion. There was a discussion with
10 regards to façade design, which we're happy to comply
11 with to include more brick on upper stories. There is
12 signage from the old Royal Lace Paperworks facility
13 which was here prior to the feather manufacturing
14 facility. This would be incorporated into the new
15 façade. There are other provisions which were
16 requested by the Community Board, provide local
17 retail as well as certain environmental
18 considerations which we are reviewing and hope to
19 comply with. I'd say, importantly, there was a
20 request for 35 percent affordable units. This is a
21 relatively robust request for a development of this
22 size, but we are, again, in consideration of the
23 discussions with the Community Board and Council
24 Member, looking at the numbers with regards to this
25

1 facility and this development and seeing how we can
2 increase our affordability. Importantly, also, the
3 Community Board recommended what I think is kind of
4 an elegant request which is that we provide for a
5 lasting benefit to McCarren Park. With regards to
6 development in general, it's nice to address some of
7 the issues that arise from the development, and,
8 despite the fact that again there is an as-of-right
9 development here which would result in roughly in
10 64,000 square feet, the applicant is thankful for the
11 opportunity that has been presented through ULURP and
12 through successful conversations with the community
13 and so we've had very serious conversations with
14 Parks including a walkthrough of McCarren Park and
15 are discussing how we can make a lasting impact on
16 the park. Prior to this application, I was really
17 unaware that private development and donations can
18 really add to and contribute and be responsible for
19 improvements in the public realm of this nature.
20 Tragically, McCarren Park has a dog park where in
21 January 2022, just several months ago, I think at
22 least 4 dogs had died of bacterial infection from
23 water which apparently had come from the dog run of
24 the park so, understanding that, one of the potential
25

1 areas of improvement here is for the dog run of the
2 park. This would involve a major capital investment,
3 and so, to the extent that we are continuing to work
4 on this, it's something that we're happy to do and
5 it's a nice way to contribute and to allow for
6 benefits to the community in the scope of this
7 application. Next slide.

9 Similarly, I will not go through each of
10 the Brooklyn Borough President's recommendations,
11 but, again, many of them echo the requests of the
12 community stakeholders. This was an approval by the
13 Brooklyn Borough President, and there was a request
14 for local retail, for option 1 for the MIH which is
15 something that we're supportive of. There was a
16 request that we eliminate commercial space above the
17 ground floor. This is something which can be
18 accommodated by the current zoning district so,
19 again, something that we're happy to look at and are
20 currently looking at with the Council Member. In
21 addition to that, there are sustainability measures
22 and other nods to the Community Board recommendations
23 which we are reviewing and intend to comply with.
24 Next slide.

2 With that, we've got the proposed plans.
3 I would ask Richard and Sam if you wanted to briefly
4 run through the development proposal, and then, after
5 that, the entire team is available to answer any
6 questions.

7 SAM FEIGENBAUM: I guess I'll do it
8 because I don't know how well Richard's internet
9 connection is. If we can go to the next sheet. Thank
10 you.

11 Here you can see this is one of the
12 renderings we had done of the proposed building which
13 shows the building going up through street façade
14 across from the park and trying to integrate quite a
15 few green elements on all the setback terraces and
16 along as it run up the building. If we can go to the
17 next slide. The same one. If we can go to the next
18 one. Some of these Richard Lobel's already covered so
19 here we're seeing the green elements as they pull
20 from the ground and the street trees all the way up
21 through the building and they move their way up, just
22 pulling the green all the way to the roof and just
23 complementing and mirroring the park. If we can go to
24 the next slide. The next one, please.

2 Here, you can just see the location of
3 the site in relation to McCarren Park and how it
4 relates nicely, and that's why we're trying to pull
5 the park into the building. If we can go to the next
6 slide. Probably the next couple until we hit the
7 first floor plan. I think it's 2 more.

8 Here we go. The cellar level is proposed
9 to have parking as well as commercial space that is
10 conjunction with the commercial space up above.

11 Then we can move up to the first floor on
12 the next slide where you will see 2 ground floor
13 retail spaces, the residential lobby, and the access
14 to the parking which is a little bit on this level
15 and below grade.

16 If we go to the next slide, we are now
17 getting to residential amenities which are
18 overlooking the park and some additional commercial
19 space on the 2nd floor.

20 If we can now go to the next slide for
21 the 3rd floor, we are starting with residential units
22 and the final section of commercial space there. They
23 are all completely separated, and then as we are up
24 here these are all residential units all with nice
25 sunlight and views, taking advantage of the park and

2 pulling in on the roof as you can how it's
3 illustrated here, trying to pull in green as much as
4 possible into the setback roofs as we go through.

5 This is the 4th and the 5th. We can move
6 up to the 5th and 6th floor. The setback terraces are
7 not illustrated as green here, but you can see once
8 again the units and we're trying to just make them
9 maximize the light and air that the units get for the
10 tenants.

11 Then if we go up to the 9th and 10th
12 floors, it's setback one more time. We have a few
13 more units on this level. Once again, all of these
14 terraces would be trying to pull up the green
15 elements through the building just to make the
16 building look like it belongs in a park.

17 That is the quick summary of our
18 building. Richard Lobel, is there anything else that
19 you feel we should add here or do you want to take it
20 back.

21 RICHARD LOBEL: No, I think that's fine.
22 The rest of the slides basically just address
23 different elements of the building. In addition, we
24 include typical slides with regards to MIH,
25 affordability, and what those rents and income levels

2 are, but I think, with that, we've gone on for some
3 time and are happy to answer questions as posed by
4 the Committee and the Council Members.

5 CHAIRPERSON RILEY: Thank you, Richard. I
6 just have a few questions. I'm just going to ask them
7 for the record. Sorry if you guys already went
8 through it on your presentation already.

9 The first question is the proposed
10 development site is currently occupied by a 3-story
11 industrial loft building dating to 1930s. Did you
12 consider converting the existing building to a
13 residential use?

14 RICHARD LOBEL: Chair Riley, that's a good
15 question. We did explore that in our initial
16 conversations with City Planning and essentially were
17 discussing potential adaptive reuse and using that
18 for residential. At the time, given the age and
19 condition of the building and in conjunction with our
20 discussion with City Planning, it was determined that
21 that building really wouldn't lend itself to being
22 upgraded for residential so instead what was sought
23 was to keep the façade and to allow for some of that
24 façade treatment and that old style of building on
25 the lower floors and then different building elements

2 above. It was something we talked about with them,
3 and I think the Community Board was interested in our
4 design and had a lot of comments so I think the one
5 thing that came out of Community Board discussions
6 was that they wanted more brick in the building,
7 which we're happy to provide, and I think that this
8 is kind of the subject of ongoing discussion with the
9 Community Board as far as putting an imprint on the
10 type of building they want to see at this corner.

11 CHAIRPERSON RILEY: Thank you. Does your
12 proposed design incorporate the existing building,
13 or, as you said, it did incorporate the existing
14 render of it, but was there any plans of demolishing
15 it before?

16 RICHARD LOBEL: To be clear, demolishing
17 it before construction?

18 CHAIRPERSON RILEY: Yes, correct.

19 RICHARD LOBEL: Yeah, so Sam and Richard,
20 do you want to just talk just briefly about the
21 existing building and how that would be treated?

22 RICHARD BIENENFELD: If I can be heard and
23 seen...

24 CHAIRPERSON RILEY: Yeah, we can hear you,
25 Richard. We can.

2 RICHARD BIENENFELD: Thank you, Chairman
3 Riley. One of the considerations that we discussed
4 with City Planning very early on was to develop a
5 commercial retail presence in the building on Driggs
6 Avenue. Right now, of course, the building as it is
7 is really a warehouse. In fact, it's a loading dock,
8 which means that it was built so that trucks could
9 back up to it and that the ground floor of the
10 building would be 4 feet or so above street level. In
11 order to get retail along Driggs Avenue, that level
12 had to be dropped down to the actual level of the
13 ground. That pretty much obviated the ability to
14 preserve the building because of the structural
15 considerations in trying to lower that floor down to
16 ground level so it could serve that very much needed
17 retail front on Driggs. That's a tremendous,
18 tremendous benefit to the community to have that
19 retail space on Driggs Avenue rather than a loading
20 dock so that was a very, very important consideration
21 which made it almost impossible to keep the building.
22 I think we'd all agree with that.

23 Also, when investigations into the actual
24 ground conditions, the ground conditions are not
25 optimum. They really need new foundations, new

2 footings, and that also eliminated the ability to use
3 the existing structure. Even though we all like the
4 idea of an adaptive reuse, in practical terms the
5 building that was built so many years ago could not
6 accommodate the type of uses and base and support for
7 the development that we were proposing.

8 CHAIRPERSON RILEY: Thank you, Richard. I
9 know the Community Board requested to reuse the
10 masonry or the historic sign from the existing
11 building at least. Is that feasible?

12 RICHARD BIENENFELD: Yes. The use of
13 masonry and, by the way, carrying the masonry all the
14 way up through the building was something which was
15 highlighted by the demands of the community, and
16 that's something which we accommodated. The masonry
17 character of the development will be maintained, and
18 that kind of is a way of acknowledging the historic
19 types of materials that were used in the original
20 buildings and will be reflected in the new buildings
21 and will give that sense of that masonry face to the
22 neighborhood.

23 CHAIRPERSON RILEY: Okay. Can you describe
24 why you decided to pursue a rezoning for this site

2 when neighboring property owners have successfully
3 developed under the existing zoning?

4 RICHARD BIENENFELD: I think Mr. Lobel
5 really explained that in his presentation. I'm happy
6 to explain again for him, but I think Mr. Lobel...

7 RICHARD LOBEL: I can reiterate that.
8 Thank you, Richard. Right now, you can redevelop the
9 site with a building that's roughly 64,000 square
10 feet, and, with the additional 19,000 square feet,
11 your yield for the affordable units goes up so I
12 think possibly the consideration is that if you want
13 a building that's heavily slated towards
14 commercial/community facility uses, you can do that
15 building as-of-right. The idea here was that frankly
16 the opportunity to provide residential and
17 affordability made it a more feasible project because
18 you can, at the time you could apply for 421A,
19 although of course that is expiring, we expect that
20 there will be some proposal which would take its
21 place, so some of those buildings, frankly, that are
22 on the park have lovely condominium units that don't
23 really open themselves up to the members of the
24 community. Whereas here, the applicant who has had
25 this building and has sat here for decades that it

2 would be a good thing to enable them to produce more
3 residential here, to have a building with a better
4 mix of uses so you'd have a more feasible building,
5 and also to potentially benefit from the tax
6 abatements that were available. It's a different
7 style of building. It's a different mix of uses. It's
8 a different type of tax abatement. Frankly, it's a
9 better building for these times and for this market.

10 CHAIRPERSON RILEY: Thank you, Richard.
11 The Community Board recommended an all-electric
12 building and Passive House construction standards.
13 Are you able to make these commitments?

14 RICHARD LOBEL: Richard and Sam. I know
15 it's something that we're looking into. Can you just
16 speak to that briefly, just from your experience and
17 what you project for this building?

18 RICHARD BIENENFELD: Yes. These are very
19 important considerations that will go forward with
20 the design of the building, and, as the building gets
21 more detailed in terms of its use of materials and
22 the means and methods of constructing the building,
23 the acknowledgement of the need for the building to
24 be as green as possible is a very high priority in
25

2 all our considerations of how to put the building
3 together and all its components.

4 CHAIRPERSON RILEY: Thank you, Richard. I
5 would like to pass it over to Council Member Restler
6 for his questions. Council Member Restler.

7 COUNCIL MEMBER RESTLER: Thank you. I
8 really appreciate it, Chair Riley. I'm just going to
9 ask for basically yes or no answers to questions or
10 extreme brevity just because we've got the Mayor's
11 speech and I'd like to get to it on time.

12 Your proposing 115-foot height on this
13 building. My understanding is that that's about twice
14 as high as any other building on this block. Is that
15 accurate?

16 RICHARD LOBEL: I'm just calling up the
17 rendering which was prepared.

18 COUNCIL MEMBER RESTLER: You suggested a
19 whole bunch of buildings that are a couple blocks
20 away and on other sides of the park, but on this
21 square block...

22 RICHARD LOBEL: There's a building on our
23 frontage that is 70 to 90 feet so no.

24 COUNCIL MEMBER RESTLER: I'd like for you
25 to come back to us in writing on that and affirm.

2 RICHARD LOBEL: Okay, that's fine.

3 COUNCIL MEMBER RESTLER: I think we're
4 talking about a building that's nearly twice as high
5 as any other building on the block.

6 When was this building purchased by the
7 owner?

8 RICHARD LOBEL: David, can you give me the
9 rough date of your purchase?

10 DAVID PARNES: This was, I believe, my
11 wife's grandfather, like maybe 60, 70 years ago, 60
12 years ago. Sometime like that.

13 COUNCIL MEMBER RESTLER: Do you recall for
14 how much, Mr. Parnes.

15 DAVID PARNES: My father-in-law, he bought
16 it with his brother, and he had to buy him out so it
17 was bought for like 3, 4 million dollars about 20
18 years ago. My father-in-law passed away and left it
19 to us to pay out. We've just finished paying the
20 mortgage about a year or 2, maybe a year and a half
21 ago.

22 COUNCIL MEMBER RESTLER: I completely
23 understand.

24 DAVID PARNES: That was a crazy price at
25 that time.

2 COUNCIL MEMBER RESTLER: I understand.

3 DAVID PARNES: It wasn't like we got it
4 for 100,000 or something like that. It was a lot at
5 that time.

6 COUNCIL MEMBER RESTLER: I know that for a
7 family business putting a few million dollars
8 together is an extraordinary effort, but now rents on
9 this block are going for as high as 12,000 dollars a
10 month. Is that right?

11 DAVID PARNES: I don't know that. Let me
12 know.

13 COUNCIL MEMBER RESTLER: Is that the
14 (INAUDIBLE) of the development team, that they'll be
15 renting out units for as high as 12,000 dollars a
16 month?

17 DAVID PARNES: I'm not renting at 12,000
18 dollars. No, no, that's not happening, but the
19 building next to us which has beautiful units, I
20 think maybe 3 to 4,000 dollars at most, but that's
21 what I hear.

22 COUNCIL MEMBER RESTLER: I live a couple
23 blocks away, and, when we spoke to a real estate
24 agent when we were looking for an apartment, we could
25 afford nothing, not even (INAUDIBLE) They mentioned

2 apartments on your block that you're developing that
3 were going as high as 12,000 dollars a month so...

4 DAVID PARNES: There's one building that
5 rents for condos. I think that rents for a lot of
6 money, but I think everything else is more like...

7 COUNCIL MEMBER RESTLER: Rents in our
8 community have gone up extraordinary amounts, and so
9 the amount that you'll be able to make from this sub-
10 zoning and the units will allow for meaningful cross
11 subsidies of affordable housing and other community
12 investments should this project be approved. My
13 understanding from Mr. Lobel's comments in his
14 presentation were that the priority of the ownership
15 team is more residential space, but this rezoning
16 allows for multiple floors of commercial space as
17 well. What is the plan for the commercial space at
18 this location?

19 RICHARD LOBEL: I'll start. Just from
20 conversations with David as well as from the
21 Community Board and the focus of CB1, there's been a
22 focus on retail diversity so any retail here would be
23 local retail, smaller type shops. There was a
24 specific interest in not having big borough so we
25 would basically work with the local community..

2 COUNCIL MEMBER RESTLER: But you're
3 planning 3 stories of commercial if I recall
4 correctly...

5 RICHARD LOBEL: Right.

6 COUNCIL MEMBER RESTLER: So it's not just
7 a question of retail frontage on Driggs.

8 RICHARD LOBEL: Right, so the intention
9 and, again, we have some flexibility given the C4-5D
10 would be ground floor commercial and the discussion
11 was for 2 stories of office above, local office,
12 professional office, and such. To the extent that the
13 conversations are more towards providing additional
14 residential as opposed to office, that's something
15 that we're also extremely open to. I think the
16 discussion here with City Planning was that given the
17 mixed use nature of the area, they wanted a zoning
18 district which would have an opportunity at least to
19 allow for more office.

20 COUNCIL MEMBER RESTLER: My understanding
21 is that the Brooklyn office market is significantly
22 softer than even our Newtown Manhattan office market
23 at this time so, while I love the idea of people
24 being able to live in the community and walk to work,

2 it seems like a questionable decision to be investing
3 in additional office at this time.

4 There's a beloved restaurant that this
5 proposal engulfs and the building it's situated
6 within. Majority Leader Powers is always trying to
7 get me to go have dinner with me at Bernie's. I'm
8 concerned about the impact of the construction and
9 the project as a whole on the residential and
10 commercial tenant of that location. I wanted to
11 affirm that you're committed to working
12 collaboratively with the owner of the building and
13 the commercial tenant to address any and all needs
14 that they might have through the construction
15 process.

16 RICHARD LOBEL: We affirm that 100
17 percent.

18 COUNCIL MEMBER RESTLER: McCarren Park is,
19 as I mentioned in my opening statement, in need of a
20 great deal of investment, and we are particularly
21 interested in the need for a new dog run in this
22 community. As you may know, we've had multiple
23 disease outbreaks at the current McCarren dog run
24 which is wholly inadequate. Imagine some of the
25 tenants in your building will add even more dogs to

2 our community. Is working with us on the design and
3 construction of a new dog run in McCarren something
4 that you're open to trying to achieve?

5 RICHARD LOBEL: 100 percent, and we echo
6 the statements that have been made about the dog run,
7 and the applicant team is all dog lovers so we're
8 really in favor of that.

9 COUNCIL MEMBER RESTLER: Great, so is my
10 partner. I wanted to just also ask, we have a fair
11 bit of flooding on Driggs at this intersection of
12 Driggs and Lorimer, like we do in pretty much of
13 eastern Greenpoint, my understanding is that it will
14 be the responsibility of the development team to make
15 necessary investments to upgrade the sewer
16 infrastructure if DEP determines that to be
17 appropriate. Assuming that is the case, I just want
18 to affirm that you all will make any necessary
19 investments in the sewage infrastructure that our
20 community will require.

21 RICHARD LOBEL: I'm going to defer a
22 little bit, and I understand the timing issues
23 involved right now because it's 12:52, but I would
24 defer partially to Richard and Sam to talk about the
25 sewer connections and what's required, but, from a

2 zoning law standpoint, I can say that we'll do what
3 we need to do.

4 COUNCIL MEMBER RESTLER: Good. Lastly,
5 should we move forward, having a community benefits
6 agreement in place is of utmost importance to
7 memorialize the potential commitments that would be
8 made to the community. I wanted to just affirm that
9 should we move forward that the applicant is prepared
10 to sign a community benefits agreement with local
11 community stakeholders to ensure the commitments that
12 are made to our neighborhood are enforceable.

13 RICHARD LOBEL: Yeah, you know, there's a
14 range of options which people look at which range
15 from a letter from the developer to restrictive
16 declarations to community benefits agreement, most
17 recently we've been involved in community benefits
18 agreement that have been reviewed by Land Use Counsel
19 at the Council so we're happy to draft and provide
20 that and to engage a local nonprofit as an
21 enforcement agent.

22 COUNCIL MEMBER RESTLER: Very much
23 appreciated. We strongly pull for that model to the
24 alternatives. Lastly, just because of the
25 extraordinary rents that can be secured at this

2 location, we're looking to increase the amount of
3 affordable housing that is generated at this site. I
4 wanted to ask if the applicant is prepared to
5 consider additional affordable housing beyond MIH to
6 achieve a greater socio-economic mix in our
7 community.

8 RICHARD LOBEL: We do. I'll speak for
9 David. He can tell me if he's in agreement, but it's
10 one thing to talk about this and to talk about
11 affordability, and it's another thing to actually put
12 pen to paper and to figure it out, and here, I think
13 the Council Member's aware, we've engaged a
14 feasibility analyst who is looking at the numbers and
15 we get the fact that this is a benefit, and we don't
16 take for granted the fact that not only is everyone
17 giving us their time and energy but that this would
18 be a new development in a wonderful area of the city
19 and so, with that, we would like to affirm that we
20 committed to looking at additional affordability and
21 to making every good faith effort we can to up the
22 affordability of the project. David, is that
23 accurate? Okay.

24 COUNCIL MEMBER RESTLER: Those cover my
25 questions. I want to thank the applicant and their

2 team and Chair Riley for affording us the opportunity
3 for this conversation at a public hearing which was
4 constructive, and I appreciate the responses.

5 DAVID PARNES: Thank you, Council Member.

6 CHAIRPERSON RILEY: Thank you, Council
7 Member Restler. I now invite my Colleagues to ask
8 questions. If you have any questions for the
9 applicant panel, please use the raise hand button on
10 the participant panel. Counsel, are there any Council
11 Member questions?

12 ANGELINA MARTINEZ-RUBIO, MODERATOR: No
13 Council Member questions at this time, Chair.

14 CHAIRPERSON RILEY: There being no further
15 questions for this applicant panel, you guys are
16 excused.

17 Counsel, are there any members of the
18 public who wish to testify on 840 Lorimer Street
19 proposal?

20 ANGELINA MARTINEZ-RUBIO, MODERATOR: Yes,
21 Chair. We have so far 4 members of the public who
22 have signed up to testify. I'll say their names and
23 then you can give the announcement.

24 The first panel will be Agnes Reichert,
25 Cory Kantin, Danielle Dorchester, and Karen Seifert.

2 CHAIRPERSON RILEY: Members of the public
3 will be given 2 minutes to speak. Please do not begin
4 until the Sergeant-at-Arms has started the clock.

5 ANGELINA MARTINEZ-RUBIO, MODERATOR: The
6 first speaker will be Agnes Reichert.

7 SERGEANT LUGO: Starting time.

8 CHAIRPERSON RILEY: You may begin.

9 AGNES REICHERT: Hello. My name is Agnes
10 Reichert, and I am the manager of a local dog daycare
11 here in Williamsburg. A lot of my customers use the
12 park, and a lot of my customers obviously live in the
13 neighborhood. I'm also part of the McCarren Dog Rug
14 Alliance with Danielle Dorchester. As she will also
15 echo in her statement, the amount of residents that
16 have come to the neighborhood has increased, and a
17 lot of them are becoming dog owners or coming with
18 their dog owners, and the current facilities that we
19 have for dogs in the neighborhood are not good
20 enough. As you guys have heard, there's been several
21 outbreaks of different diseases where dogs have
22 passed away unfortunately, dogs have gotten sick. We
23 actually don't even have an official dog run in
24 McCarren Park for as big and beautiful of a park as
25 it is. Ten years ago, it was allotted that temporary

2 space, and the city sort of never made it a permanent
3 official dog run so it would be amazing if the
4 applicant would work with us and work with the Parks
5 Department to sort of improve the park and actually
6 help us create an official dog run to accommodate all
7 of the new residents and all the new dogs. Oftentimes
8 people come and the dog run is either soggy from all
9 the rain or the mud and then they end up letting
10 their dogs off leash, just to kind of run around
11 which then leads to dogs pooping and peeing in the
12 other areas and then other residents get upset so
13 it's just a whole big sort of mess that hasn't been
14 addressed, and I think increasing the population with
15 a big development and bringing in more people who
16 will inevitably have more dogs. As I've seen the
17 increase in my customers at daycare and also in my
18 private pet sitting, it would be absolutely
19 beneficial to have the applicant invest and help us
20 to improve the park.

21 CHAIRPERSON RILEY: Thank you.

22 ANGELINA MARTINEZ-RUBIO, MODERATOR:

23 Chair, the next speaker is Cory Kantin.

24 SERGEANT LUGO: Starting time.

2 CHAIRPERSON RILEY: Hey, Cory. I think
3 you're on mute.

4 CORY KANTIN: Okay, now can you hear me?

5 CHAIRPERSON RILEY: Yeah, we can hear you
6 now.

7 CORY KANTIN: Perfect, all right. Thank
8 you all for your time today. My name is Cory Kantin.
9 I'm a 14-year Williamsburg resident. I'm speaking on
10 behalf of I'd say a lot of residents. I'm also on the
11 Land Use Committee for the Community Board, and I
12 want to say how thrilled I was to see all of our
13 conditions on the screen earlier today to really feel
14 that we're being listened to in those long meetings.
15 What I wanted to speak a little bit about was, as the
16 applicant is well aware, I think that this project
17 and really all projects that have come through North
18 Williamsburg have been about affordable housing, and
19 the reason that that aspect and 35 percent, I think,
20 is the bare minimum is because of the rising rents.
21 Ultimately, when we upzone an area to have more
22 luxury housing, what that does is it increases the
23 cost of living for the neighbors around that so
24 really the 35 percent has to do with offsetting the
25 increase. Ultimately, if you had another 10 luxury

1 units then that will raise rents in the neighboring
2 area. I also happen to be a real estate broker, and,
3 as such, can tell you that rents around McCarren Park
4 are generally 5 to 10,000, obviously maybe one-
5 bedrooms around 4,000, two-bedrooms around 6 to 7,
6 and then you are getting to the 10 to 12 level if
7 you're looking at a three-bedroom so to note on
8 Lincoln's question and then obviously what the
9 potential is for the site. In terms of the park,
10 obviously the park is overrun. Anyone who comes on a
11 Saturday or Sunday can easily see that and so when
12 you add density on the park, obviously those are park
13 users and so those users probably have dogs as
14 everyone's a dog lover in Williamsburg so it's really
15 important to us that, if this development gets
16 approved, and just to note that the Land Use
17 Committee said no with these conditions, but we asked
18 that those conditions be met. Otherwise, it's really
19 not a benefit to our community. Thank you so much for
20 your time today.

22 ANGELINA MARTINEZ-RUBIO, MODERATOR: Thank
23 you, Cory. The next speaker is Danielle Dorchester.

24 SERGEANT LUGO: Starting time.

2 DANIELLE DORCHESTER: Hi there. My name is
3 Danielle Dorchester, and I'm the Director of Advocacy
4 representing the McCarren Dog Run Alliance, a
5 grassroots community organization partners with the
6 North Brooklyn Parks Alliance, a non-profit
7 organization, and we're aimed at maintaining the
8 McCarren Park dog run and advocating for essentially
9 a relocation and formalization of a dog run in the
10 park. We've been dedicated to that for the last few
11 months, and there was an association before us that
12 was pretty much doing the same thing. As mentioned,
13 with this proposed rezoning, we're looking at 74
14 rental apartments, at least 150 or more people, and a
15 parking garage designed to accommodate 30+ vehicles
16 so we're not super thrilled about bringing more cars
17 to the area, especially with the recent incidents of
18 traffic-related deaths in Greenpoint so we strongly
19 believe that developing and creating housing is vital
20 to promoting affordable rents in New York City, but,
21 right now, only 25 percent will be designated
22 affordable housing units so from our perspective this
23 remains primarily a profit-driven luxury housing
24 building so we are thrilled that the applicant has
25 expressed interest in investing in the local

2 community, that you're dog lovers, and we sincerely
3 appreciate your acknowledgement of the issues that
4 dog owners in the area have recently faced. With the
5 slow capital process, it will be much easier to
6 really affect real change by philanthropic means so
7 it's great to hear you say that you're so interested
8 in this and dedicated to this and I think that with
9 more people in the area, more dogs coming, it will
10 really be a mutually beneficial way of providing a
11 vital amenity to the Williamsburg and Greenpoint
12 communities, and it would certainly enhance the local
13 appeal to prospective tenants. As a resident of
14 Williamsburg, I can attest that McCarren Park dog run
15 is already completely at capacity, and it sounds like
16 we're aware of its derelict state so it would, again,
17 just be incredibly meaningful for the applicant to
18 offset and prevent any potentially negative impact to
19 the community by providing the resources necessary to
20 create a larger, formalized, modern dog run in
21 McCarren Park. I thank you so much for your time and
22 hearing me out and considering this issue so greatly.

23 ANGELINA MARTINEZ-RUBIO, MODERATOR: Thank
24 you, Danielle. The last speaker on this panel is
25 Karen Seifert.

2 SERGEANT LUGO: Starting time.

3 KAREN SEIFERT: Hi. My name is Karen
4 Seifert. I have been a resident of Greenpoint, just
5 north of the park, for the last 9 years, and I'm just
6 hear to echo the same thoughts as everyone else about
7 the new dog run that's much, much, much needed in
8 this area, especially during the pandemic. A lot more
9 people adopted dogs so it's needed. It's just
10 absolutely needed, and that's pretty much all I have
11 to say. Thank you.

12 ANGELINA MARTINEZ-RUBIO, MODERATOR: Thank
13 you, Karen. Sorry I mispronounced your name.

14 Chair, that's all the speakers we have
15 for this item so we can go ahead and close the
16 hearing.

17 CHAIRPERSON RILEY: Thank you. Thank you
18 for your testimony. Are there any Council Members
19 with questions for this panel, Counsel?

20 ANGELINA MARTINEZ-RUBIO, MODERATOR: No
21 Council Members with questions here. Hold on. It
22 looks like Council Member Restler has a question.
23 Sorry, Council Member.

24 COUNCIL MEMBER RESTLER: No, I just wanted
25 to thank my neighbors for coming to testify and

2 sharing their really thoughtful perspectives and it's
3 very meaningful. Appreciate you taking the time and
4 engaging in this process. It really makes a
5 difference, and it's critically important for the
6 applicant and for my Colleagues to hear from you so I
7 just really want to thank you for joining us today.
8 Thank you, Chair Riley, for giving us the
9 opportunity.

10 CHAIRPERSON RILEY: Thank you, Council
11 Member Restler. There being no more questions for
12 this panel, the witness panel is now excused.

13 Counsel, is there another panel coming
14 up?

15 ANGELINA MARTINEZ-RUBIO, MODERATOR: No,
16 that was the last panel. No more speakers for this
17 item. We can close the hearing.

18 CHAIRPERSON RILEY: There being no other
19 members of the public who wish to testify on
20 preconsidered LUs related to ULURPs number C 210299
21 ZNK and N 210300 ZRK relating to the 840 Lorimer
22 Street rezoning proposal, the public hearing is now
23 closed, and the items are laid over.

24 I now open the public hearing on
25 preconsidered LU related to ULURPs number C 200358

2 ZNK relating to the 2300 Cropsey Avenue rezoning
3 proposal in Council Member Brannan's district in
4 Brooklyn. This application seeks a zoning map
5 amendment to map a C2-4 overlay within an existing R6
6 district. For anyone wishing to testify on this item,
7 please register online now by visiting the Council's
8 website at council.nyc.gov/landuse.

9 Counsel, please call the first panel for
10 this item.

11 ANGELINA MARTINEZ-RUBIO, MODERATOR: The
12 first panel for this item is Richard Lobel, Fyanne
13 Betan, Alex Lu, Michael Kang, Kevin Williams, Amber
14 Kertallion (phonetic), and Dominic Recchia.

15 CHAIRPERSON RILEY: Counsel, please
16 administer the affirmation to those who aren't
17 already sworn in.

18 ANGELINA MARTINEZ-RUBIO, MODERATOR: Yes,
19 thank you, Chair. Just a reminder, Richard and Kevin,
20 you are both sworn in. For the rest of you, can you
21 raise your hand, and I will call on each of you
22 individually to answer the following question.

23 Do you affirm to tell the truth, the
24 whole truth, and nothing but the truth in your
25 testimony before this Subcommittee and in your

2 answers to all Council Member questions? Fayanne
3 Betan.

4 FAYANNE BETAN: Yes, I do.

5 ANGELINA MARTINEZ-RUBIO, MODERATOR: Alex
6 Lu.

7 ALEX LU: Yes, I do.

8 ANGELINA MARTINEZ-RUBIO, MODERATOR:
9 Michael Kang.

10 MICHAEL KANG: Yes, I do.

11 ANGELINA MARTINEZ-RUBIO, MODERATOR: Amber
12 Kertallion.

13 FAYANNE BETAN: I don't think she's on.

14 ANGELINA MARTINEZ-RUBIO, MODERATOR: Okay.
15 Apologies. Dominic Recchia.

16 DOMINIC RECCHIA: Yes, I do.

17 CHAIRPERSON RILEY: Thank you. For the
18 viewing public, if you need an accessible version of
19 this presentation, please send an email request to
20 landusetestimony@council.nyc.gov.

21 Now, the applicant team may begin.

22 Panelists, as you begin, I'll just ask you to please
23 restate your name and the organization for the
24 record. You may begin.

2 RICHARD LOBEL: Thank you, Chair Riley,
3 Council Members. Once again, Richard Lobel of Sheldon
4 Lobel PC here representing the 2300 Cropsey Avenue
5 rezoning. Next slide.

6 This is a very straightforward rezoning
7 which will hopefully not take much time to present
8 and then, of course, happy to answer any questions as
9 is the applicant team. This would seek a zoning map
10 amendment of Brooklyn Block 6471 Lot 109 and then
11 parts of 2 other lots within Brooklyn Community
12 District 11 and would merely take a C2-4 overlay
13 commercial district and map it over an existing R6
14 district so what's the net result of this rezoning?
15 The current zoning map with an R6 district permits an
16 existing 23-story mixed use residential and community
17 facility building. With the introduction of a
18 commercial overlay, we would not be able to utilize
19 35,000 square feet of this building for commercial
20 use, which is important because you'd be able to
21 build the same building type, building shell, height,
22 yards, etc. It's just that the commercial overlay now
23 allows for commercial use and, as is proposed, is a
24 supermarket, and we will see shortly from the other
25

2 maps that this is particularly appropriate in this
3 area. Next slide.

4 This is a copy of the zoning map. What to
5 note importantly about this map is that along Cropsey
6 Avenue here, despite the fact that you have a wide
7 street as per zoning and a fairly central
8 thoroughfare, you don't have a commercial overlay and
9 you don't have a lot of commercial overlays in the
10 area so you can see the hashed area, Bath Avenue
11 block to the north, there's limited commercial
12 overlays, but on Cropsey itself, while there are some
13 M1 districts to the south and southwest separated by
14 Shore Parkway, there's nothing immediately accessible
15 to residents here and so from the maps, as we will
16 show, it's important to have commercial use here.
17 Next slide.

18 The next slide merely shows the
19 development site in red and the area of the proposed
20 commercial overlay. You can see that the commercial
21 overlay, although mapped to certain widths in the
22 interest of having a neat zoning map really primarily
23 affects the development site itself, primarily that
24 in yellow which is the proposed 23-story building
25 under construction. If you could fast forward to the

1 colored map, you will see, next one, you will see the
2 land use map. This really tells the story of why the
3 commercial overlay is not just acceptable here but
4 also fairly sorely needed. You can see that there are
5 community facilities to the north and south of this
6 development site. Those are nursing homes where
7 you'll have an older population, senior population,
8 and you can see that it's a relatively dense
9 residential area. All the local side streets from Bay
10 31st through Bay 35th with small residential
11 buildings as well as taller buildings along Cropsey
12 Avenue and other nursing homes, I think there's 4
13 nursing homes within the radius of the property so
14 you've got a local residents, you've got a lot of
15 employees for the senior assisted living facilities
16 and nursing homes that don't have the opportunity to
17 go and buy something that they need in terms of
18 retail commercial food stores, etc., so what this
19 does is it provides for this limited commercial use,
20 35,000 square feet of it, to allow for local
21 residents and workers to have easy access to a food
22 store and other local retail. It's really something
23 which is needed by the local area which we think was
24 affirmed by the unanimous Community Board vote in
25

2 favor of this as well as the support of Brooklyn
3 Borough President. I will not dwell on the remainder
4 of the presentation. If you will page through,
5 please, whoever's controlling the slides, you will
6 see pictures of the building, which at the time was
7 under construction and is now relatively more
8 complete. Again, the building itself does not change
9 in terms of the 23-story physical envelope of the
10 building, but here you can see really what you get,
11 which is that you get commercial use on the ground
12 floor. This is a plan which demonstrates the driveway
13 and parking area through the building. With that,
14 that's really all it is. We're happy to answer any
15 specific questions from the Committee.

16 CHAIRPERSON RILEY: Thank you. Would the
17 applicant be open to conducting a traffic impact
18 study 12 months after the completion of the project
19 as requested by the Community Board and the Borough
20 President?

21 RICHARD LOBEL: Sure. Chair Riley, this
22 was something that was requested by the Community
23 Board and the Borough President, and I think was
24 really the only significant area of concern. If Kevin
25

2 Williams is still on the phone, can you address the
3 opportunity for a traffic study here?

4 KEVIN WILLIAMS: My understanding is that
5 we're firmly behind this. I think it's good for the
6 project and helps us to make sure that the project is
7 a proper fit in the neighborhood and to make
8 adjustments, and I think from day one, obviously we
9 will be observing how the project operates. I think
10 for Mr. Lu, we're prepared to offer that traffic
11 impact study.

12 CHAIRPERSON RILEY: Thank you, Kevin. The
13 Community Board and the Borough President noted
14 several concerns about traffic along Cropsey and the
15 side street. Has the applicant examined any
16 additional traffic-calming measures that could
17 possibly help this out?

18 RICHARD LOBEL: Kevin, do you want to
19 answer that as well?

20 KEVIN WILLIAMS: This is one of the things
21 in the course of doing the city environmental review
22 analysis that we often have to, particularly with the
23 input of Community Board members and working through
24 the ULURP process, the environmental assessment
25 process is very much a sort of screening process, and

2 here where we're swapping out potential medical
3 office with maybe a proposed supermarket, the traffic
4 there doesn't really move the needle in terms of
5 evaluating impact so a detailed traffic study was not
6 done, and, actually when you compare a medical office
7 that was previously proposed per the supermarket
8 which has different peaks, primarily on weekends, it
9 actually results in a net negative traffic compared
10 to what's allowed as of right. Having said that, I
11 think one of the reasons why we're happy to do the
12 traffic study is because we do need to see, given
13 this building's unique mix of uses, whether or not
14 traffic calming is needed. I would note, though,
15 along Cropsey over the last 5 to 7 years they've
16 provided enhanced crosswalks at 3 intersections
17 directly across from the site that greatly improve
18 the safety and security of people crossing those as
19 well as sign through these intersections that you
20 have clearly delineated, high visibility crosswalks
21 with intermediate, because it's a large highway,
22 there's a lighting area in the middle of Cropsey
23 Avenue, and a lot of that calming has been done. Now,
24 I understand there's some more concern on sort of the
25 rear and Shore Parkway, and we would certainly look

2 at that. I don't believe that as a part of this
3 project other than some arrivals and departures, that
4 that's going to be a very significant impact, but I
5 think that's one of the things that will be borne out
6 of the traffic study is whether or not, and even
7 prior to the traffic study, operationally looking at
8 the volume of vehicles and determining whether speeds
9 need to be calmed. We're absolutely willing to
10 investigate that, but, at this time, that wasn't a
11 part of the environmental review process.

12 CHAIRPERSON RILEY: Thank you, Kevin. I
13 will now turn it over to any Council Members who have
14 any questions regarding this applicant panel's
15 presentation. Counsel, are there any Council Member
16 questions?

17 ANGELINA MARTINEZ-RUBIO, MODERATOR: No
18 Council Members with questions at this time.

19 CHAIRPERSON RILEY: There being no further
20 questions for this applicant panel, you guys are
21 excused.

22 Counsel, are there any members of the
23 public who wish to testify on 2300 Cropsey Avenue
24 proposal?

2 ANGELINA MARTINEZ-RUBIO, MODERATOR:

3 Chair, there are no members of the public signed up
4 to testify on this item.

5 CHAIRPERSON RILEY: There being no other
6 members of the public who wish to testify on
7 preconsidered LUs related to ULURP numbers C 200358
8 ZNK relating to the 2300 Cropsey Avenue rezoning
9 proposal, the public hearing is now closed, and the
10 items are laid over.

11 That concludes today's business. I would
12 like to thank the members of the public, my
13 Colleagues, Subcommittee Counsel, Land Use and other
14 Council staff, and the Sergeant-at-Arms for
15 participating in today's meeting.

16 This meeting is hereby adjourned. [GAVEL]

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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 26, 2022