

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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March 15, 2011
Start: 9:55 am
Recess: 1:30 pm

HELD AT: Committee Room - 16th Floor
250 Broadway

B E F O R E:

MARK S. WEPRIN
LEORY G. COMRIE, JR.
Co-Chairpersons

COUNCIL MEMBERS:

Daniel R. Garodnick
Vincent Ignizio
Robert Jackson
G. Oliver Koppell
Jessica S. Lappin
Stephen Levin
Diana Reyna
Joel Rivera
Ydanis A. Rodriguez
Larry B. Seabrook
James Vacca
Albert Vann

A P P E A R A N C E S

Emil Azer
Owner
Dandana Café

Arian Kronozh
Owner
Savatores of Soho café

Mr. Kelly
Owner
Public House café

Mr. Hui
Owner
Mekong Restaurant

Stephanie Monserrant-Laurent
Owner
Le Magnifique Restaurant

Carol Samol
Director Bronx Borough Office
Department of City Planning

Vineeta Mathur
Planner
Department of City Planning

Fernando Tirado
District Manager
Bronx Community Board #7

Jay Sheffield
Resident
Bronx, NY

Joshua Rivera
Director of Government Relations
New York Botanical Garden

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

Joseph Vance
Owner
Joseph Vance Architects

Bruce Terzano
Owner
Wythe Street property

Shawn Hart
Resident
South Williamsburg, New York

Brady Dollarhide
Resident
Williamsburg, New York

Jane McNichol
Local Artist
Williamsburg, New York

Kimberly Hale
Local Business Owner
Williamsburg, New York

Brandon Cole
Resident
Williamsburg, New York

Stephanie Eisenberg
Resident
Williamsburg, New York

Mr. Joseph Ienuso
Executive Vice President for Facilities
Columbia University

Elizabeth Lorris Ritter
Staff Member
Office of NY State Senator Adriano Espaillat

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

Sandra Harris
Spokesperson
George Starke - Columbia University Alumnus

Gail Adis
Board President
100 Park Terrace West

Roger Meyer
Representative
Metropolitan Waterfront Alliance

David Broderson
Representative
Local Residents Group

Jacqueline Merrill
Property Owner & Resident
Inwood Section of Manhattan

Susan Ryan
Resident
Park Terrace East

James Adis
Architect and Former Professor
School of Architecture CUNY

CHAIRPERSON COMRIE, JR.: Good

morning, I'm Leroy Comrie, I'm temporarily chairing the Land Use Subcommittee on Zoning and Franchises until our Chairman arrives for the Committee. I'm joined by Council Member Al Vann from Brooklyn, Council Member Robert Jackson from Manhattan, Council Member Jimmy Vacca from the Bronx, along with Council Member Oliver Koppell from the Bronx, and we have Majority Leader Joel Rivera from the Bronx, and Council Member Diana Reyna from Brooklyn and Queens, and Council Member Ydanis Rodriguez from Manhattan, and Jessica Lappin ... am I missing anybody? No, I think I got everybody. We are going to first go through some sidewalk cafés, yes, Land Use Item #329, Manhattan Community Board #8, Item #2011528 TCM ... oh, I'm sorry, okay. I take that back. We're going to talk about the item that's withdrawn first, it's withdrawn by the Department of Consumer Affairs, with a motion to file. That item is Land Use Item #330, Café Select, Item #2011530 TCM in Manhattan Community Board #12. That was to establish a café located at 212 Lafayette, but as I said, that has been withdrawn by the Department of Consumer

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2 Affairs. Now we're going to go backwards, I'm
3 sorry. The first item is Land Use Item #323,
4 called Dandana, in Queens Community Board #1, Item
5 #20115336 TCQ, it's an application to continue and
6 maintain an unenclosed sidewalk café at 4221
7 Broadway, and I believe the owner is here, Mr.
8 Emil Azer, can you come to the table and share
9 with us your reasons for wanting to continue this
10 café?

11 MR. AZER: Yes, my name is Emil
12 Azer, I'm the owner.

13 CHAIRPERSON COMRIE, JR.: It's on,
14 it's on. Good morning.

15 MR. AZER: Good morning.

16 CHAIRPERSON COMRIE, JR.: And have
17 you received Community Board ... the Community
18 Board's consent with this, and is this in Council
19 Member Vallone's district, is he in approval of
20 this?

21 MR. AZER: (inaudible).

22 CHAIRPERSON COMRIE, JR.: Okay, I
23 understand there's an agreement letter that you
24 have to read.

25 MR. AZER: Yes.

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2 CHAIRPERSON COMRIE, JR.: Into the
3 record, please.

4 MR. AZER: Yes. Should I read it
5 now?

6 CHAIRPERSON COMRIE, JR.: Yes,
7 please.

8 MR. AZER: This letter should serve
9 as our agreement with the Council Member Mark
10 Weprin and the interested members of the
11 Subcommittee on Zoning and Franchises that we will
12 commit to the following: No plastic enclosure over
13 the unenclosed sidewalk café, the restaurant owner
14 will remove all planters from the sidewalk café
15 area, a sign that says "Please respect our
16 neighbors at all times by keeping the noise down"
17 will be posted and will be visible to all of the
18 patrons, all furniture is to be brought in
19 nightly, no mounting of loudspeakers to or at the
20 exterior wall of the restaurant, or use any other
21 sound amplification device in the sidewalk café,
22 the owner agrees to remove the last two tables
23 located at 43rd Street to give extra clearance for
24 the adjacent building for the fire escape.

25 CHAIRPERSON COMRIE, JR.: All

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2 right, and do you understand everything? Are you
3 the owner?

4 MR. AZER: Yes, yes.

5 CHAIRPERSON COMRIE, JR.: Can you
6 state your name for the record, please?

7 MR. AZER: Emil Azer.

8 CHAIRPERSON COMRIE, JR.: And
9 you're the owner of the restaurant and- -

10 MR. AZER: (Interposing) Dandana,
11 Sympatoch Café doing business as Dandana.

12 CHAIRPERSON COMRIE, JR.: Okay, and
13 how long have you been there?

14 MR. AZER: Six years.

15 CHAIRPERSON COMRIE, JR.: Six
16 years. And you understand everything that you
17 just read in the letter?

18 MR. AZER: Yes.

19 CHAIRPERSON COMRIE, JR.: Okay.
20 Okay, our counsel is reminding me to re-inform you
21 that it's illegal for you to enclose the café
22 during the winter, as has been done by your
23 establishment previously. We want to remind you
24 that there's a legal limit you should not do that,
25 do you understand?

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MR. AZER: Yes.

CHAIRPERSON COMRIE, JR.: All right, with that ... all right, any members have any questions for this business owner? All right, with that, thank you for coming in this morning, we'll be voting in a few minutes, if you can step back to your seat at this point. Thank you. The next item is Item # ... Land Use Item #324 in the Bronx, Community Board #4, it's Salvatores of Soho, Item #20115344 TCX, it's to establish and maintain and operate an unenclosed sidewalk café at 3738 Riverdale Avenue, are the owners here? All right. Can you state your name for the record and if you're the owner of the property?

MR. KRONOZH: Arian, A-R-I-A-N, last name - -

CHAIRPERSON COMRIE, JR.:
(Interposing) Please talk into the mic.

MR. KRONOZH: It's Arian, A-R-I-A-N, last name Kronozh (phonetic).

CHAIRPERSON COMRIE, JR.: Okay, and you're the owner of the restaurant?

MR. KRONOZH: yes.

CHAIRPERSON COMRIE, JR.: Okay, and

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can you read the letter into the record that you brought with you this morning?

MR. KRONOZH: Can I read the letter?

CHAIRPERSON COMRIE, JR.: Do you have the letter that you submitted?

MR. KRONOZH: Yes. As the owner of Salvatores of Soho, I'm writing regarding the sidewalk café that I will be coming before on today, for today. I wish to inform you that we intend to resolve any other problems that are placed on the sidewalk, these including the following: two benches, two plants and ashtrays. And also we have, I also have pictures that all of them have been removed.

CHAIRPERSON COMRIE, JR.: We've been joined by Vinny Ignizio and Daniel Garodnick. Pardon me? Oh, okay, well, you're being complimented, your plans are one of the best that our staff has seen in the past five years, so I want to thank you for being so diligent.

MR. KRONOZH: Thank you.

CHAIRPERSON COMRIE, JR.: About doing your business, and we'll be voting on this

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soon.

MR. KRONOZH: Thank you.

CHAIRPERSON COMRIE, JR.: Did any other members have any questions?

COUNCIL MEMBER KOPPELL: Mr. Chairman, I'm not a member of this Subcommittee, but I'm here because of this item and another item on the agenda. Let me just say this is a very popular restaurant in my district. The one correction that I would make is that it is Community Board #8, not Community Board #4, I don't know how that happened, but in any event, I think that a sidewalk café at this location will be an enhancement of the community. I passed by the restaurant a couple of times in the last few days, and he did remove the benches that were not supposed to be there, and I support the permit for the sidewalk café.

CHAIRPERSON COMRIE, JR.: Thank you. Any other members want to comment on this application? If not, thank you very much for coming in this morning.

MR. KRONOZH: Thank you, sir.

CHAIRPERSON COMRIE, JR.: We'll be

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2 voting on this in a few minutes. The next
3 application is Land use Item #327 in Manhattan
4 Community Board #2, I hope. Item #20105332 TCM,
5 it's to operate a sidewalk café located at 133
6 Seventh Avenue South, and the restaurant is called
7 Public House, and Mr. Kelly, are you here?

8 MR. KELLY: Yes I am.

9 CHAIRPERSON COMRIE, JR.: All
10 right, that was quick, thank you.

11 MR. KELLY: Good morning, Chairman
12 and members of the Council, I would like to read
13 into the record the agreement we came to with
14 Speaker Quinn's office.

15 CHAIRPERSON COMRIE, JR.: All
16 right.

17 MR. KELLY: This letter should
18 serve as our agreement with the Chair, Council
19 Member Weprin, and the encompassing members of the
20 Subcommittee on Zoning and Franchises that we will
21 commit to the following: there will be no seating
22 on the second level, it's sole purpose will be to
23 provide restroom access for patrons; we currently
24 have no sub-woofers and will not install any in
25 the future; we will have no deejays or music

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2 playing outside of the restaurant; we will limit
3 our music to background sound levels only; our
4 manager on duty will be directed to insure that
5 there are no patrons congregating outside of the
6 restaurant; we have provided the cell phone number
7 of the restaurant owner to the adjacent resident
8 tenants and to Manhattan Community Board #2; we
9 will respond to all current and future community
10 complaints in a timely manner; we have taken
11 measures to soundproof the premises; we will
12 continue to work with the community to insure that
13 if adjustments are needed, they will happen in a
14 timely manner; we will remove the two ashtrays
15 that are located in front of the restaurant; the
16 windows of the enclosed sidewalk café will be
17 closed by 9:00 p.m. seven days a week; and we will
18 abide by all commitments made to Manhattan
19 Community Board #2 in our 2009 New York State
20 Liquor Authority application for an on-premise
21 liquor license.

22 CHAIRPERSON COMRIE, JR.: Thank
23 you. Any members have questions for Mr. Kelly?
24 Well, seeing none, then thank you for coming down
25 Mr. Kelly.

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MR. KELLY: Thank you.

CHAIRPERSON COMRIE, JR.: Next item is Land Use Item #328, also in Manhattan Community Board #2, it's called the Mekong Restaurant, Item #20115341 TCM. It's to continue to operate ... to continue to maintain and operate a sidewalk café located at 1618 King Street?

MR. HUI: Yes.

CHAIRPERSON COMRIE, JR.: Where's King Street?

MR. HUI: King is around Sixth Avenue below Houston.

CHAIRPERSON COMRIE, JR.: Okay. All right, and you're the owner, Mr. Hui?

MR. HUI: Yes.

CHAIRPERSON COMRIE, JR.: Do you have something to read into the record for us?

MR. HUI: Yes, this letter serves as our agreement with the Chair and Council members and the encompassing members of the Subcommittee on Zoning and Franchises that we will commit to the following. The tables will be arranged according to the approved plan, and the planter will be no more than 30 inches high.

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2 CHAIRPERSON COMRIE, JR.: Okay, and
3 you understand the regulations that have been
4 presented to you?

5 MR. HUI: Yes.

6 CHAIRPERSON COMRIE, JR.: So, any
7 members have any questions for Mr. Hui? Seeing
8 none, thank you for coming down.

9 MR. HUI: Thank you.

10 CHAIRPERSON COMRIE, JR.: Okay,
11 there's parts of the city I haven't been to yet.
12 All right, now we're at Land Use Item #329, Le
13 Magnifique in Manhattan Community Board #8, Item
14 #20115128 TCM, to maintain and operate an
15 unenclosed sidewalk café at 1022 Lexington Avenue.
16 Is the owner here? Not here? Okay, all right.
17 And there are no issues that we have to be
18 concerned with? And we do have an agreement
19 letter? Okay, we're going to defer on this one
20 for a moment. Yes, we can start with the first
21 rezoning, which is the ... let's do Webster Avenue
22 first, since we have ... land use item, it's the
23 Webster Avenue, Bedford Park Norwood rezoning,
24 Land Use Items #325 and #326. Are the owners
25 here?

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COMMITTEE COUNSEL: Yes.

CHAIRPERSON COMRIE, JR.: Okay,
before you come up front, the owner is here for
the café, I'm sorry. Is the owner here? Is
Stephanie here? Oh, okay, she's here. Okay, and
if you could take the seat over here at the table.
Good morning, Ms. Laurent, you're the owner of the
restaurant?

MS. LAURENT: Yes I am.

CHAIRPERSON COMRIE, JR.: Okay, and
can you read the letter that you gave us into the
record, please?

MS. LAURENT: I have no letter,
actually.

CHAIRPERSON COMRIE, JR.: Can
someone? The sergeant-at-arms?

MS. LAURENT: Stephanie Laurent.

CHAIRPERSON COMRIE, JR.: Can you
pass the letter to her, please?

MALE VOICE: Sure.

CHAIRPERSON COMRIE, JR.: Okay,
great.

MS. LAURENT: May I start?

CHAIRPERSON COMRIE, JR.: Yes.

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2 MS. LAURENT: Which good we ask, I
3 write to you this day, Tuesday, March 15th, 2011,
4 to claim to have dismantled the winter vestibule
5 and assure we never have it back. I was
6 unfortunately wrongly informed and I will strongly
7 comply with the law in force and promise not to
8 repeat the incident again, and please accept my
9 sincere apologies.

10 CHAIRPERSON COMRIE, JR.: Council
11 Member Garodnick in whose district the restaurant
12 is would like to make a comment.

13 COUNCIL MEMBER GARODNICK: Thank
14 you very much. And Ms. Laurent, we thank you for
15 your presence here today, and we appreciate the
16 letter and your commitment to that. We understand
17 that the enclosed sidewalk café has been removed.

18 MS. LAURENT: Yes it has.

19 COUNCIL MEMBER GARODNICK: And on
20 that basis I will recommend to my colleagues that
21 we approve this application and we appreciate your
22 presence here today.

23 MS. LAURENT: Thank you.

24 COUNCIL MEMBER GARODNICK: And
25 certainly you should feel free to call us if you

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2 have questions about what is or is not proper. We
3 are available to you, the Committee Council,
4 always.

5 MS. LAURENT: And it was ... Peter
6 here was very helpful, thank you very much to you
7 actually.

8 COUNCIL MEMBER GARODNICK: Thank
9 you.

10 CHAIRPERSON COMRIE, JR.: All
11 right, thank you, Ms. Laurent, for coming down
12 this morning. And Council Member Garodnick is in
13 approval, so we'll be voting on it shortly. Okay,
14 now we'll start with Webster Avenue rezoning,
15 sorry. Sorry, Bronx team. City Planning is
16 coming forward to give their presentation. Okay,
17 do you want to state your names for the record?
18 When you start, just ...

19 MS. SAMOL: Hi, my name is Carol
20 Samol, I'm the Director of the Bronx Borough
21 Office of the Department of City Planning.

22 MS. MATHUR: Hi, I'm Vineeta
23 Mathur, I'm a Planner at the Bronx Office of City
24 Planning.

25 MS. SAMOL: And we have a

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2 PowerPoint presentation, and we've printed hard
3 copies, we actually have some for the audience as
4 well, do we not?

5 MS. MATHUR: We do.

6 MS. SAMOL: But you should all each
7 have a copy of it. And I'm just going to
8 introduce the project itself a little bit. This
9 has been, the Webster Avenue/Norwood/Bedford Park
10 rezoning started about four years ago when
11 Community Board #7 wrote to us, to the Department,
12 to request that we look at the zoning in this
13 area. And they have been just incredible partners
14 throughout this whole process, and we quickly
15 learned about just very wide support for the
16 revitalization of this important corridor,
17 including not only did the Community Board support
18 it, and the borough president, but the major
19 institutions in the area, the New York Botanical
20 Gardens, Montefiore Hospital, the Bronx Zoo,
21 Fordham University, this is their front doors in
22 many instances, Webster Avenue. And so we worked
23 closely with the Community Board, including having
24 numerous walking tours, I felt like we really got
25 to know this area, we got to know the people, we

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2 got to know the places, and they got to know us
3 and the issues. And we have a very finely-crafted
4 proposal with a complete environmental review, to
5 understand the possible impacts for the changes.
6 And then ultimately through ... as we- -

7 MALE VOICE: (Interposing) Sorry
8 about that.

9 MS. SAMOL: That's quite all right.
10 I understand.

11 MALE VOICE: Talk amongst
12 yourselves.

13 MS. SAMOL: Well, I'll just
14 conclude, before we start into the presentation,
15 that we received unconditional approvals from
16 Community Board #7 as well as Community Board #12,
17 there's a very small piece of this in Community
18 Board #12, as well as from the Bronx borough
19 president. So I'm going to turn it over to
20 Vineeta Mathur, our Webster Avenue expert, and
21 she'll walk you through the presentation.

22 MS. MATHUR: Good morning, Council
23 members. I'd- -

24 COUNCIL MEMBER KOPPELL:
25 (Interposing) Well, before she begins, Mr.

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2 Chairman, could I have a copy of this PowerPoint
3 presentation? Thank you.

4 MS. MATHUR: Good morning, Council
5 members, I will be presenting to you the Webster
6 Avenue/Bedford Park/Norwood rezoning proposal.
7 I'll guide you through these slides that I have in
8 the PowerPoint. On the second slide you can see
9 the context of the study area. The rezoning area
10 is bound by Metro North railroad line on the east
11 side, it's bound by Fordham Road and Kingsbridge
12 Road to the south, Valentine Avenue and Van
13 Cortlandt Avenue on the west, and 213th Street and
14 Gun Hill Road to the north. The surrounding
15 neighborhoods include Williamsbridge and Olinville
16 to the east, Fordham and Belmont to the south and
17 Kingsbridge to the west. There are several major
18 Bronx institutions close to this rezoning area, as
19 Carol mentioned, the Bronx Botanical Gardens, the
20 Bronx Zoo, Lehman College and Montefiore Medical
21 Center, and also the Fordham University. Moving
22 on to page three, you can see the transit
23 connections to this study area, the area is well-
24 served by transit, there are several bus lines
25 crossing through the area, the BX Select Bus

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2 Service runs on Fordham Road, just south of the
3 rezoning area. There are four subway lines that
4 go through the area, and the D train terminates in
5 Norwood. The Metro North rail line has three
6 stops at Fordham Road, Botanical Garden, and
7 Williamsbridge. The 3rd Avenue elevated train ran
8 along Webster Avenue before it was demolished in
9 1973. A lot of the development along Webster
10 Avenue are a residue of the time when the elevated
11 train ran along this corridor, and some became
12 obsolete given the absence of the train line. The
13 next page, page four, shows the land use and the
14 study area. The rezoning area was divided into
15 two sub-areas, first was the Webster Avenue
16 corridor, shown in the red outline on the map.
17 The second is the neighborhood area of Bedford
18 Park and Norwood, shown in the blue outline. The
19 land use characteristics differ significantly
20 between the Webster Avenue corridor and the
21 remaining parts of Bedford Park and Norwood
22 neighborhoods. The land use along Webster Avenue
23 is a wide mix, there are some commercial uses,
24 some are auto-related, others are retail and
25 service uses. Auto-related uses include gas

1 stations, storage and lots, auto sales lots and a
2 car wash. Commercial uses include light retail,
3 include restaurants, delis, barbershops, hair
4 salons. There are several open parking lots,
5 there are some warehouses and there's also dead
6 storage space along this corridor. There's also a
7 supermarket and there's also some residential
8 development along the corridor. It's scattered
9 throughout the corridor and not in any particular
10 location. The neighborhoods of Bedford Park and
11 Norwood in contrast to Webster Avenue, they
12 constitute a stable residential neighborhood. The
13 community is comprised of a variety of housing
14 types, there are several detached and semi-
15 detached houses, and there's also multi-family
16 apartment buildings. Most of the one- and two-
17 family detached and attached homes, they were
18 built in the late 1800's. The multi-story
19 apartments came later, in the 1900's. Very few
20 new developments have occurred since the 1950's.
21 There are a few retail corridors, one of the
22 notable ones is along 204th Street and Bainbridge
23 Avenue. The next page shows the existing
24 characters, the variety of uses along the Webster
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1 Avenue corridor, and how the uses are scattered
2 along the entire corridor, ranging between the
3 commercial uses, which stand alongside parking
4 lots and the residential development. The next
5 page shows the variety in the housing types in the
6 neighborhoods of Bedford Park and Norwood. The
7 existing zoning in this area, I'll describe both
8 the existing zoning is for the Webster Avenue
9 corridor, the primary zoning district is C8-2,
10 which allows for heavy commercial uses, it does
11 not permit residential use. There's in the
12 neighborhoods of Bedford Park and Norwood and
13 parts of the Webster Avenue corridor, the primary
14 zoning district is R7-1. This zoning district
15 permits mixed-density residential development, but
16 does not have any height limits. Next comes the
17 goals of the rezoning proposal. We wanted to
18 create an attractive walkable corridor that meets
19 the needs of the local community and visitors,
20 create opportunities for residential development,
21 especially affordable housing, to shift the
22 incentive of development from the neighborhood
23 areas to the Webster Avenue corridor, to preserve
24 the neighborhood character of Bedford Park and
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2 Norwood, unify urban design and provide height
3 limits, to encourage commercial office and
4 business development and limit unwanted uses, to
5 provide a variety of development options to spark
6 revitalization of Webster Avenue. The next page,
7 page number nine, shows the entire rezoning
8 proposal. I'll go through the rezoning proposal
9 for Webster Avenue and Bedford Park and Norwood.
10 The proposed zoning districts along Webster Avenue
11 are shown on page ten, the three districts, one
12 R7-D with the C2-4 overlay, it's a mid-density
13 residential district, and a commercial overlay,
14 and requires mandatory active ground floor uses.
15 The active ground floor uses include lobby spaces
16 for residences, it could be retail uses or
17 community facility uses. The two commercial hubs
18 proposed along Webster Avenue, the first is the
19 C4-5D district, and the second is the C4-4
20 district. The ... we propose inclusionary housing
21 on both the R7-D and the C4-5D district. Briefly
22 I'll describe what the zoning district entails.
23 The first district, the R7-D district, is proposed
24 along Webster Avenue between Fordham Road and 207th
25 Street. It will allow for mid-density residential

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2 development and active uses as I described before.
3 The maximum height of buildings in this district
4 is ten stories. It's a contextual zoning
5 district. The C4-5D district in the south of the
6 rezoning area between 196th Street and Bedford Park
7 Blvd., it allows the full commercial or office
8 development. There's also residential development
9 which is allowed in this district, and the
10 residential development can utilize inclusionary
11 housing incentives. The building forms will be
12 similar to the R7-D district that I described
13 earlier. The last district in the Webster Avenue
14 corridor is the C4-4 district proposed just north
15 and south of Gun Hill Road along Webster Avenue.
16 This district provides ... allows for larger
17 commercial and office development and flexible
18 building form for uses that allow ... that require
19 greater floor-to-ceiling height. These three
20 districts are the ones proposed for Webster
21 Avenue. Next we come to the proposal for Bedford
22 Park and Norwood, where the goal was to preserve
23 the existing uses and the existing build
24 character. The ... page 14 shows various districts
25 proposed to match the existing urban character of

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2 the area. There have also been ... we've also
3 proposed some changes to the commercial overlay in
4 this area on that same page, 15. The proposal has
5 the changes from C1-3 and C2-3 districts to C1-4
6 and C2-4 commercial overlay districts. The
7 proposed districts have lesser parking
8 requirements. Secondly, the depth of the
9 commercial overlay has been proposed to be reduced
10 from 150 feet to 100 feet. This basically covers
11 the entire rezoning proposal, and I'd be happy to
12 take any questions.

13 CHAIRPERSON WEPRIN: Thank you very
14 much. Ladies and gentlemen, first let me
15 apologize for being late, I had a speaking
16 engagement uptown, I'm Mark Weprin, Chair of
17 Subcommittee. Council Member Larry Seabrook came
18 in with me. Is there anyone that didn't get
19 introduced before I got here? No? everyone else
20 was introduced? Okay, good. Council Member
21 Koppell, would you like to speak on this matter?
22 I know this represents three Council members who
23 represent this area, so I'll ask each of them if
24 they want to say something, but we'll start with
25 Council Member Koppell.

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2 COUNCIL MEMBER KOPPELL: Yeah, most
3 of this area is in my district. I want to
4 compliment the City Planning Commission
5 representatives for spending a great deal of time
6 with the local community board, particularly
7 spending time with me as well, did a walking tour
8 along Webster Avenue and explained everything. I
9 think the community is very happy with this
10 proposal. I've received absolutely no negative
11 comments. The idea is to preserve the character
12 of the area while enhancing or encouraging
13 commercial development and housing development
14 along Webster Avenue, which is a very good thing
15 because Webster Avenue is a very much neglected
16 area that I think can be made into a much more
17 attractive zone. We're putting a new school up on
18 Webster Avenue already, which is a good thing, and
19 there are several potential developments that are
20 promising. So we're ... and also I think there's a
21 great interest in the community in preserving the
22 character of the current Norwood and Bedford Park,
23 and this does that. So I want to again thank
24 everyone, the Planning Commission, I don't know if
25 there are any residents from the area who are

1
2 here, but the community board again deserves a lot
3 of credit, and I look forward to approval by the
4 Subcommittee and the Committee and the Council.

5 CHAIRPERSON WEPRIN: Thank you, Mr.
6 Koppell, I know Mr. Seabrook would like to make a
7 comment. No?

8 COUNCIL MEMBER SEABROOK: Yeah,
9 just a thought.

10 CHAIRPERSON WEPRIN: Do you want to
11 get to a microphone, just in case, Larry? Not
12 that you're not loud.

13 COUNCIL MEMBER SEABROOK: Just a
14 point that I'm glad this planning is taking place,
15 and certainly Bronx City Planning has done a
16 fantastic job with this. I've had the opportunity
17 to represent that area, now Koppell represents it,
18 but I represented it also in the assembly and the
19 senate as well, and to see something developed
20 with that corridor along Webster Avenue is so
21 important. And to have this ability to do some
22 affordable housing in that area, because that's
23 one of the drag strips that we have in the
24 community that a tremendous amount of deaths have
25 occurred just in that strip each and every year.

1
2 And so this is a fantastic plan, they do such a
3 fantastic job at City Planning. Thank you very
4 much, Mr. Chair.

5 CHAIRPERSON WEPRIN: Mr. Rivera is
6 going to pass on commenting, he just nods in
7 approval. And I know Diana Reyna had some
8 questions. Council Member Reyna.

9 COUNCIL MEMBER REYNA: Well, I have
10 to say, Mr. Chair, that this is the first rezoning
11 I've seen where no one is here to oppose. I
12 believe there is no one here to oppose.

13 MALE VOICE: Shh.

14 COUNCIL MEMBER REYNA: I do just
15 want to clarify or have some clarity and
16 transparency on whether or not there was an
17 economic impact study on the small businesses on
18 the Webster Avenue site. The commercial strip, I
19 noticed the existing zoning was a C8-2, and
20 there's ... it's a drastic change to go from C8-2,
21 where there's no residential, to now the impact
22 and pressure of the market to displace inherently
23 as a consequence that perhaps is not calculated or
24 calculated in the rezoning. And so I just wanted
25 to understand whether or not there was small

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2 businesses that were taken a closer look at to see
3 if they are property owners and perhaps are just,
4 you know, happy because they're property owners,
5 they can control their destiny, as to where
6 they're going to land because they conduct their
7 own businesses in their own property, so they were
8 probably more than likely spoken to and were a
9 part of the process. Those that are not property
10 owners of their own businesses eventually may find
11 themselves displaced or higher rents just forcing
12 them out of their locations. And so I just wanted
13 to understand whether or not City Planning took a
14 look at the impact of the economic small business
15 community on Webster Avenue.

16 MS. SAMOL: Yeah, I appreciate that
17 question. And during the environmental review
18 process we, one of the topics that we have to
19 examine is exactly that, the potential for
20 displacement. But I think even before that where
21 we found none, we found that the corridor is long
22 enough, and there's enough underdeveloped sites,
23 there are vacant sites that could take growth and
24 still support the existing businesses there. But
25 I think even before that, what I would say is, the

1 bones of this proposal support small businesses.
2 The primary zoning along the corridor is C8-2 as
3 well as R7-1 with a commercial overlay. And then
4 along 204th Street, there are a lot of really small
5 businesses. And what the proposal does, under the
6 C8 you can have really large commercial uses
7 locate there, presenting, you know, a different
8 kind of competition for these smaller businesses.
9 They could locate there today as of right, no
10 review. And the proposal changes that, restricts,
11 completely restricts those really large uses from
12 a very good portion of the entire corridor. It
13 puts height cap ... excuse me, size limits on other
14 uses like variety stores, furniture stores,
15 clothing stores. And then it also- -

17 COUNCIL MEMBER REYNA:

18 (Interposing) I'm sorry, did you say it limits the
19 size?

20 MS. SAMOL: Yes.

21 COUNCIL MEMBER REYNA: And how does
22 it do that?

23 MS. SAMOL: By changing it from C8-
24 2 where these are permitted without regard to
25 size, only by the FAR, to R7-D with a C2-4

1
2 overlay, the commercial overlay has restrictions
3 on those uses in size, and then some of the uses
4 like the department stores are not allowed at all
5 in a C2-4 area. They would be allowed in the
6 areas that are the two commercial nodes, but we
7 thought that was a fair thing to push them to the
8 appropriate locations. So not only did we
9 restrict some of these larger, more competitive
10 uses, but we ... and thereby support the smaller
11 businesses, but we further, by permitting
12 additional residential here, we want to bring eyes
13 and ears to the street, additional shoppers. We
14 want a better customer base, and just greater
15 pedestrian traffic there to support them. So that
16 was definitely a consideration and definitely
17 studied.

18 COUNCIL MEMBER REYNA: And would
19 you be able to provide the Committee with that
20 analysis that you have made concerning the
21 economic impact?

22 MS. SAMOL: Sure, sure, it's in the
23 environmental review, yes.

24 COUNCIL MEMBER REYNA: Fantastic.
25 And what page, just so I have, you know, the

1
2 citing of the actual language, so that way at
3 least we're prepared with any questions concerning
4 small businesses?

5 MS. SAMOL: The socio-economic
6 chapter is 3.2-1.

7 COUNCIL MEMBER REYNA: Thank you
8 very much, and I just want to congratulate the
9 Community Board for such an open and transparent
10 process that included everyone, and I can see that
11 the results are a very favorable outcome in the
12 process. Thank you so much. And congratulations
13 to the Council members representing the area.

14 CHAIRPERSON WEPRIN: Thank you,
15 Council Member Reyna. Does anyone have any other
16 comments or questions? Mr. Vacca, Council Member
17 Jimmy Vacca.

18 COUNCIL MEMBER VACCA: Just one
19 question. Do you anticipate that on Webster
20 Avenue going forth after this rezoning we will see
21 mostly housing, and not much additional commercial
22 development? In fact even less commercial than we
23 have now?

24 MS. SAMOL: I think we'll see a
25 mix, and I would say that I think the heavy

1 commercial uses won't be able to locate in most of
2 that area, there's a small area where they will
3 continue, it's fully occupied but, so I would
4 expect it to be a mix, given the proximity of
5 Fordham Road, and given the proximity of Gun Hill
6 Road, which are two kind of ... especially Fordham
7 Road, a major commercial hub. We have on the
8 ground floor what we thought this was important,
9 the community ... this resonated with the community,
10 that there's an active ground-floor requirement.
11 So that we think, you know, commercial uses, it
12 will get mixed buildings as we go forward.

14 COUNCIL MEMBER VACCA: I certainly
15 want to be supportive of the community, and I will
16 be. But when I see an R7 district, which is a
17 very high-density residential district, with very
18 little parking requirement, when I see that on
19 Webster Avenue, I just want it to be known, in my
20 opinion, you are not going to see much commercial
21 development. You are going to see housing, and if
22 that's the community's wish, I am fine with that.
23 But we can't say that we're encouraging commercial
24 development, if anything what I see today is an
25 acknowledgement that commercial development on

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2 Webster Avenue has not worked, and that we are
3 going a different way. I don't think we can deny
4 that.

5 MS. SAMOL: I would agree that we
6 think that this needs ... this corridor needs to be
7 revitalized. I think that there's a 50% parking
8 requirement in the residential and the R7-D mid-
9 density residential district with the height cap.
10 We have two commercial nodes that would support
11 full commercial buildings near Gun Hill and
12 Bedford Park closer to Fordham Road, that actually
13 could also support the floor plates that would
14 allow larger commercial, and I would just
15 reiterate that we want an active ground floor, so
16 that we definitely will see continued commercial
17 development here.

18 COUNCIL MEMBER VACCA: And just in
19 closing, I don't doubt that off Fordham Road on
20 Webster Avenue there will be commercial stores.
21 But I think that what's happened to Webster Avenue
22 is, the further away you get from Fordham, even
23 north or south on Webster Avenue, you see empty
24 stores and abandoned stores, you see a store here
25 and no store there, and it's a difficult

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2 commercial area. And just based on what I see, I
3 think that we are relinquishing those
4 opportunities to housing. Now, I just want that
5 known.

6 MS. SAMOL: Yeah, I mean, that was
7 ... yes.

8 COUNCIL MEMBER VACCA: I'm a little
9 concerned about it, but I just want the people
10 here to know that here in this part of the Bronx,
11 we need both. And let me ask you one more
12 question. Hotels, we do not have a hotel in the
13 Bronx.

14 MS. SAMOL: A large hotel.

15 COUNCIL MEMBER VACCA: A large
16 hotel. We have, I don't want to speculate on what
17 I ... I hear laughter. I don't want to speculate on
18 what I think we have in the Bronx, insomuch as
19 hotels are concerned. Let me ask this, we don't
20 have a hotel that I could think I would go to, let
21 me put it that way. Now, what does it mean hotels
22 ... what would it mean that hotels would not be
23 allowed a thousand feet from the highway?

24 MS. SAMOL: Yes.

25 COUNCIL MEMBER VACCA: Now just

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2 explain that to me a little bit, from the Bronx
3 River, from ... what are we talking about?

4 MS. SAMOL: In the proposed zoning
5 area along ... the rezoning area along Webster
6 Avenue, today one of the uses that we've seen are
7 hotels. It's a C8 district, it doesn't ... it has
8 limited commercial and no residential, so, you
9 know, you're exactly right, things are changing
10 there, property owners are looking for other uses,
11 hotel, the hotel owners are buying these up to
12 develop them. There's one that's kind of stalled
13 in construction. And that was actually one of the
14 uses that the community didn't want to see here in
15 isolation. And so when again not only does the
16 R7-D with the C2-4 overlay restrict the larger
17 commercial uses, it restricts the hotels. You're
18 not allowed to have a hotel in a C2-4 district
19 greater than a thousand feet from a highway
20 intersection, which all of this is. They would be
21 permitted in the C4-5D, near Bedford Park Blvd.,
22 and in the C4-4. That said, those two districts
23 would give them ample commercial FAR and you would
24 actually more likely see a larger hotel that we
25 all desire for the Bronx. And I would say finally

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2 that by adding additional eyes and ears to the
3 street, and just making this a more walkable
4 inviting corridor, we would hope to support the
5 existing hotels, that they would remain good
6 upstanding places of business.

7 COUNCIL MEMBER VACCA: Okay, thank
8 you.

9 COUNCIL MEMBER KOPPELL: Mr.
10 Chairman?

11 CHAIRPERSON WEPRIN: Okay, Mr.
12 Koppell.

13 COUNCIL MEMBER KOPPELL: I just
14 would comment, Jimmy, you have put your finger on
15 what the community wants. They do not want more
16 large-scale commercial development here. Frankly
17 it's a junky corridor right now. Terrible to use
18 that word, but it's true. And if you can replace
19 that with some residential, with some commercial
20 activity on the ground floor, that would be really
21 great. And frankly, the community is very
22 suspicious of hotels, so restricting hotels
23 somewhat is something the community very much
24 wants. Maybe even more than I want, because I was
25 less opposed to a couple of hotel developments

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2 that were proposed and the community didn't like
3 it. I thought they were pretty much okay, but I
4 think the community, really we should respect the
5 community's views on this, and I think this zoning
6 does that.

7 CHAIRPERSON WEPRIN: Council Member
8 Seabrook would like to speak.

9 COUNCIL MEMBER SEABROOK: The
10 largest amount of hot-sheet motels ... the largest
11 amount of hot-sheet motels were in that community
12 board, and they were all along the corridors of
13 the highway, right off, coming out of the borders
14 of Westchester, New Rochelle and places where
15 people went to do their little bidding outside of
16 their homes in Westchester county, and so we don't
17 have any hotels in the Bronx, but we had a lot of
18 motels that we protested against. And they told
19 people at one point those motels were used for the
20 homeless when they couldn't get enough cash. And
21 so the community has a level of resistance,
22 because they were told it was going to be one
23 thing and then in the final analysis it became
24 something else. And so that's why the resistance
25 has been, and I'm glad that it's put in so that in

1
2 those areas that it would be a decent hotel that
3 would actually be within the Bronx. As of now,
4 there are no hotels in the Bronx, there are motels
5 in the Bronx.

6 CHAIRPERSON WEPRIN: Anybody else
7 want to comment on hotels or motels or anything?
8 No? Okay. Okay, I've lost control of the
9 meeting.

10 COUNCIL MEMBER VACCA: I'm sorry
11 that my- -

12 CHAIRPERSON WEPRIN: (Interposing)
13 I'm sorry.

14 COUNCIL MEMBER VACCA: I'm sorry
15 that my questions have resulted in this
16 conversation.

17 CHAIRPERSON WEPRIN: Okay.

18 COUNCIL MEMBER VACCA: I didn't
19 mean it. I didn't mean it.

20 CHAIRPERSON WEPRIN: Diana, do you
21 have a question, another question? Please, go
22 ahead.

23 COUNCIL MEMBER REYNA: I just
24 wanted to understand, the affordable housing, I
25 was reading the last page of your presentation,

1
2 inclusionary housing bonus, R7D, provides a 5.6.
3 Can you just go into that a little?

4 MS. SAMOL: Sure, it's the standard
5 inclusionary housing program that we see across
6 the city, and I'm just going to- -

7 COUNCIL MEMBER REYNA:
8 (Interposing) You know, it's not definitive in
9 whether or not it's successful.

10 MS. SAMOL: I just wanted to refer
11 to this. So there is the base FAR in this R7D,
12 which for, if you just want to build straight
13 housing, it's 4.2 FAR.

14 COUNCIL MEMBER REYNA: Okay.

15 MS. SAMOL: Okay? And if you want
16 to provide affordable housing, or there's an
17 incentive to provide affordable housing in the
18 provision of additional floor area, up to 5.6. So
19 it's a 33% floor area bonus for 20% provision of
20 that floor area as affordable housing.

21 COUNCIL MEMBER REYNA: And so how
22 many units in affordable housing, approximately?

23 MS. SAMOL: I want to say that we
24 have 120 projected.

25 MS. MATHUR: Right.

1
2 MS. SAMOL: I mean, that's our
3 estimate for the next- -

4 COUNCIL MEMBER REYNA:
5 (Interposing) For the whole rezoning.

6 MS. SAMOL: Yes, along Webster
7 Avenue.

8 COUNCIL MEMBER REYNA: Along- -

9 MS. SAMOL: (Interposing) It's only
10 in the southern portion of Webster Avenue where we
11 have height limits in R7D and in the C4-5D, where
12 we're providing the inclusionary housing. So it's
13 a subset of Webster Avenue.

14 COUNCIL MEMBER REYNA: And the
15 minimum of 4.2 would provide how many affordable
16 housing versus ... units versus 120 under
17 inclusionary?

18 MS. SAMOL: I don't think that we
19 did that. I mean, we could do the math, but we ...
20 that's not how we looked at it.

21 COUNCIL MEMBER REYNA: I see.

22 MS. SAMOL: That we look at, we- -

23 COUNCIL MEMBER REYNA:
24 (Interposing) You're counting on- -

25 MS. SAMOL: (Interposing) We were

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really conservative in our estimations, and we really looked at only the bonus as the affordable, so that's a very conservative number.

COUNCIL MEMBER REYNA: Uh huh. And how high is the R7D, as far as building structures are concerned, in floors?

MS. SAMOL: Ten, ten stories.

COUNCIL MEMBER REYNA: Ten floors.

MS. SAMOL: And Webster Avenue is 100 feet wide, so this is 100 feet, so that's a nice frame for the highway, for Fordham.

COUNCIL MEMBER REYNA: So ten floors minimum or maximum?

MS. SAMOL: Maximum.

COUNCIL MEMBER REYNA: Maximum.

MS. SAMOL: Maximum.

COUNCIL MEMBER REYNA: Okay. Thank you.

CHAIRPERSON WEPRIN: Anyone else have any comments or questions? Well, I want to thank you very much for this presentation, we do have a panel in favor of it that will follow, so I will call them up in a second. One panel in favor, I'd like to call up Fernando, is it Tirado

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2 or Tinado? Jay Sheffield and Joshua Rivera.
3 We're going to view you as a panel, you're going
4 to independently speak separately, we're just
5 going to bring you all up together, okay? You're
6 in favor though as well, right? Okay. Sure, give
7 it to Nick. Nick, I just want to ask the panel if
8 they could limit their remarks to three minutes,
9 we've got a long day today, and I just want to
10 make sure everyone gets heard. So if we could do
11 a three-minute clock, we'll try not to rush you
12 along. When you speak, please push the button and
13 give your name for the record before you speak,
14 whoever wants to go first. Oh, oh, nobody wants
15 to go first.

16 MR. SHEFFIELD: Hold on.

17 CHAIRPERSON WEPRIN: Okay, so you
18 got to go by yourself now, so.

19 MR. SHEFFIELD: I'll go ahead and
20 go.

21 CHAIRPERSON WEPRIN: Say your name,
22 please, and state ... we got it, we passed this out
23 as we speak.

24 MR. SHEFFIELD: All right, my name
25 is Jay Sheffield.

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2 CHAIRPERSON WEPRIN: Okay, is that
3 working? Okay.

4 MR. SHEFFIELD: Yeah, it is, the
5 light's off now. My name is Jay Sheffield, just
6 to identify myself, I'm a member of Bronx
7 Community Board #7, I'm a member of Friends of the
8 Oval, and I work as an urban planner. I'm
9 speaking today in my capacity as a concerned
10 citizen, not representing the board. And
11 representing some discussions I've had with some
12 other concerned residents, homeowners in a very
13 small part of my Norwood neighborhood. First, I
14 do want to recognize that the Department of City
15 Planning did a phenomenal job of, you know,
16 covering a huge area with a very small number of
17 staff really engaging with the community in coming
18 up with a good plan. But there is one area of
19 concern which I feel was left unaddressed.
20 There's about twelve properties which have some
21 very unique conditions, where they have frontage
22 on both Perry Avenue and Reservoir Oval, and the
23 rear of the property has a retaining wall which is
24 about 15 to 20 feet high. So there's a concern
25 that the responsibility for the maintenance of

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2 that retaining wall is not clear, and DOT has
3 consistently said that the responsibility for that
4 is with the homeowners. And our concern is that
5 these properties will not remain financially
6 viable at such a low density if they're down-
7 zoned. So we want to make sure that that
8 responsibility has been clarified, if it is in
9 fact the responsibility of DOT, then nobody has
10 any concerns about the down-zoning of these
11 properties. But if these properties are expected
12 to be able to bear that extraordinary financial
13 expense, there is some concern that they may not
14 remain viable over the long term. So what we
15 would like to do is ask you to make a small
16 modification and remove these twelve properties,
17 where the Community Board #7 has asked the
18 Department of City Planning to come back up to
19 Norwood and Bedford Park and look at some
20 additional surrounding areas for rezoning as well,
21 so these areas could be re-examined in a little
22 more detail as part of that second study. Thank
23 you.

24 CHAIRPERSON WEPRIN: Thank you very
25 much. Gentlemen, fight it out. Please state your

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name.

MR. TIRADO: Good morning, members of the City Council, my name is Fernando P. Tirado, the District Manager for Bronx Community Board #7. I am here to testify in support of the Webster Avenue rezoning as proposed and presented by the Department of City Planning. This process, which began in 2007, was designed to shift and encourage development on Webster Avenue to create a vibrant corridor that will bring hundreds of new housing units and dozens of new businesses to the area. The Community Board has been actively participating in this process to insure that the needs of all our residents and businesses have been taken into consideration. This rezoning provides a unique opportunity to reshape our community, taking advantage of several new zoning changes such as the F.R.E.S.H. text zoning amendment, bicycle text amendment and the inclusionary housing development bonus over this more than one mile stretch of Webster Avenue, to transform this underdeveloped area into a model for smarter development in the Bronx and throughout the city. The Board therefore seeks

1
2 your support for the approval of this rezoning so
3 that we can begin the process of transforming and
4 modernizing Webster Avenue. Thank you for your
5 time and consideration.

6 CHAIRPERSON WEPRIN: Thank you,
7 very nice and quick. Mr. Rivera.

8 MR. JOSHUA RIVERA: Good morning,
9 City Council members, thank you for allowing us to
10 testify today. My name is Joshua Rivera, I'm
11 Director of Government Relations for the New York
12 Botanical Garden. I'm here this morning to
13 testify in favor of the ... on behalf of the For
14 Bronx Institutional Alliance, which is comprised
15 of the Bronx Zoo, the New York Botanical Garden,
16 Montefiore Hospital, and Fordham University. The
17 FBIA has been working together for the past five
18 years to create a large-scale urban improvement
19 plan for this three and a half square mile
20 district where we live and do business. Webster
21 Avenue is a vital component of this district. In
22 order to create a pedestrian-friendly corridor
23 that better serves the neighborhood and visitors,
24 the Webster Avenue/Bedford Park/Norwood proposal
25 would change antiquated restrictive zoning along

1
2 Webster Avenue that dates to the time of the Third
3 Avenue elevated train, demolished in 1973, which
4 is the year I was born, just so you'd know, into a
5 residential, commercial and community- -

6 CHAIRPERSON WEPRIN: (Interposing)

7 That's enough.

8 MR. JOSHUA RIVERA: ... uses in
9 eight- to ten-story buildings. It would apply
10 contextual height limitations to reinforce the
11 character of the residential areas of Bedford Park
12 and Norwood immediately to the west of Webster
13 Avenue. The proposed zoning would create
14 opportunities for residential development and
15 incentivize permanently-affordable housing, shift
16 incentive of development of the neighborhood area
17 to the Webster Avenue corridor to preserve the
18 neighborhood character of Bedford Park and
19 Norwood, unify urban design and provide height
20 limits, encourage commercial office and business
21 development and limit unwanted uses, and provide a
22 variety of development options to re-spark and
23 revitalize Webster Avenue. This proposed zoning
24 would be a major step forward in revitalizing the
25 community and will serve as an economic engine for

1
2 the Bronx. This area is home to some of New York
3 City's most recognizable and much-frequented
4 cultural, medical and educational institutions,
5 many of which are within walking distance of the
6 proposed area. Many of our visitors often take
7 advantage of the close proximity to the Belmont
8 shopping district and Arthur Avenue. Webster
9 Avenue rezoning has all of the elements needed to
10 produce a similar experience for the community and
11 visitors alike. Future development of commercial
12 space and development of permanent affordable
13 housing will help to stimulate the economy of the
14 community while preserving the esthetics of the
15 character of this beautiful area. The New York
16 Botanical Garden and our partners in the For Bronx
17 Institutional Alliance support the proposed
18 rezoning on the Webster Avenue/Norwood/Bedford
19 Park communities. We look forward to continuing
20 to strengthen our existing relations with the
21 community and to forge new relationships and
22 partnerships in time. Thank you.

23 CHAIRPERSON WEPRIN: Thank you,
24 gentlemen, very much. Are there any questions
25 from anybody on the panel or the Committee? Mr.

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Comrie has a question, Chair Comrie.

CHAIRPERSON COMRIE, JR.: I'm
sorry, Jay Sorenson?

MR. SHEFFIELD: Sheffield.

CHAIRPERSON COMRIE, JR.:
Sheffield. You said you were in favor of the
rezoning, but then you said you wanted to get a
modification. Did you discuss this with the
Community Board or City Planning?

MR. SHEFFIELD: This is a concern
that has been raised with City Planning, it was
initially raised during the scoping process, and
it was again raised during the draft environmental
impact statement. I was optimistic that they
would actually take a look at the issue and come
back with a more targeted kind of response in
terms of how to deal with this. Unfortunately,
that didn't happen in the final environmental
impact statement. I was perhaps a little too
optimistic in my outlook, so I didn't, as a member
of the Community Board, introduce a motion for
conditional vote on this, because again I really
thought that this was something- -

CHAIRPERSON COMRIE, JR.:

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2 (Interposing) So it wasn't introduced during the
3 Community Board meetings?

4 MR. SHEFFIELD: No it wasn't, it
5 wasn't introduced until after I saw the response
6 on the final environmental impact statement, which
7 happens after it's left the Community Board.

8 CHAIRPERSON COMRIE, JR.: And
9 you're asking for what exactly now?

10 MR. SHEFFIELD: I'm asking for the
11 twelve specific lots, which you'll see detailed on
12 the last page of the handout, to be excluded from
13 the rezoning.

14 CHAIRPERSON COMRIE, JR.: So that
15 they can expand to larger properties? That's
16 pretty much- -

17 MR. SHEFFIELD: (Interposing)
18 Ideally we could have the Department of City
19 Planning come back and re-examine this small area,
20 and come back with something that might be
21 targeted a little more appropriately. But for now
22 I think that the proposed downzoning for these
23 particular lots is excessive and inappropriate.

24 CHAIRPERSON COMRIE, JR.: Okay.
25 We're going to bring City Planning back. Is that

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2 within your (inaudible) area? Of the community ...
3 and can you eliminate the Community Board's
4 position? Were they aware of this?

5 MR. TIRADO: So, the Community
6 Board is aware of this as a traffic and
7 transportation issue, not as a City Planning
8 issue. This is actually the first that we've
9 heard it as a request to downzone ... or to change
10 the zoning.

11 CHAIRPERSON COMRIE, JR.: Upzone,
12 yeah, they want to upzone.

13 MR. TIRADO: To upzone.

14 MR. SHEFFIELD: To leave the
15 zoning.

16 MR. TIRADO: Oh, to leave the
17 zoning.

18 MR. SHEFFIELD: Or potentially
19 downzone less.

20 CHAIRPERSON COMRIE, JR.: Okay, all
21 right.

22 MR. TIRADO: So the issue is not so
23 much a zoning issue as it is a matter of the
24 retaining wall, which has ... which we believe we
25 can work with the Department of Transportation to

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address this issue.

CHAIRPERSON COMRIE, JR.: So I don't understand how your retaining wall factors into this, as to whether or not the zoning density, the retaining wall is a separate entity which needs to be maintained or developed.

MR. SHEFFIELD: Okay, the reason this comes into play has to do with financial capacity. For example, oftentimes when we have discussions about whether it's appropriate to build over railyards, for example, a developer will come in here and they'll say that they need to have much more development opportunity to be able to afford the really expensive costs associated with that. If someone were- -

CHAIRPERSON COMRIE, JR.:
(Interposing) The retaining wall right now is private property maintained by those property owners?

MR. SHEFFIELD: That is what DOT has informed us.

CHAIRPERSON COMRIE, JR.: Okay.

MR. SHEFFIELD: So the concern is that, you know, a two-family house, 2,800 square

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2 feet, is not going to have the amount of money
3 necessary to not only maintain their home, but a
4 15 to 20 foot retaining wall as well.

5 CHAIRPERSON COMRIE, JR.: Okay, all
6 right. Thank you. And- -

7 CHAIRPERSON WEPRIN: (Interposing)
8 Well, before we ... Mr. Vacca had a question, let's
9 go to that.

10 COUNCIL MEMBER VACCA: No, I'm
11 sorry, I ... that retaining wall is a separate
12 issue. In fact, if that retaining wall is city
13 property, it's going to give that home owner, or
14 that property owner, less of a floor area ratio to
15 develop in the future. So that, if I were the
16 residents there, I would be hoping that retaining
17 wall is on my property, all right? If it was on
18 city property, you can't use city property to
19 compute a floor area ratio for future
20 construction, it's not going to be part of what
21 you could use. So I kind of see the district
22 manager's point in saying that this may be
23 something for City Planning to look at down the
24 line, but I don't think the owners there are going
25 to be adversely affected by this plan the way I

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understand it, on that basis.

MR. SHEFFIELD: May I respond?

CHAIRPERSON WEPRIN: Sure.

MR. SHEFFIELD: The floor area ratio will be calculated on the basis of the size of the lot, which is recorded on the deed. The large portion of the question is, where is that retaining wall actually located, is it on the property or off the property? The size of the property is going to be the same in either case. It's simply a matter of where it's actually located and whose responsibility it is.

CHAIRPERSON COMRIE, JR.: Now what is- -

MR. SHEFFIELD: (Interposing)
They'll have the same development potential either way though, because the deed has the same lot size.

CHAIRPERSON COMRIE, JR.: But the retaining wall was put up to protect the yards from the reservoir oval, correct?

MR. SHEFFIELD: It was put up to support Reservoir Oval East as a street.

CHAIRPERSON COMRIE, JR.: And

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Reservoir Oval East is a city-owned street, right?

MR. SHEFFIELD: Correct.

CHAIRPERSON COMRIE, JR.: So, but who put up the retaining wall originally?

MR. SHEFFIELD: My understanding it was the city who originally put up the retaining wall. It looks like one continuous retaining wall all the way around. Again, my thought is that it would make more sense in my mind to be city-owned property, but until that's been established, I don't think you can really identify what the most appropriate zoning for the properties would be. So I think that question needs to be established first, and then you can identify what the appropriate zoning is, based on who has the maintenance responsibility.

CHAIRPERSON WEPRIN: Okay, I'd like to call on the youngest Rivera in the room, Joel Rivera, to ask a question.

COUNCIL MEMBER RIVERA: Thank you very much, Chairman. My question is, is it your belief that the retaining wall is on private property being maintained by DOT, or is it ... or you're not sure? Or the reverse?

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2 MR. SHEFFIELD: My personal belief
3 is that the retaining is in fact on city property
4 and should be maintained by DOT. DOT's response
5 has been that it is not their retaining wall, and
6 my understanding is that currently no one is
7 actually inspecting and maintaining that retaining
8 wall.

9 COUNCIL MEMBER RIVERA: Then your
10 primary concern is that once the rezoning takes
11 place, the property owners will then be forced to
12 maintain the 15-foot retaining wall, if that wall
13 potentially could be ... is it on their deeds? The
14 deeds- -

15 MR. SHEFFIELD: (Interposing) Well,
16 the deed defines the property lines, it doesn't
17 say anything with respect to the retaining wall.
18 That would really depend on a survey to determine
19 where ... whether it was in or out.

20 COUNCIL MEMBER RIVERA: And none of
21 the properties have ... I have a little angel on my
22 right side feeding me questions. So none of the
23 studies, no one has done a study on whether it's
24 on the property or- -

25 MR. SHEFFIELD: (Interposing) That

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2 is correct, that is requested, and unfortunately
3 it wasn't done as part of this process.

4 COUNCIL MEMBER RIVERA: Thank you.

5 CHAIRPERSON WEPRIN: I'll tell you
6 what, I'm going to call up City Planning, just to
7 make a quick, sort of elaborate for us on what's
8 going on, so if either one wants to come up.

9 CHAIRPERSON COMRIE, JR.: I didn't
10 get a chance to nag Josh Rivera. That's all
11 right, thank you, Josh.

12 CHAIRPERSON WEPRIN: Josh has
13 started the problem. You're going to have to re-
14 state your name for the record, Carol.

15 MS. SAMOL: Sure. My name is Carol
16 Samol, I'm the Director of the Bronx Office of the
17 Department of City Planning. And I would just
18 want to clarify some things that, this issue was
19 actually raised during the process. We considered
20 it, we actually did look at it, we went out there,
21 took photos, talked to the Department of
22 Transportation. And the bottom line was that the
23 sidewalk issue was not ... it is a DOT issue, it is
24 not related to the underlying zoning. The zoning
25 that is proposed in this area, and the goals, I

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2 just go back to the goals of the rezoning
3 proposal, was to provide contextual rezoning for
4 this whole entire community. And we really did
5 look block-by-block to make sure that the zoning
6 matched the existing development. And the
7 properties along the Williamsbridge Oval are 5B,
8 which is what we are proposing for this area,
9 they're lower-scale homes, one- and two-family
10 homes. Changing the zoning to a different
11 district, it would not necessarily guarantee that
12 it would spur redevelopment and the reconstruction
13 of the sidewalk. I just don't know ... the zoning
14 is like a really far way to get at that sidewalk
15 issue, and I think it is more ... it is better dealt
16 with directly. We did look at the, like I said,
17 built FAR and the heights and the context of the
18 area when we were putting together our proposal,
19 and we did discuss this issue.

20 CHAIRPERSON COMRIE, JR.: All
21 right, this is Council Member Koppell's area. I
22 understand your concern as a homeowner, you don't
23 want to get stuck with a major construction
24 nightmare, trying to maintain that retaining wall
25 when it should be, you know, deeded to the city.

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So is that possible to get that done as part of the rezoning?

MS. SAMOL: Well, what I would add is that, you know, we went to DOT, but the alternative is that DOT- -

CHAIRPERSON COMRIE, JR.:

(Interposing) But DOT doesn't want it, that's not the issue. The issue is- -

MS. SAMOL: (Interposing) Well, but their alternative would be to go out and to provide summonses or whatever, tickets, to the individual property owners. And that's probably what would start this process out. But it's not within zoning for us to examine and, you know, provide development opportunities on narrow streets in order to repair the sidewalk. We don't want to spark development here.

CHAIRPERSON COMRIE, JR.: Okay. I think that's something we're going to have to look at.

CHAIRPERSON WEPRIN: Joel Rivera has another question.

COUNCIL MEMBER RIVERA: Thank you, Chairman. First, I want to thank City Planning,

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2 because they've done a stellar job, you know,
3 meeting with all of us on numerous bases. They've
4 really done their due diligence, I want to thank
5 you. This is an issue that I really haven't heard
6 much about until today, so I want to thank you
7 also for coming down. My concern is, you just
8 mentioned that there's a possibility if this takes
9 place that residential property owners can get
10 penalized or violated- -

11 MS. SAMOL: (Interposing) Not
12 related to the zoning.

13 COUNCIL MEMBER RIVERA: Not
14 related?

15 MS. SAMOL: Not related to the
16 zoning, no. That would be DOT's ... the only way
17 for DOT to respond would be to give them a ticket
18 if it's on their property. And that's how it
19 works in the city, the zoning has nothing to do
20 with it.

21 COUNCIL MEMBER RIVERA: So DOT
22 right now can issue violations to property owners,
23 without the property owners knowing if they're
24 liable to maintain the retaining wall or not.

25 MS. SAMOL: Correct. Well, from

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2 everything that we know about it, it is on private
3 property, and just like in any other place, if you
4 don't maintain your sidewalk, you've got to, you
5 know, you would get ticketed.

6 COUNCIL MEMBER RIVERA: Now what
7 about a restrictive declaration?

8 MS. SAMOL: I'm not an expert on
9 that, I wouldn't want to comment on it.

10 COUNCIL MEMBER RIVERA: Now, what
11 would it mean if we were to exclude this portion
12 of the strip from the rezoning? What would that
13 mean for the whole entire rezoning project?

14 MS. SAMOL: Well, I think it would
15 ... it doesn't meet the goals of the proposal,
16 because we were looking at, and we did go block-
17 by-block to try and identify zoning that would
18 match the existing character of the area. The
19 width of the streets are very narrow in this area.
20 So I think that it would then allow, you know, a
21 building that could develop as of right ... without
22 any height limits. It still wouldn't get you
23 towards repairing your sidewalk.

24 COUNCIL MEMBER RIVERA: Okay, so
25 it's your belief that whether we rezone or don't

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2 rezone this particular spot, the issue will still
3 exist?

4 MS. SAMOL: Yes.

5 COUNCIL MEMBER RIVERA: And it
6 needs to be handled on its own.

7 MS. SAMOL: It's a side issue.

8 COUNCIL MEMBER RIVERA: It's a non-
9 zoning issue.

10 MS. SAMOL: Not a zoning issue.

11 COUNCIL MEMBER RIVERA: I believe
12 this corridor is in Koppell's district, it's not
13 in my district, so I don't want to infringe on his
14 territory, but generally I'm in support of the
15 whole entire rezoning, again, because you have
16 done your due diligence and have done a very solid
17 job in meeting with the community board, the
18 community members, residents and organizations,
19 and my support will continue. But I will be
20 assisting Koppell in looking into this issue on a
21 side note and working with DOT to see if there's
22 any remedy we can have toward this. Thank you.

23 MS. SAMOL: Thank you.

24 CHAIRPERSON WEPRIN: Council Member
25 Reyna.

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2 COUNCIL MEMBER REYNA: I just want
3 to understand, excuse me, whether or not a follow-
4 up corrective action could be included with the
5 documents of this rezoning, for this particular
6 item.

7 MS. SAMOL: You- -

8 COUNCIL MEMBER REYNA:
9 (Interposing) A FUCA.

10 MS. SAMOL: Well, I would say that
11 some of our limitations, the community board did
12 ask us to come back and look at the rest of their
13 district. So what we are really looking at now
14 would be staff limitations for that request.

15 COUNCIL MEMBER REYNA: No, I
16 understand that, and I'm trying to, you know, be
17 sensitive to that issue. But we also have to be
18 responsible as city agencies and government to be
19 able to deal with this matter.

20 MS. SAMOL: Certainly.

21 COUNCIL MEMBER REYNA: And if there
22 is an opportunity later on through a follow-up
23 corrective action to deal with this matter, so
24 that way we have all our I's dotted, T's crossed
25 appropriately. And so is the option there, and

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2 can it be offered, as part of this rezoning to be
3 able to have a follow-up corrective action?

4 MS. SAMOL: I think the options
5 would be to take it out of the current proposal,
6 and then the results would be as I just described
7 to Council Member Rivera, that there would be no
8 height limit in this area, and the sidewalks would
9 remain. I mean, again, I just go back, there's
10 not the connection between the rezoning and the
11 preservation of the character and the sidewalks.
12 I think the sidewalks need to be dealt with on a
13 different ... in a different realm.

14 COUNCIL MEMBER REYNA: I know that
15 the concerned resident wants to say something, but
16 I just wanted to make sure that when we're dealing
17 with planning, we're also trying to be
18 comprehensive about our planning, and zoning is a
19 part of comprehension.

20 MS. SAMOL: Certainly, certainly.

21 COUNCIL MEMBER REYNA: And so it's
22 not limited to only zoning.

23 MS. SAMOL: Yes, certainly, and we,
24 I just say, you know, when this issue was raised
25 to us, I met with the commissioner, the DOT

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commissioner.

COUNCIL MEMBER REYNA: Right.

MS. SAMOL: To describe the issue, we went and looked at the maps.

COUNCIL MEMBER REYNA: Right.

MS. SAMOL: To find out well where's the property line, you know, who would be responsible. So we did actually, you know, take that the step further. Absolutely, we would agree with you.

COUNCIL MEMBER REYNA: And those documents have been provided?

MS. SAMOL: They're provided to DOT, yes.

COUNCIL MEMBER REYNA: But have they been provided as part of the community board's files, our files?

MS. SAMOL: It was an agency-to-agency communication.

COUNCIL MEMBER REYNA: It would be helpful if we could have copies of that.

MS. SAMOL: Okay.

COUNCIL MEMBER REYNA: Thank you.

CHAIRPERSON WEPRIN: Thank you, Ms.

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2 Rivera (sic). Mr. Tirado, I know you want to say
3 something. If you guys could be really brief and
4 just make quick comments.

5 MS. MATHUR: Sure.

6 CHAIRPERSON WEPRIN: Because we
7 have a lot to do today.

8 MS. MATHUR: I want to state that
9 the ... that the purpose of this rezoning, in
10 particular the neighborhoods of Bedford Park and
11 Norwood, was to contain overdevelopment. We have
12 buildings where you have ten-, twelve-, fourteen-
13 story buildings being built alongside one-family
14 homes. We have - exactly - we have schools that
15 are operating in our district at over 200%
16 capacity, specifically PS56 and PS94. The purpose
17 of downzoning Norwood, including those homes, was
18 to address the limitations of the city's
19 infrastructure there, and to address everyone's
20 needs. I mean, we've been destroying middle-class
21 housing in that neighborhood for the last three
22 decades. And now it has become at a point where
23 it is extremely critical that we go along with
24 downzoning the neighborhood. This particular area
25 of these twelve homes is the first time that it's

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2 being discussed as a community board request.
3 This is not a community board request, it has
4 become a separate request, and I would ask and
5 urge you to consider pushing this rezoning as
6 quickly as possible, as opposed to holding it up
7 or modifying it.

8 CHAIRPERSON WEPRIN: Okay, Mr.
9 Vacca would have a question.

10 COUNCIL MEMBER VACCA: One quick
11 question then. So you see this down ... you see
12 this zoning as a give-and-take, you are downzoning
13 the blocks you're concerned about, where there was
14 overdevelopment. But then you are taking an
15 upzoning on Webster Avenue, that you know may
16 produce higher-density housing.

17 MR. TIRADO: That's correct. The
18 intent is to shift development from the interior
19 of the neighborhoods to protect middle-class
20 homes, to protect the density, to protect traffic
21 issues, and put it on a corridor that can support
22 that.

23 COUNCIL MEMBER VACCA: That's
24 reasonable, thank you.

25 CHAIRPERSON WEPRIN: What we're

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2 going to do is this, we're going to close this
3 hearing now. We are not going to vote on this
4 matter today, but we're going to have it on the
5 next meeting. It's not going to be held up for
6 long, there'll be a chance to have these extra
7 discussions, just to make sure everyone's clear
8 and on the same page. So with that in mind, I
9 want to thank you all for coming and testifying,
10 but we're going to move ahead, we're not going to
11 vote on this particular item today, there are
12 other votes today. So members, keep that in mind.
13 We have one more item before we get to Columbia,
14 Columbia we won't be voting on today either, but
15 we are voting on this next item that we are going
16 to hear. Okay, I'd like to call now Land Use
17 Numbers 331, 332 ... and 332, Wythe Avenue rezoning,
18 in Council Member Levin's district, that's C070245
19 and N070246. Now it's going. And I'd like to
20 call up the following people who are going to be
21 here in favor, Joseph Vance, Bruce Terzano, I'm
22 not sure I can read that, Shawn Hart, sorry about
23 that, Bruce. If you all can come up, please.
24 Again, state your name, whoever is speaking, and
25 make the presentation. Thank you.

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2 MR. HART: Good morning, my name is
3 Shawn Hart, I reside at 37 South Third Street, and
4 have been a resident in South Williamsburg for 15
5 years. In addition, I am the owner of KBC, a
6 design build company currently in negotiations to
7 relocate to 54 South Second Street. I'm here
8 today in support of the proposed development. The
9 owners of these properties have put forth a modest
10 plan, a plan that includes building to a height
11 that is appropriate for the block. This plan does
12 not involve the construction of high-rise
13 buildings, this plan does not suggest building to
14 the height of the tallest buildings in South
15 Williamsburg. It is a modest plan, and the owners
16 of these properties should be given the
17 opportunity to realize their vision. Thank you.

18 CHAIRPERSON WEPRIN: Thank you.
19 Sir.

20 MR. VANCE: Good morning, my name
21 is Joe Vance, Joseph Vance Architects, I'm the
22 architect for this application. I'll just quickly
23 walk you through the actual project. The project
24 is located in Williamsburg, it's one-half block.
25 This is the East River, Domino Sugar is here, Kent

1 Avenue is here, Wythe Avenue, our project is one
2 half the block between Wythe and Kent, between
3 South Second and South Third. Currently it is
4 zoned M3-1, the existing property, quite a bit of
5 the property is actually vacant land, it's last
6 use was used cars, used-car sales. There is a
7 building right here that's in the rezoned area,
8 that was a variance a few years back, it's
9 residential. This building on the corner, there's
10 a restaurant going in, there's a restaurant in
11 here, and there is a plumbing wholesale/retail
12 business in this one right now. So we're
13 proposing to rezone this to MX8, which is a
14 special-use district, M1-4, R6A. This would amend
15 the text to allow this to be in the inclusionary
16 housing bonus program. It would have a base FAR
17 of 2.7, if affordable housing is provided as part
18 of the project, the FAR goes to 3.6. The height
19 limit is 70 feet, there's a setback after 60 feet.
20 The project, the physical project, as we're
21 looking at right now, would consist of two
22 buildings, one L-shaped building on Wythe and down
23 to South Third, that's the market-rate building.
24 A building on South Second, it's kind of an

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2 unusual-shaped site, a building on South Second
3 that would be affordable housing. The L-shaped
4 building is 59 units of market-rate housing, and
5 7,000 square feet on the ground floor, something
6 that's compatible with the M1-4, so it could be
7 like manufacturing, it could be some type of
8 commercial. My client is committed that it will
9 not be bars and restaurants. The game plan is for
10 the affordable housing building to be developed in
11 association with one of the local non-profits. We
12 haven't picked anybody yet, but my client would
13 donate the property, and the non-profit would own
14 the building in perpetuity as affordable housing.
15 Underground there is parking under the site. It's
16 intended to be a family-oriented building, it's
17 going to be rentals, so there would be two- and
18 three-bedroom units. We've made the yard as big
19 as we can possibly make it, much bigger than we're
20 required to make it. The intent was to be that
21 this is literally a place for the kids to play in
22 their own backyard. The affordable building would
23 have full access to this and access to the
24 underground parking, so they share all of the
25 amenities that the market-rate building has. The

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2 building is not formally designed yet, since this
3 is a rezoning, but this is an idea of what it
4 could be. And this is an idea of what the
5 affordable housing might be that we worked out
6 with City Planning. Thank you.

7 CHAIRPERSON WEPRIN: Thank you very
8 much, we're joined by Council Member Levin whose
9 district it's in, and I know Council Member Reyna,
10 who's in the neighboring district, has some
11 questions.

12 COUNCIL MEMBER REYNA: Thank you so
13 much, Mr. Chair. I just wanted to understand, is
14 there a business that is operating from the site
15 on South Second, between Wythe and Kent?

16 MR. VANCE: On South Second there's
17 not a business, there's ... on his property there
18 are these guys that have a recording studio, a
19 recording space, for music. On South Third there
20 is a plumbing supply there, it's not a
21 manufacturing use, it's a C use. But there's a
22 plumbing supply place there now, that signed their
23 lease being told that it was a temporary lease.
24 They knew this was going forward.

25 COUNCIL MEMBER REYNA: And the

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2 plumbing supply store has a month-to-month lease,
3 or ... if you could just, I'm sorry, Bruce, can you
4 come to the table and speak into the mic and
5 introduce yourself?

6 MR. TERZANO: I'm Bruce Terzano,
7 the principal of the property that's in question.
8 No, the lease is about three years old. It was a
9 five year lease, signed knowing that I was
10 attempting to do this, it was actually signed
11 after we started the process. And the tenants
12 knew full well what was going on. I did give them
13 the OK to stay for as long as ... you know, if this
14 goes on longer than the five years, I told them
15 that I would not prohibit them from staying.

16 COUNCIL MEMBER REYNA: So the ...
17 you're going to foresee that the plumbing supply
18 store will remain there, completing the five
19 years, thereafter it would be a month-to-month
20 before you begin your construction?

21 MR. TERZANO: Correct.

22 COUNCIL MEMBER REYNA: So you're
23 not displacing them before the five years?

24 MR. TERZANO: Absolutely.

25 COUNCIL MEMBER REYNA: And the ...

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2 are you going to be assisting the supply store to
3 move elsewhere? Or that has not been arranged
4 with the supply store?

5 MR. TERZANO: No, I never ... no, I
6 never did that. No, I never promised them that.
7 But I always told them they could have an ample
8 amount of- -

9 COUNCIL MEMBER REYNA:

10 (Interposing) Notification, right. The 59 market-
11 rate two- and three-bedrooms, can you just for the
12 record express the two- to three-bedroom as
13 opposed to studio and one-bedroom?

14 MR. TERZANO: I am not a
15 professional, okay, but I can explain to you what
16 I saw very early on in the area. I knew people
17 that were building, when I went into their units,
18 I was very surprised at how little space there was
19 in these units, and I knew right away, I had told
20 anyone who would listen to me at the time that
21 that couldn't be the only type of property that
22 needs to be built in this area, that there is
23 going to be a need for a different type of
24 property, and I am interested in doing that.

25 COUNCIL MEMBER REYNA: To serve

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2 what need?

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4 MR. TERZANO: Family-oriented, you
5 know, the other properties sell very well, and
6 they sell for a higher per-foot, because they are
7 ... it's also in the ... I used to be also in the real
8 estate business, when I used to rent, if you kept
9 your property to 5,000 square feet that you were
10 renting out, you could get a higher rate per foot
11 than if you went larger. It is no different
12 obviously in the detail business, they build these
13 smaller units, they charge higher numbers, they
14 end up with a bigger profit. I am not in the
15 building business, I am building this because I
16 hope to build this location, I hope to live in
17 this location. I'm 62, I live on Long Island, I
18 have not lived on Long Island all my life, and now
19 that my kids are going where they're going, I'd
20 like to come back this way. And this would be
21 where I would end up myself, hopefully.

21

22 COUNCIL MEMBER REYNA: And the
23 underground parking that was mentioned, how many
24 parking spaces will this accommodate for the
25 building?

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MR. VANCE: We have 59 right now.

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2 COUNCIL MEMBER REYNA: So each unit
3 would have access to at least one parking space.
4 Are you required to have accessory parking on the
5 street?

6 MR. VANCE: No, that's why we did
7 the M1-4 instead of, I forgot what the other, the
8 M1-2 is what they've done elsewhere upland. But
9 the M1-4 doesn't have a requirement for commercial
10 parking, because we have no intent to do any kind
11 of commercial that was a driving destination.

12 COUNCIL MEMBER REYNA: And you
13 mentioned South Third and South Second, is it a
14 wraparound corner?

15 MR. VANCE: The building ... all the
16 parking, there's one entrance exit for the
17 parking, which is on South Third, literally in the
18 middle of the block. That one building is L-
19 shaped, so it goes, it wraps from Wythe around to
20 South Third. And the other building is on South
21 Second. The corner ... another person who's here
22 owns the other corner, so that's not part of this.

23 COUNCIL MEMBER REYNA: Shawn? Is
24 that, no?

25 MR. HART: No, no, no.

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2 COUNCIL MEMBER REYNA: And ... the
3 affordable housing that you were mentioning is
4 going to ... you were mentioning affordable housing,
5 a non-profit that has not been selected, a
6 restrictive declaration for affordable housing to
7 be built on the land.

8 MR. VANCE: Correct.

9 COUNCIL MEMBER REYNA: And is there
10 any, other than donating the land, is there going
11 to be any technical assistance provided by the
12 developer who's selling the land as well, or is
13 this just outright?

14 MR. VANCE: We don't know yet. I
15 mean, we would ... we haven't gotten that far with
16 them yet, but so far our thought is that Bruce
17 will want to be involved, for the very basic fact
18 that the way the text is written, he can't get his
19 C of O until they get their C of O, so it's in his
20 interest to be very involved in what they're
21 doing, otherwise as you know, these things could
22 languish for a very long time.

23 COUNCIL MEMBER REYNA: Right,
24 right.

25 MR. VANCE: So.

1
2 COUNCIL MEMBER REYNA: And it's
3 part of the rezoning efforts from 2005.

4 MR. VANCE: Right.

5 COUNCIL MEMBER REYNA: To be able
6 to have the pipeline of affordable housing at the
7 same time parallel to the market-rate.

8 MR. VANCE: Exactly. Again, it
9 hasn't been formalized, but more than likely it
10 would be- -

11 COUNCIL MEMBER REYNA:
12 (Interposing) That's how it's going to.

13 MR. VANCE: ... it will be the same
14 architect for the entire thing.

15 COUNCIL MEMBER REYNA: Correct.

16 MR. VANCE: And there would be
17 control over, you know, deadlines that would be- -

18 COUNCIL MEMBER REYNA:
19 (Interposing) Securing the affordable housing.

20 MR. VANCE: Correct.

21 COUNCIL MEMBER REYNA: Excellent.
22 And my last question was for Mr. ... the first
23 gentleman who was, I'm sorry, I didn't catch your
24 name.

25 MR. HART: Shawn Hart.

1
2 COUNCIL MEMBER REYNA: Shawn ... oh,
3 it is Shawn, okay. I just wanted to understand,
4 you're building where? You can have a seat, you
5 don't have to hunch down.

6 MR. HART: I'm sorry, what was your
7 question?

8 COUNCIL MEMBER REYNA: You're
9 building on?

10 MR. HART: I'm not building
11 anything.

12 COUNCIL MEMBER REYNA: You're not
13 building anything.

14 MR. HART: I live at 37 South Third
15 Street, and I'm- -

16 COUNCIL MEMBER REYNA:
17 (Interposing) And on the south side.

18 MR. HART: Correct.

19 COUNCIL MEMBER REYNA: Not South
20 Williamsburg.

21 MR. HART: No, no.

22 COUNCIL MEMBER REYNA: South
23 Williamsburg is south of Broadway.

24 MR. HART: Yes.

25 COUNCIL MEMBER REYNA: Okay.

1
2 MR. HART: Correct, and I lived in
3 South Williamsburg for 15 years.

4 COUNCIL MEMBER REYNA: In the south
5 side.

6 MR. HART: Yes, I lived on
7 Broadway.

8 COUNCIL MEMBER REYNA: Okay.

9 MR. HART: Prior to living on South
10 Third Street.

11 COUNCIL MEMBER REYNA: Okay. And
12 37 South Third Street is the property that's in
13 question for development? Speak into the mic,
14 Joseph, I'm sorry.

15 MR. VANCE: 37 South Third is
16 right, this was already ... it's already
17 residential, it was done under a variance.

18 COUNCIL MEMBER REYNA: Okay.

19 MR. VANCE: Several years ago.
20 Shawn ... there's another property owner that owns
21 this building and one that owns this building.
22 Shawn is talking to the property owner of this
23 building, which is in our rezoned area, about
24 doing what he's doing.

25 COUNCIL MEMBER REYNA: And that's

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in the rezoning application?

MR. VANCE: It's in ... yes, it's in this block, yes.

COUNCIL MEMBER REYNA: But it's part of this rezoning.

MR. VANCE: Correct.

COUNCIL MEMBER REYNA: And that property is not 37 South Third, it's the South Second property.

MR. VANCE: Correct.

COUNCIL MEMBER REYNA: And what's the address?

MR. HART: 54 South Second.

COUNCIL MEMBER REYNA: Thank you. And that's going to be a property developed for? It's an MX-8, M1-4, R6A, and that's going to be building affordable housing and market-rate? No.

MR. VANCE: No, that property owner hasn't decided what they're doing yet.

COUNCIL MEMBER REYNA: But it's part of this zoning application.

MR. VANCE: Correct. So they'll be bound by the same zoning. The same FARs, etc.

COUNCIL MEMBER REYNA: Okay, thank

1
2 you. I just wanted to make sure that I had an
3 understanding of what was going to be built. I'm
4 right across the street from this particular
5 rezoning application. I represent from Wythe
6 across the street over upland, I'm in the south
7 side. Thank you very much and I do appreciate the
8 effort of the affordable housing, family
9 composition is very important. Right now we're in
10 a battle with HPD, all these applications coming
11 in, building majority ... more than 50% of the units
12 being built are studios and one-bedrooms,
13 displacing many families and not accommodating the
14 families that are struggling to maintain their
15 roots and homes in the south side. So we hope to
16 work with you and in support of this application
17 moving forward. I still have certain questions,
18 but I can certainly do that offline, thank you.

19 MR. VANCE: Thank you.

20 CHAIRPERSON WEPRIN: Mr. Comrie has
21 a public service announcement quickly.

22 CHAIRPERSON COMRIE, JR.: Please.
23 The owners of the sidewalk cafes, go make some
24 money. We're going to vote- -

25 CHAIRPERSON WEPRIN: (Interposing)

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We'll be voting on the cafes after this, but I think it will be a little while.

CHAIRPERSON COMRIE, JR.: We're going to be here a while, so.

CHAIRPERSON WEPRIN: He's worried about your lunch business.

CHAIRPERSON COMRIE, JR.: Yes.

CHAIRPERSON WEPRIN: Mr.- -

CHAIRPERSON COMRIE, JR.:

(Interposing) I want them to pay their taxes so they can maintain the sidewalks.

CHAIRPERSON WEPRIN: Mr. Levin has a comment or question.

COUNCIL MEMBER LEVIN: I just have a couple of questions. Thank you very much for coming in and the application. Just if you could explain kind of briefly, go through the process, of community board recommendations and why you feel that you can accommodate some or cannot accommodate others, and kind of go through the process of that. And also the borough president's recommendations, kind of take us through the process up to where we are now.

MR. VANCE: Sure. Well, the entire

1
2 process of which we've been working this a little
3 over five years with City Planning, but we sort of
4 got in the middle of the domino thing, I think.
5 But we looked at, we did look very closely at what
6 the community board had been asking for for a long
7 period of time in this area. And in the 197A
8 plan, they asked for the area around this, not
9 this particular block but across the street on
10 Wythe and the block north to be R6A, and the
11 recent domino rezoning they asked for their upland
12 portion, which is directly south of this, between
13 Kent and Wythe, to be R6A. That's all part of
14 what got us to R6A. At the community board we did
15 get the ULURP committee, there was no vote because
16 it was a split vote, so there was no formal
17 recommendation out of the committee. The
18 community board itself did vote against the
19 project with modifications. They asked for it to
20 be R6B, instead of R6A. The borough president
21 supported the project, asking us, which we agreed,
22 to put a restrictive declaration on the property,
23 which will commit us to doing the affordable
24 housing. And that's where we are. City Council
25 approved the project.

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COUNCIL MEMBER LEVIN: I'm sorry?

MR. VANCE: City Planning.

COUNCIL MEMBER LEVIN: With regard to the difference between the R6A and the R6B, can you explain a little bit of what that would mean in practical terms here?

MR. VANCE: Right. It's two things, it's the physical bulk of the building and how the bonus works. I was actually a key part of working with the community during the 2005 rezoning, and what we all saw was that the R6A has a very nice bonus in the inclusionary program, which encourages the ... and this particular site, it makes it a slam dunk. R6B, unfortunately, only goes from 2.0 to 2.2 FAR, the square footage ... besides not being enough incentive, it would create such a few number of affordable housing units, I don't know, it would be a real challenge to try to find a way to even fund them to build them, no matter who you are. The R6B also is a smaller envelope, it's a 40-foot height instead of a 70-foot height. So those are the differences.

COUNCIL MEMBER LEVIN: How many, how many units would that yield in an R6B, the

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inclusionary?

MR. VANCE: Almost half, because it goes from 3.6 down to 2.0 or 2.2, so almost half. So instead of 59 units of market-rate and 18 units of affordable, it would be something like 30 units of market-rate and six or seven of affordable, I don't know exactly how it works out.

COUNCIL MEMBER LEVIN: And then with regard to the height of the building, the maximum that's allowed under the R6A, are you planning to build all the way to 70 feet? Is that ... that's the max allowed, is that the plan?

MR. VANCE: Correct. Correct, the max allowed is 70 feet, our project is currently at 60, that's just the way the FAR works out, to get everything onsite, we basically ... six floors and we fit it all in. We might certainly in one of the buildings after the setback we might make ceilings higher, so it might be 63 feet in the back or 64, but it's six stories is the height that fills up the volume. It's all about wanting to keep that big yard as much as we can.

COUNCIL MEMBER LEVIN: And then there's the community board also recommended that

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the commercial use not be a bar or a restaurant.

MR. VANCE: Correct.

COUNCIL MEMBER LEVIN: And that's something that you're willing to commit to?

MR. TERZANO: I have no problem.

COUNCIL MEMBER LEVIN: Okay, and you're willing to commit to that in a restrictive declaration?

MR. TERZANO: If that's the way it has to be done.

COUNCIL MEMBER LEVIN: Okay. Those are the questions that I had, Mr. Chairman, thank you very much.

CHAIRPERSON WEPRIN: Thank you.

CHAIRPERSON COMRIE, JR.: And thank the panel. On the next panel will be ... you can- -

COUNCIL MEMBER VACCA:

(Interposing) Thank you all.

CHAIRPERSON COMRIE, JR.: The next panel will be Brady Holorhy, Holorpry, 83 ... this is some bad handwriting ... 83 Calyer Street; Jane McNichol; and Kimberly Hale.

MR. DOLLARHIDE: Great. The mic is on now? My name is Brady Dollarhide, I've lived

1
2 and worked in the area of Williamsburg, and I just
3 want to speak as a member of the community in
4 support, I agree with the project. That's it.

5 CHAIRPERSON COMRIE, JR.: That's
6 sufficient. That's clear, thank you.

7 MS. HALE: It's right to the point.
8 My name is Kimberly Hale, I am a resident of the
9 neighborhood, I live on South Fourth Street in
10 Berry. I also own a business in the neighborhood,
11 and I've lived and worked in that same building
12 for the last five years. And I think I would
13 agree with the Councilwoman, that there's a lack
14 of family housing in the neighborhood, so I'm in
15 support of this building, because anything that
16 brings more families to our neighborhood is good.
17 Anything that brings more housing for families is
18 good for my business and good for other businesses
19 in the neighborhood. I think if you look at the
20 South Side, there's been a lot of abandoned lots
21 and vacant lots, which isn't good for safety in
22 the neighborhood, it isn't good at bringing
23 residents or businesses to the neighborhood, and
24 the South Side definitely needs more development,
25 so I'm definitely in support of the project.

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CHAIRPERSON COMRIE, JR.: What type of business do you have?

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MS. HALE: I own a neighborhood café and bar.

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CHAIRPERSON COMRIE, JR.: Thank you.

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MS. McNICHOL: Good morning, my name is Jane McNichol and I'm an artist and I've had my studio in Williamsburg in that area since 1987. And I wanted to say I, as much as I love having my studio in Williamsburg and having housing may displace artists, I think in New York housing is more important than commercial. And you know, Williamsburg is a great place, it's a great place to do work, and it's a great place to live. And ever since I've been coming there, it's one stop from Manhattan, and I always thought, "What a great place to be". I won't, I won't say it after here.

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CHAIRPERSON COMRIE, JR.: Please.

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MS. McNICHOL: So it's irresistible to those who want to live there, but it also has a lot of single people, young people and having people set roots in that community will continue

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2 to help it grow, and grow in the right way. So of
3 course I support a project like this, and of
4 course the affordable housing is something that
5 every community needs. So I'm totally in support
6 of it, and I hope it goes forward.

7 CHAIRPERSON COMRIE, JR.: Thank
8 you.

9 MS. McNICHOL: Thank you.

10 CHAIRPERSON COMRIE, JR.: What's
11 your medium? Is that what they say?

12 MS. McNICHOL: Oil on canvas.

13 CHAIRPERSON COMRIE, JR.: Oil on
14 canvas? Okay. Thank you all, panel, for coming.

15 MS. McNICHOL: Thank you.

16 CHAIRPERSON COMRIE, JR.: Okay, the
17 next panel is Brandon Cole and Stephanie
18 Eisenberg. Can you turn on the mic? Press the
19 button, it's counterintuitive, when the light is
20 off, the mic is on.

21 MR. COLE: How am I doing now?

22 CHAIRPERSON COMRIE, JR.: You're
23 good.

24 MR. COLE: Good morning. I'd like
25 to thank the Council for having this hearing, and

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2 I'm here to voice my objection to the requested
3 variance, but first I'd like to recognize my
4 Councilman, Steve Levin. I'd like Steve once
5 again to hear that I appreciate his hard work and
6 conscientious efforts. We may not always agree
7 when to stop fighting, as in the Domino variance
8 that was before this Council, but I never doubt
9 that Steve wants what's best for our city,
10 especially when the Bloomberg administration
11 doesn't strong arm him into changing his position.
12 I brought a petition to the Council with thirteen
13 names on it, opposing the proposed variance.
14 Thirteen names may not sound like many, but I wish
15 to bring to the Council's attention that these
16 names were gathered Sunday with a brief visit to
17 the Sheridan playground on the corner of Grant
18 Street And Wythe Avenue, that is two blocks from
19 the proposed development. Folks there were
20 interested to learn that a zoning change had been
21 proposed. They're interested to know that our
22 Community Board #1 had turned down the request and
23 not one of the people I approached refused to
24 sign. I mention this small petition, because I
25 believe the concerns of our community board are

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2 being systematically ignored because of policy
3 decisions by the Bloomberg administration that
4 seek to tell communities what will happen, instead
5 of seriously considering the community's
6 reservations. It is time, in my opinion, to take
7 a stand in support of the findings of our
8 community boards. It is now commonplace to hear
9 community boards are against everything. That
10 this statement goes unchallenged strikes at the
11 center of grassroots democracy and needs to be
12 shown for what it is, a tactic by the Bloomberg
13 administration to trivialize the work at the
14 community board level, so the administration's
15 preferences may proceed unimpeded. In this regard
16 I wish to recall the Council's attention to the
17 Bloomberg administration's proposal to build a
18 sports arena on the west side of Manhattan. If
19 such a proposal could ever receive serious
20 consideration should be evidence enough that a
21 comprehensive oversight is necessary to develop
22 sound land use plans. If anyone still needs to
23 judge the wisdom of this ... that arena's land use,
24 I ask them to take a ride any afternoon in rush
25 hour on the west side approaches to the Lincoln

1 Tunnel. I submit to this Council that
2 comprehensive oversight begins at the community
3 board level, and our community boards need to
4 trust that their findings will be treated
5 respectfully. I can speak only for Community
6 Board #1. I recommend to the Council that they in
7 particular at the work of the ULURP committee most
8 recently chaired by Ward Dennis and now chaired by
9 Heather Rosland. I have attended the meetings of
10 this committee, and I can state that the work I
11 saw done there was professional, it was unbiased,
12 it was constructive and it was intelligent, and it
13 was free of the interference of those who stood to
14 gain privately by what was decided. Community
15 Board #1 turned down this request for variance,
16 and I urge this Council to support the board by
17 directing the developer to abide by the board's
18 decision. With the Council's backing, I'm
19 confident that the developer and the community
20 board will find solutions to the areas that still
21 separate them. Thank you very much. Before I go,
22 I just ... my wife wasn't able to come today. I
23 have a statement by her I can read, or I can leave
24 it with the Council, whichever you'd like.
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2 CHAIRPERSON COMRIE, JR.: You can
3 submit it.

4 MR. COLE: Then I'll submit the
5 petition too, please.

6 CHAIRPERSON COMRIE, JR.: Thank
7 you. Next.

8 MS. EISENBERG: Okay. In addition
9 I just want to say, there's another 20 names. My
10 name is Stephanie Eisenberg, okay, there's several
11 issues here. One of them is that this is an
12 illegal request for spot zoning, it is illegal.
13 And I have a letter here which was submitted to
14 City Planning and I will share with you, from
15 Doris Deather (phonetic) who is the ... okay, if you
16 will do that, and here is the petitions. Okay, it
17 is spot zoning, one. Two, one of the problems as
18 I see it is that you mention throughout history
19 people have gone to wars for different things in
20 the name of. We are now ... anything goes, as long
21 as you put in affordable housing. The fact that
22 this project is diametrically opposed to the goals
23 of the Federal Fair Housing Act doesn't faze
24 anybody. It's affordable housing. Despite the
25 fact that they didn't tell you that it can be for

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2 people earning \$100,000 a year, that's okay too.
3 But it's segregated, it does not belong in this
4 neighborhood where we are opposing this. If you
5 want to do the affordable housing, do it in the
6 building. The arguments that they give, and I
7 have developed a building, that you can't get the
8 C of O unless you segregate out all the housing,
9 is patently a lie, that is not true. You can get
10 a temporary C of O for units within a building
11 without segregating out the property, this is just
12 not true. But it's a very ... it's an interesting
13 way of making everybody believe it's true. I also
14 want to call your attention to an article, which
15 I'll be happy to leave for you, and it's basically
16 "is affordable housing gentrifying Brooklyn",
17 okay. And when you can have another project that
18 just passed on Bedford, okay, with an income level
19 of \$100,000 a year on the south side of Brooklyn,
20 in Diana Reyna's neighborhood, get approval,
21 something's wrong somewhere. These people, this
22 is market-rate housing. These people will be
23 entitled to do market-rate housing, and it's
24 wrong. And it's not the people in need of help in
25 our community. We like the fact that we are a

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2 mixed socio-economic neighborhood. We like the
3 fact that we don't have doormen in the building I
4 live in, and that we know all our neighbors, and
5 our neighbors watch out for each other. This is
6 not gentrification, this is class warfare, and
7 unfortunately, this vote only helps to do it.
8 Okay, this project ... and I will tell you what
9 people signed on the petition. One, the Brooklyn
10 community board denied the application, it's a
11 clear case of spot zoning and is illegal. Two,
12 the plan goes against City Planning's directives
13 that narrow streets have buildings of a 50-foot
14 maximum height, and that higher buildings were
15 permissible on wide streets with 6A, okay. The
16 density is overwhelming and another project on
17 this very same block went to the Board of
18 Standards and Appeals, and was told they could
19 only build a four-story building. So apparently
20 there are different rules for different folks
21 here.

22 CHAIRPERSON WEPRIN: Thank you, Ms.
23 Eisenberg.

24 MS. EISENBERG: And I will be - -

25 CHAIRPERSON WEPRIN: (Interposing)

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Ms. Reyna, do you have a question or a comment?

COUNCIL MEMBER REYNA: I just want to understand, Ms. Eisenberg, the proposal that you're fighting for.

MS. EISENBERG: We're opposed, why would you build- -

COUNCIL MEMBER REYNA:
(Interposing) No, no, what would you like to see?

MS. EISENBERG: What we would like to see is a building that keeps within- -

COUNCIL MEMBER REYNA:
(Interposing) And your property is where?

MS. EISENBERG: Just down the street.

COUNCIL MEMBER REYNA: Down the street, where? What's the address?

MS. EISENBERG: 330 Wythe is one.

COUNCIL MEMBER REYNA: 330 Wythe?

MS. EISENBERG: Yes, it's a very tall building and it was built pre-zoning, which is why we have zoning rules.

COUNCIL MEMBER REYNA: 330 Wythe.

MS. EISENBERG: It was put up in 1899, and it's a high building.

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2 COUNCIL MEMBER REYNA: And it went
3 through a variance process?

4 MS. EISENBERG: Yes, in 1982.

5 COUNCIL MEMBER REYNA: Okay. Okay,
6 and you're looking to see what type of project, as
7 opposed to what is being presented?

8 MS. EISENBERG: We're saying what
9 is being presented is out of characteristic of the
10 neighborhood.

11 COUNCIL MEMBER REYNA: What
12 neighborhood?

13 MS. EISENBERG: The immediate
14 surrounding area, on anything that was built after
15 zoning went into effect.

16 COUNCIL MEMBER REYNA: So what is
17 it that you want to see?

18 MS. EISENBERG: What's
19 characteristic- -

20 COUNCIL MEMBER REYNA:
21 (Interposing) A shorter building?

22 MS. EISENBERG: Is a shorter
23 building- -

24 COUNCIL MEMBER REYNA:
25 (Interposing) I see.

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MS. EISENBERG: ... with less density.

COUNCIL MEMBER REYNA: Less affordable housing, less market-rate.

MS. EISENBERG: No, you can still put in affordable housing, but if you're not ... if you're going to segregate out the affordable housing, we're opposing it. The Federal Fair Housing Act calls for housing ... actually, you use the word inclusionary, and then it's ... it excludes it, by putting in a separate building. And the rules are not the same.

COUNCIL MEMBER REYNA: Right.

MS. EISENBERG: It's separate and unequal housing.

COUNCIL MEMBER REYNA: Right.

MS. EISENBERG: And the city should ... I don't see where this should become public policy.

COUNCIL MEMBER REYNA: Right. And I wanted to just make sure that there's clarity on your statement. The Bedford Avenue site you're referring to, the city-owned site.

MS. EISENBERG: Uh huh, that was

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just given to the developer to develop.

COUNCIL MEMBER REYNA: Through an RFP that the city had selected.

MS. EISENBERG: I went to that hearing.

COUNCIL MEMBER REYNA: Right.

MS. EISENBERG: And they said that that would be at 100% AMI, the whole building.

COUNCIL MEMBER REYNA: Well, it's incorrect as far as 100% AMI, because it hasn't passed through the Council yet.

MS. EISENBERG: Well.

COUNCIL MEMBER REYNA: So it still has a land use process.

MS. EISENBERG: Okay.

COUNCIL MEMBER REYNA: But I'm glad that you were- -

MS. EISENBERG: (Interposing) I thought it already passed.

COUNCIL MEMBER REYNA: No it hasn't.

MS. EISENBERG: But I objected to that.

COUNCIL MEMBER REYNA: Right.

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MS. EISENBERG: On the basis it's not reflective of the community at all.

COUNCIL MEMBER REYNA: I certainly agree.

MS. EISENBERG: Okay.

COUNCIL MEMBER REYNA: I certainly agree.

MS. EISENBERG: And you're creating another dangerous precedent to march this development- -

COUNCIL MEMBER REYNA:
(Interposing) Your building is how high?

MS. EISENBERG: My building is- -

COUNCIL MEMBER REYNA:
(Interposing) How many floors?

MS. EISENBERG: Is an eight-story building.

COUNCIL MEMBER REYNA: Eight-story building.

MS. EISENBERG: But it's a high building.

COUNCIL MEMBER REYNA: It's a high building.

MS. EISENBERG: It's an old ... it's

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an old manufacturing building.

COUNCIL MEMBER REYNA: And that you reconstructed into residential.

MS. EISENBERG: No, the interior was redone, we haven't touched the exterior.

COUNCIL MEMBER REYNA: Right. Well, I'm referring to where people live inside.

MS. EISENBERG: Yes.

COUNCIL MEMBER REYNA: Right. And how many units do you have?

MS. EISENBERG: We have 75.

COUNCIL MEMBER REYNA: Okay, thank you.

MS. EISENBERG: Okay.

CHAIRPERSON WEPRIN: Thank you. Mr. Levin.

COUNCIL MEMBER LEVIN: I just want to thank the panel for coming up, I've worked with both of you for a long time, and I do appreciate you coming up and having the dialogue and engaging in the process, and I do appreciate your input and admire your engagement on this, so thank you.

CHAIRPERSON WEPRIN: Sure. Thank you both very much. We're now going to move to

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2 close this hearing. We are then going to move to
3 vote on a number of the items that we heard here
4 today, and then Columbia will present after that
5 vote. So, okay, we are going to vote on the
6 following items today. We're going to move that
7 we couple these items, the following cafes. 2011-
8 5336 Dandana, 2011-5344 Salvatores of Soho, 327-
9 2010-5332 Public House, in Speaker Quinn's
10 district, 328-2011-5341 Mekong, and last Le
11 Magnifique, Dan Garodnick, yes he is, 329-2011-
12 5128, and Café Select, which was on the agenda has
13 been withdrawn. So we are going to couple all
14 those cafes, and then the other item we are going
15 to be voting on is the one we just heard, which is
16 in Councilman Levin's district, Land Use #331,
17 Wythe Avenue rezoning, 070245 and 332, the related
18 applications 070246, the text amendment. We're
19 going to couple all of those items. We did lay
20 over the item on Webster Avenue and we are going
21 to be laying over, the next item we're going to be
22 hearing will not be voted on today. So with that
23 in mind I'm coupling these items. I will
24 recommend an aye vote and ask the counsel,
25 Christian Hylton, to please call the roll.

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COMMITTEE COUNSEL: Chair Weprin.
CHAIRPERSON WEPRIN: Aye.
COMMITTEE COUNSEL: Council Member
Rivera.
COUNCIL MEMBER RIVERA: I vote aye.
COMMITTEE COUNSEL: Council Member
Reyna.
COUNCIL MEMBER REYNA: I vote aye.
COMMITTEE COUNSEL: Council Member
Comrie.
CHAIRPERSON COMRIE, JR.: I vote
aye.
COMMITTEE COUNSEL: Council Member
Jackson.
COUNCIL MEMBER JACKSON: Aye on
all.
COMMITTEE COUNSEL: Council Member
Seabrook.
COUNCIL MEMBER SEABROOK: Aye on
all.
COMMITTEE COUNSEL: Council Member
Vann.
COUNCIL MEMBER VANN: Aye.
COMMITTEE COUNSEL: Council Member

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2 Garodnick.

3 COUNCIL MEMBER GARODNICK: Aye.

4 COMMITTEE COUNSEL: Council Member
5 Lappin.

6 COUNCIL MEMBER LAPPIN: Aye.

7 COMMITTEE COUNSEL: Council Member
8 Vacca.

9 COUNCIL MEMBER VACCA: Aye.

10 COMMITTEE COUNSEL: By a vote of
11 ten in the affirmative, none in the negative and
12 no abstentions, LU 323, 324, 327, 328, 329 and
13 331, 332 are approved and are referred to the full
14 Land Use Committee, LU 330 is a motion filed
15 pursuant to withdrawal is approved.

16 CHAIRPERSON WEPRIN: Thank you, Mr.
17 Hylton. Council Member Ignizio had stepped out,
18 he's going to be stepping back in, we're going to
19 leave the rolls open, if he walks back in, we'll
20 let him vote. So with that in mind, we're going
21 to move on to the main event of the day, at least
22 it appears that way. Just one item, right? Land
23 Use #333, N100339 Boathouse Marsh Campbell Sports
24 Center. I'd like to call up ... gee, the whole
25 room. Look at that, call up those people on

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2 behalf of Columbia University to discuss this
3 project. Gentlemen, you may start when you're
4 ready. If you want to wait until the easel is set
5 up, you can. Please state your name for the
6 record.

7 MR. IENUSO: Good morning, Chairman
8 Comrie and Chairman Weprin and Council members, my
9 name is Joe Ienuso, I'm the Executive Vice
10 President of Columbia University Facilities, and
11 on behalf of my colleagues and Columbia
12 University, it's my pleasure to be here to present
13 our project this morning. The project that we're
14 here to discuss with Council is construction of a
15 new building on our Baker Field campus, it would
16 actually be a 47,000 square foot new building that
17 would be built on the Baker Field campus, which is
18 located at the intersection of Broadway and 218th
19 Street. So we actually have copies of the maps
20 and renderings that we're using, that I believe
21 have been shared with the Council members, but if
22 they haven't we'll make sure that you have them.
23 But taking a look at the board that's in front of
24 us, Baker Field is located in the area demised in
25 red. Baker ... the Broadway car lot is here on the

1 far side, 218th Street runs from east to west,
2 towards Inwood Park, and on the north side of the
3 campus is actually the Spuyten Duyvil. The Baker
4 Field campus is located ... Ted, could we put that
5 back up? The Baker Field campus is located in an
6 R7-2 zoning district, and just for the point of
7 clarity, we're not suggesting any changing to the
8 underlying zoning. The area immediately to the
9 south, which is the south side of 218th Street, is
10 also an R7-2 zoning district, and the area across
11 Broadway on the east is an M1-1 manufacturing
12 district. The 47,000 square foot Campbell Sport
13 Center would be used to provide space to support
14 our men's and women's varsity athletic programs,
15 specifically the ... we would be taking some of the
16 functions from an existing building, Christie
17 Field House, and moving and spreading some of
18 those functions into the new building.

19 Specifically, the functions in the new building
20 would include study spaces for male and female
21 student athletes, strength and conditioning,
22 physical training, and some additional support
23 spaces for coaches and their athletic offices.
24 It's important to note, and we see that fairly
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2 clearly on this rendering, that the Baker Field
3 lot is also a waterfront zoning lot. And before
4 the university is able to commence construction,
5 we have to make sure that we meet our obligations
6 under the waterfront zoning requirements. And to
7 do that, we proposed what has come to be known as
8 the Baker Field Boathouse Marsh project. Working
9 with City Planning and New York City Parks
10 Department, and taking into consideration the
11 existing structures that exist at Baker Field,
12 which as we can see from this rendering are
13 primarily fields, which while they don't
14 constitute zoning land area, they do in fact
15 occupy a vast majority of the land up at Baker
16 Field, and it's important to note, in the upper
17 right hand corner on this area - and again,
18 everything within the red boundary is the Baker
19 Field campus - is the Allen Hospital, which
20 constitutes about 280,000 square feet of built
21 space. So while it's one zoning lot, it's shared
22 between two owners, Columbia University and New
23 York Presbyterian Hospital. In addition to the
24 built structures that are there, and this is
25 Christie Field House, and Christie Field House is

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2 about 34,000 square feet, was built, I believe, in
3 about 1954. We're going to be adding the new
4 building on the corner of the intersection of
5 Broadway and 218th Street, it should be right about
6 here, and that would be about 47,000 square feet.
7 But again, in order to do that, we have to meet
8 the requirements of waterfront zoning, and in
9 doing that, we're working within the existing site
10 constraints, recognition of the existing
11 structures, and also the topography. Everything
12 along the water's edge is essentially a cliff
13 condition, and falls rapidly anywhere from six to
14 eight feet, from the top of the cliff to the
15 water's edge, to a maximum of about 30 or 35 feet
16 from the top to the water's edge. In order to
17 meet the waterfront zoning, realizing that we were
18 working with a limited amount of area on the
19 campus, we wanted to make sure that we came up
20 with an exceptional design, and one that would not
21 only allow the university to satisfy its
22 obligations under waterfront zoning, but to do so
23 in a way that would provide a great amenity for
24 the public and do so with the best design
25 possible. And to do that, we asked Jim Corner,

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2 who's sitting to my far right, Jim is the
3 Principal of Field Operations, and Council
4 members, you may be most familiar with Jim's work
5 through the recently-completed High Line that has
6 received great praise across the city. And we
7 thought in order to deliver a gem of a project,
8 that it would be good to work with Jim, and he was
9 pleased to work with us on this project. I would
10 say the big idea behind this project was simply
11 not to meet the requirements of waterfront zoning,
12 but again, to do it in a way where we were working
13 consistently with the city's objectives, including
14 their recently-announced objective to really have
15 the community engage much more with the
16 waterfront. And we believe that this project will
17 do that. If we put up the site ... the site plan
18 for the new project, what I'd like to point out is
19 the environmental features that we feel are a real
20 cornerstone as part of this project. And I'll
21 point to a couple of key features. Again, just
22 with respect to quick orientation, 218th Street
23 runs along the bottom of the map, moving from east
24 to west. Again, on the west side, before we meet
25 the river, we actually have Inwood Hill Park,

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2 which I believe is a park of just under 200 acres,
3 and provides a wonderful amenity as part of the
4 parks system within northern Manhattan. What the
5 university has proposed, and again working closely
6 with Parks Department, is the waterfront park
7 which will be completely accessible to the public.
8 In fact, working closely with Parks, what we
9 decided to do is to have two entrances to the
10 park, the new boathouse marsh, one would be fully
11 ADA-accessible, and would actually be accessed
12 from the apron, if you will, of Inwood Hill Park,
13 and you would be able to park bikes, take some
14 seats and enjoy the view, and actually meander
15 down the deck, which at its narrowest point is
16 about eight feet wide, and at its widest point is
17 about 25 feet wide, and actually be able to come,
18 walk down the dock and make your way onto land and
19 put feet on the ground, if you will, at the
20 immediate water's edge. In the course of
21 developing this project, we have tried to work
22 closely with the community and in fact we've had
23 about 19 meetings with community members, the
24 first of which was in early September of 2009, and
25 the most recent of which, the community board

1 meeting was at the end of October in 2010. And in
2 the course of that process, we received a lot of
3 input and actually improved the plan along the
4 way. One thing that I think is important to point
5 out is, immediately to the north of the area that
6 we're referring to as the boathouse marsh, is an
7 area of land that we have referred to as the
8 strip, that is in addition to the land area
9 calculations for the marsh, that is in fact city-
10 owned property. And we've taken the opportunity
11 of this project to take that strip of land, to
12 commit to also putting that land in the public
13 use, improving it consistent with the design
14 standards for the boathouse marsh, and we see that
15 represented on this site map. And the university
16 also has a dock, a boat launch, that's used to
17 support our men's and women's crew teams. And
18 what we've committed to do with the New York City
19 Parks Department, and we've executed a memorandum
20 of understanding to this effect, is to take that
21 dock and deed it to the city, deed it to Parks
22 Department. The university for the dock, for the
23 strip and for the area that constitutes the
24 boathouse marsh, the university of course would
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2 commit to the ongoing operation and maintenance,
3 as well as security, for all of the areas,
4 including the dock, while there would be a dual-
5 use agreement for the dock, so that it too could
6 be put into public use, and help the city advance
7 its objectives to increase access to the
8 waterfront. I would like to point out that in the
9 construction of both the boathouse marsh and the
10 new building, which is designed by Stephen Hall,
11 that the university would apply its commitment
12 both for the contracting to minority women and
13 locally-owned construction firms, and the
14 university has a stated objective to make sure
15 that 35% of that business is directed towards
16 minority women and local construction firms, and
17 we would apply that objective to this project, as
18 well as an objective to employ on the construction
19 project itself 40% of the workforce, our objective
20 is to have that percentage of the workforce
21 composed of minority women and folks from the
22 local community as well. So, the final thing that
23 I would point out with respect to the community
24 process that we followed and the 19 or so meetings
25 that we had with members of the local community

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2 and their representatives, is that we certainly
3 learned a lot in the course of this process, and I
4 think on behalf of the university we've tried to
5 respond to and provide as much in response to
6 those observations as we can. Certainly part of
7 that is the extension of the marsh onto the land
8 area that we refer to as the strip, the deeding of
9 the dock to New York City Parks Department, to
10 really enhance and expand the public's access to
11 the waterfront, and a series of programs and
12 services that would provide greater access to the
13 facilities at Baker Field. For instance, some
14 members of the community have expressed interest
15 in having the ability to run on the track or to
16 have their children have access to the facilities,
17 and to do that we've established 19 scholarships
18 to what we refer to as Cubs Camps, which are camps
19 that are athletic teams and coaches run during the
20 summer months for students to really increase
21 their skills and abilities in soccer, baseball,
22 football, any number of the sports, the outdoor
23 sports that are run out of Baker Field. And we'll
24 be offering those scholarships to the local
25 community as well. We've heard from the community

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2 that Columbia needs to be a good neighbor, and I
3 can assure you, on behalf of my colleagues, that
4 we will continue to try to do that. We've
5 identified and named a specific community liaison
6 for the community, they'll be working directly
7 with Sandra Harris, who I think is behind one of
8 our boards. And Sandra is completely available,
9 not only to our local elected officials, but to
10 our local community members as well. Chairs, I'll
11 stop at this time and ask if there are any
12 questions.

13 CHAIRPERSON WEPRIN: Thank you,
14 yes, there will be, and there are. What I would
15 like to do first, is I'm going to have the Council
16 member who represents the area in question,
17 Council Member Robert Jackson, speak. He has some
18 comments, so he would like to start.

19 COUNCIL MEMBER JACKSON: Well,
20 thank you, Mr. Chair, and I want to thank everyone
21 involved in this particular process. As you know
22 from the attached documents, on our briefing
23 documents, this is in Community Board #12, which
24 is northern Manhattan, and it's west of Broadway,
25 which means that it's in my district, not in

1 Council district ten. But it is in the assembly
2 district of the 72nd assembly district, who used to
3 be Adriano Espaillat, now it is Council Member ...
4 assembly member Guillermo Linares, and assembly
5 member Adriano Espaillat, as you know, was elected
6 to be the state senator, he now represents the
7 area in question. And let me just say from the
8 outset that my staff, along with then assembly
9 member Adriano Espaillat, along with all the other
10 community leaders, have been involved in this
11 particular process since day one. And in fact,
12 Community Board #12 took a vote back in October, I
13 was there, Council Member Ydanis Rodriguez spoke,
14 I spoke, and the Community Board failed to take ...
15 they voted but failed to take an action one way or
16 the other. And in fact it was a tie vote. But
17 the recommendation of the Land Use Committee of
18 Community Board #12 was to approve the action with
19 certain stipulations. And in fact one of the
20 primary things that the Community Board #12 Land
21 Use Committee said that they felt that an
22 enforceable agreement with Columbia University
23 concerning what they were going to do to improve
24 the conditions at that site and/or community
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2 benefits that since, you know, Columbia is in
3 essence a partner in that community, that we
4 should try to do that. And as a City Council
5 member who was elected to represent the area,
6 that's exactly what I'm attempting to do. And in
7 fact, I sent a letter, which is dated last night,
8 yesterday, to assembly member, state senator
9 Adriano Espaillat, and Council Member Ydanis
10 Rodriguez, questioning their motives in their
11 communication and involvement in this particular
12 project, and the fact that either the Council
13 Member whose district it's not in, and/or the
14 senator whose it is in, never picked up the phone
15 to ask me or communicate with me anything about
16 this particular project. Totally unacceptable to
17 me, totally unacceptable to any protocol and
18 respect, and in fact I've heard rumors that
19 they're even spreading rumors, they're even
20 alleging, alleging, that I'm anti-Dominican. I am
21 offended by their behavior and their innuendos.
22 Let me just say that. If they have a problem with
23 me, they need to come to my face and tell me
24 directly. That's what they need to do. So I say
25 to all of you, that if you look at this particular

1 project, if you look at the details of it, and the
2 recommendations of Community Board #12, in
3 addition to that, last Friday I sent an email to
4 state senator Adriano Espaillat and Council Member
5 Ydanis Rodriguez, and assembly member Guillermo
6 Linares, Community Board #12, Pamela North and the
7 Land Use Chair, asking them, here are the latest
8 documents attached. If you have any questions or
9 concerns or comments, please submit them to me in
10 writing by Tuesday, since I and my staff are
11 meeting with Columbia, based on the deadline
12 that's set by law. The deadline is April 13th.
13 There's no and, this or buts about it. If we fail
14 to act, it will go through. Tuesday came around,
15 I didn't receive any response from anyone, and in
16 fact Thursday came around, and there was no
17 response from anyone. In fact, my director of
18 operations, Susan Russell, sent another email to
19 them, saying, hey, we sent you this Friday, asking
20 for comments, and we haven't received any comments
21 from you whatsoever. So if you do have any
22 comments, please submit them in writing. Talk is
23 cheap, I want any comments in writing. So as of
24 today, which is Tuesday, ask me if I've received
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2 anything in writing from any of them. The answer
3 is no, I have not. And in fact, just today here I
4 received, I guess, a statement for the record from
5 Senator Adriano Espaillat, I say to you that
6 Guillermo Linares, Assembly Member, when he
7 received my emails he called me on Thursday and
8 spoke to me, and I spoke to him in detail. Other
9 than that, did Adriano Espaillat, the state
10 senator, or Ydanis Rodriguez call me? Absolutely
11 not. And believe me, they know whose district
12 it's in. I don't know what game they're playing,
13 I am not here to play games. And in fact I am
14 focused with trying to represent the community,
15 based on the fact of what Community Board #12 is
16 asking for. And in fact, Columbia University, I
17 have set forward a time frame, I have met with
18 them the Friday before last, we met this past
19 Friday, I have a meeting tomorrow and I have a
20 meeting a week from now, trying to focus on
21 reaching an enforceable agreement. And so that's
22 what I'm doing, and if anyone wants to know, they
23 should ask. I say to you that, based on all of
24 the documents that I received, that my colleagues,
25 my so-called colleagues, were going to hold a

1 rally at Baker Field about this particular matter.
2 Ask me, did they call you and communicate to you?
3 Absolutely not. Did they do other things, like
4 say, for example, I heard that people said that I
5 was trying to speed up the process, and they're
6 asking people that communicate with me to slow
7 down the process. I cannot slow down the process,
8 the timelines are set in law, understand that. I
9 must negotiate this particular matter on behalf of
10 the community. So all of those individuals that
11 are listening, or that are not listening, I'm
12 saying to you, think about who's communicating to
13 you and what they're communicating to you about.
14 That's what I ask you to do. And so with that I
15 say ... I ask a question to Columbia, and this is a
16 question I have for you now. Are you willing to
17 reach an enforceable agreement with me concerning
18 issues of concern to the community?
19

20 MR. IENUSO: Council Member

21 Jackson, we are, and just on behalf of the benefit
22 of the rest of the Council, it may be important to
23 note that the university submitted in writing to
24 the Community Board, and specifically to the
25 Community Board president, all of the programs and

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2 services that the university committed to in the
3 course of the process, but we thought it was
4 important to go on record and put it in writing.
5 And that letter was delivered to the Community
6 Board Chair actually before the ... after the Land
7 Use vote, which was favorable, and before the vote
8 of the full board. So the answer is yes.

9 COUNCIL MEMBER JACKSON: Well, I
10 say to you, Mr. Chair, and the Chair of the Land
11 Use Committee, as you know, I have issues with
12 some of my colleagues and their comments and/or
13 rhetoric, and/or innuendos, and/or false accurate
14 statements. And so I ask you that as my
15 colleagues on the City Council, to take into
16 consideration everything that I have done to try
17 to reach an enforceable agreement that best ... that
18 is in the best interest of our community, and with
19 that I'll close. Thank you.

20 CHAIRPERSON WEPRIN: Thank you,
21 Council Member Jackson. I am going to call on
22 Council Member Rodriguez, but before I do that,
23 Council Member Reyna has to run out to a meeting,
24 and she had a quick question, so maybe the break
25 will help anyway.

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2 COUNCIL MEMBER REYNA: I hope it
3 does. Thank you, Mr. Chair, I just wanted to
4 applaud the leadership of Council Member Jackson,
5 who works tirelessly to ... for the best interests
6 of his community. And so I believe, Robert
7 Jackson, that you will reach an agreement that's
8 going to benefit your community and the City of
9 New York. I'm ... I wish I could say I have
10 Columbia University in my district, if you ever
11 want to, you know, have a campus in my
12 neighborhood, I would have loved you on the
13 waterfront. These are the types of public/private
14 partnerships that are necessary in the City of New
15 York, as well as educational opportunities. I
16 wanted to just understand ... I'm very happy to hear
17 you mention the MWBE component, I wanted to
18 understand, who is your procurement officer for
19 your MWBE procurement on behalf of Columbia
20 University?

21 MR. IENUSO: Council Member, that's
22 a good question. Actually, as executive vice
23 president for university facilities, the
24 responsibilities for designing projects, having
25 them built and then ultimately operating and

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2 maintaining those buildings falls directly to me,
3 ultimately to me. Within my organization, we work
4 closely with our central university purchasing and
5 procurement, but we have at this point in time
6 very well-established policies and guidelines, and
7 including within our construction agreements with
8 construction management firms, we stipulate within
9 the general conditions the two objectives that I
10 mentioned to you, and that's a 35% objective for
11 construction contracting and 40% for workforce
12 composition.

13 COUNCIL MEMBER REYNA: And so I'm
14 asking, because right now I'm going upstairs,
15 which is why I have to excuse myself, I apologize,
16 with the Department of Small Business Services as
17 Chair of the Small Business Committee in the City
18 Council. I'm trying to get a real sense of
19 performance, not just the commitment of goals, but
20 the performance of the actual goal. And so this
21 is not the first time that I'm sure Columbia
22 University has come before us and said you have an
23 MWBE program, but I want to understand what is
24 your performance in the past leading up to this
25 moment and moving forward on this particular

1
2 project. If you can get that to us, it would be
3 wonderful.

4 MR. IENUSO: I can give you the
5 headlines right now.

6 COUNCIL MEMBER REYNA: Fantastic.

7 MR. IENUSO: In fact I'm very
8 pleased to tell you, while it's not easy, that we
9 have met and exceeded our goals on each of our
10 large construction projects. I think it is, since
11 you're a member of the Small Business Service
12 Committee, it's important to point out to you, and
13 I don't know if Commissioner Walsh is going to be
14 at the meeting, but we at Columbia actually
15 established a program, a mentee program for small
16 minority-women-owned businesses, which we launched
17 about three years ago. Each year we admit working
18 in partnership with SBS 20 firms that we then put
19 into a curriculum at Columbia University, where
20 our faculty members in our construction management
21 program, we've worked out a very rigorous
22 curriculum. The firms that we sponsor get the
23 benefit of one year of education on a variety of-

24 -

25 COUNCIL MEMBER REYNA:

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2 (Interposing) I'm sorry, I apologize. I wanted to
3 just understand, is this part of the steps for
4 strategic growth, or is this a separate program?

5 MR. IENUSO: Well, you know, I
6 would say it is very much linked to strategic
7 growth, but it's also- -

8 COUNCIL MEMBER REYNA:

9 (Interposing) Because I know NYU has that program
10 with steps for strategic growth.

11 MR. IENUSO: No, NYU has a program
12 through their ... I believe through their School of
13 Continuing Education and Professional Development.
14 That is not our program, our program is
15 specifically for minority and women and locally-
16 owned businesses, sponsored by my organization,
17 Columbia University Facilities, 20 firms a year, a
18 year of classroom training and then a year of
19 mentoring. And during the course of the program,
20 folks who are responsible in my organization for
21 building capital projects, we create bidding
22 opportunities only for mentees in that program.
23 So we're very much invested in trying to grow
24 small businesses. Look, we can't employ every
25 small contractor in New York.

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COUNCIL MEMBER REYNA: Sure.

MR. IENUSO: But our objective is to give them a competitive advantage to win other work, and they've in fact done that. Even they've been awarded projects through our relationship with SBS for city work as well.

COUNCIL MEMBER REYNA: So I see my Chair from the corner of my eye, and see, and so I just want to make sure that we have a conversation more in depth offline so that way I understand your specific program in relationship to the performance of your MWBE program, and moving forward how it pertains to this particular project, because I was interested in trying to understand what procurement sessions you have, where you bring together prime contractors for subcontracting opportunities as well, in one room. Aside from that, I think you answered the question, because it's still in negotiations, but I wanted to just make sure, now limited to the 19 scholarships for summer camp and Council Member Jackson has referred to it, an agreement, so my general question was, how would you, or have you, memorialized the aspect of community access to

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2 your facility concerning this particular project?
3 Obviously, not limited to students of Columbia
4 University, but rather, you know, this could be
5 the icon location for Parks and Recreation, access
6 to community, you know, with structured hours
7 from, you know, sunrise-to-sunset type of access.
8 I'm imagining that in your slide presentation it's
9 referring to Columbia University and the
10 Department of Parks and Recreation because there
11 is a public/private partnership, correct?

12 MR. IENUSO: Correct.

13 COUNCIL MEMBER REYNA: And so there
14 is a definitive access to ... access from community
15 residents into your facilities, not limited to
16 just open space without a facility, but rather
17 your tennis courts, your whatever amenities that
18 are in there.

19 MR. IENUSO: The boathouse marsh is
20 specifically the public/private partnership, if
21 you will, with Parks Department.

22 COUNCIL MEMBER REYNA: Right.

23 MR. IENUSO: And that's in fact one
24 of the reasons why we located the primary entrance
25 to the boathouse marsh actually off of the apron,

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2 the entrance, to Inwood Park. Because Parks even
3 wanted to make sure that the public knew, without
4 having to say very much, that there would be in a
5 sense an architectural gesture to have public flow
6 freely from the street or from Inwood Hill Park
7 into the boathouse marsh. With respect to access
8 to facilities at the university, that is in fact
9 one of the things that we've heard from the
10 community, and we've worked out a range of
11 programs, all of those programs have been
12 stipulated in the letter that I actually
13 personally signed and sent to the community board
14 chair after the Land Use meeting, and before their
15 vote.

16 COUNCIL MEMBER REYNA: That's not
17 included here.

18 MR. IENUSO: That is not included
19 there, but we could certainly make that available,
20 we could make that available, Council Member, to
21 yourself and the other Committee members. And
22 we'll give it to the sergeant-at-arms.

23 COUNCIL MEMBER REYNA: And is that
24 what you're ... is that what you ... Council Member
25 Jackson was referring to as far as memorializing a

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lot of these specific points of agreement?

MR. IENUSO: That would be my understanding.

COUNCIL MEMBER REYNA: Okay. Council Member Jackson, is that your sense as well?

COUNCIL MEMBER JACKSON: Well, that's part of it. It's anything- -

COUNCIL MEMBER REYNA:
(Interposing) You're not completed yet?

COUNCIL MEMBER JACKSON: Well, as I said, we're in the process of meeting with them, we're going through all of the particular details, all of the recommendations, all of the issues and concerns, with a fine-tooth comb. And as I said to you, we've had several meetings, we have several more meetings scheduled, and all of that will be hammered out and increased and/or considered for- -

COUNCIL MEMBER REYNA:
(Interposing) So it's a starting point.

COUNCIL MEMBER JACKSON: It's a ... we're at the midpoint at this point in time.

COUNCIL MEMBER REYNA: Well, I just

1
2 wanted to, you know, applaud the efforts that I
3 see, and hopefully we'll continue to enjoy reading
4 a document that will in fact have all these points
5 agreed upon that will benefit all of New York, and
6 most importantly, the community of Inwood and
7 Marble Hill and all those areas uptown. Thank you
8 very much.

9 MR. IENUSO: Thank you.

10 COUNCIL MEMBER REYNA: Thank you,
11 Mr. Chair.

12 CHAIRPERSON WEPRIN: Thank you, Ms.
13 Reyna, and thank you for being so perceptive of my
14 antsiness, I appreciate that. I want to thank
15 Council Member Rodriguez before I call on him, for
16 letting Council Member Reyna go before him, he had
17 agreed to that before.

18 COUNCIL MEMBER REYNA: Thank you.

19 CHAIRPERSON WEPRIN: So without
20 further ado, Council Member Rodriguez.

21 COUNCIL MEMBER RODRIGUEZ: Thank
22 you, and things that I have learned in the
23 classroom is that goes around comes around. So I
24 think that we are not playing minor league, this
25 is major league in government, and I think that a

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2 prestigious institution such as Columbia
3 University that has contributed so much to the
4 city is an institution that I have no doubt that
5 any particular project has the interests of not
6 only the students that the institution serves, but
7 also the community and the city. Since day one, I
8 have expressed my support to this project. When I
9 spoke to the community board, I asked the members
10 of the community board, a community board that
11 from 50 members I get to appoint 20, I asked them
12 to postpone the vote so that the community board
13 would have more time to have conversations with
14 Columbia, so that we would have that opportunity
15 to put the feedback on whatever is going to be the
16 final project that would take place at Baker
17 Field, a project that I have no doubt will benefit
18 the community. So that's the first thing that I
19 would like to say on day one, and it is on record
20 at the community board. I said that they are
21 supporting this project, I just believe that the
22 community board should take more time to have more
23 discussions with Columbia University. I think
24 that there was a meeting ... not that I think, there
25 was a meeting, the last meeting where elected

1 officials, all elected officials, had with
2 Columbia University, took place in the office of
3 Manhattan Borough President Scott Stringer, and I
4 think that you remember that day at the meeting.
5

6 MR. IENUSO: Yes, Council Member, I
7 was there as well.

8 COUNCIL MEMBER RODRIGUEZ: And if
9 you look at the letter, he sent a letter of
10 support, but he also remembered your commitment to
11 all the elected officials that you will engage the
12 whole community, the east and the west of
13 Broadway, in this discussion, and it is in the
14 paragraph, in one of the paragraphs of the letter
15 of Borough President Stringer, a letter of
16 support. I think that that's the only, probably,
17 dispute that we have at this moment, which is not
18 a major one. And at a conversation that took
19 place on Sunday, elected State Senator Adriano
20 Espallat supplementally noticed, and I was
21 scheduled to be there, I couldn't be there because
22 I was at Columbia Hospital that day. So that's
23 why I couldn't make it. I couldn't come out
24 before 10:00 a.m. when the meeting took place.
25 And I believe that it was a productive

1 conversation. It is a productive conversation
2 that took place, looking on how the whole
3 community should be engaged. Because now you're
4 looking for a permanent modification in the area
5 that it is true, it is not in my district. But
6 you know what? Later on, you will have other
7 interests in my district, and I think that it is
8 fair for you as an institution with so much vision
9 also to look on how much more can we include. I
10 would never be afraid if the project would take
11 place in my district, so be sure that my brother,
12 Council Member Jackson, to be included in that
13 conversation. I don't have ... I wouldn't have any
14 personal agenda, I would not have any personal
15 interest. All I would be looking at is, how my
16 community, and I look at my community, at the
17 whole community, and I think that the disaster
18 that is taking place in Japan is giving us the
19 lesson: community is not based only on a
20 particular area where we represent. When a
21 nuclear facility exploded in Japan, even Alaska,
22 even New York City, will be affected. So the part
23 that we have in that area is a part that is used
24 by the whole community. It is the only part that
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2 Inwood has is on eastern border, and I think we're
3 talking about we'll all respect the protocol, I
4 hope that any decision that is taking place in my
5 district is something that my colleague will
6 respect. That's also why we respect his
7 leadership in the district. And what I am
8 concerned as being one who has met with BP Scott
9 Stringer, you made a commitment that is going to
10 be followed, even we committed that we will work
11 together to get the community goal, that did not
12 take place. That's a concern. Second, I don't go
13 for making any, trying to get Columbia to give 19
14 scholarships. In cities right now, like Harvard,
15 any I believe college, they're trying to recruit
16 more of the so-called minorities. And any
17 student, women, black or Latino, who gets accepted
18 in a Harvard or Columbia, what we learn in the
19 newspaper is that they get free tuition if they
20 get their average to be accepted into that
21 institution. I would go for more, like being sure
22 that the facility that we'll have, the auditorium,
23 the soccer facility, all the track and field,
24 anything that Columbia will have in Baker Field,
25 having to consideration the first priority is the

1 students. That project is for the students that
2 go to Columbia University, so at no point we will
3 say, Columbia, you should not use the facilities
4 for the students, because we need it for the
5 community. That's what you've been doing in all
6 the facilities, you always accommodate community
7 requests for those facilities. So my thinking is
8 more, how can we have a committee meeting, and I
9 know that you have expressed that, that's what I
10 say, I don't see it as a big deal. My big deal
11 is, when I met last week with Sandra Harris from
12 Columbia University on Wednesday at 1:00 p.m., and
13 we talked about another topic related to Columbia,
14 a topic that is something that I will support,
15 then I asked a question about Baker Field. So I
16 continued making a phone call and the thing was,
17 Council Member Jackson said that Columbia should
18 not meet with any other elected officials, and
19 Columbia gave their word to Jackson, Council
20 Member Jackson, that the conversation about Baker
21 Field should be only with Council Member Jackson.
22 That's something that is a lack of respect, I
23 would say to the Committee. And I'm so happy that
24 when we met on Sunday we found a way of how to
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2 work that together. So, in the letter that,
3 unfortunately, my colleague ... stating that on
4 Friday an email came from his chief of staff,
5 yeah, it is true. It came out on Friday, after I
6 met on Wednesday, and I started making the request
7 on how the other elected officials should be
8 invited. We did not get the letter before I had
9 this conversation with the representatives from
10 Columbia University. So to clean the air, first,
11 I am more than happy to work with my colleague. I
12 will respect his leadership, and I will look for
13 Columbia to continue. We are not planning to hold
14 a rally, we are planning to continue as we agreed
15 on Sunday, to have a community, a civilized town
16 hall meeting, where Columbia will listen to the
17 other feedback from the community, so that we can
18 come out as a win-win situation from this project.
19 Thank you.

20 CHAIRPERSON WEPRIN: Thank you. Do
21 you want to comment? Do you want to comment? No?
22 You don't have to.

23 COUNCIL MEMBER JACKSON: Mr. Chair.

24 CHAIRPERSON WEPRIN: Yes, Mr.
25 Jackson. Just make sure you guys go through me

1 for any discussion, but thank you.

2 COUNCIL MEMBER JACKSON: I'll go
3 through you.

4 CHAIRPERSON WEPRIN: Mr. Jackson.

5 COUNCIL MEMBER JACKSON: Mr. Chair,
6 let me just clarify some mis ... inaccurate- -

7 CHAIRPERSON COMRIE, JR.:
8 (Interposing) Before- -

9 COUNCIL MEMBER JACKSON:
10 (Interposing) ... statements.

11 CHAIRPERSON COMRIE, JR.: Before
12 you continue.

13 COUNCIL MEMBER JACKSON: Sure.

14 CHAIRPERSON COMRIE, JR.: I want to
15 interrupt.

16 COUNCIL MEMBER JACKSON: Go ahead.

17 CHAIRPERSON COMRIE, JR.: Because I
18 think that this meeting needs to be ... this issue
19 needs to be held in a different place. This is
20 not about land use, this is not about the project,
21 this is not about anything to do with the issues,
22 pro or con, to this particular project. I think
23 that this discussion needs to be held somewhere
24 else. This meeting is about ... I'm sorry to
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2 interrupt, Mr. Chair, but this meeting is about
3 the land use issues about Columbia University's
4 desire to change Baker Field, that's what this
5 meeting is about. It's not going to devolve into
6 a discussion between Council members about
7 whatever those issues are about access to
8 Columbia. Columbia has clearly stated that
9 they're willing to work with everyone, so I think
10 that these other ex parte issues need to be
11 discussed in another venue, and I'd be more than
12 happy to help convene that meeting. But this is a
13 meeting on land use projects, where we're talking
14 about the plusses and minuses of developing the
15 marshland and boathouse marsh and all those
16 particular issues. So I think that Columbia
17 should do their presentation, speak to all of the
18 merits, and then we can talk about all the
19 specifics of the project. But this issue needs to
20 be handled somewhere else.

21 CHAIRPERSON WEPRIN: Thank you, Mr.
22 Comrie.

23 COUNCIL MEMBER JACKSON: I- -

24 CHAIRPERSON WEPRIN: (Interposing)
25 I respect, I agree with your assessment, just

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2 they've been very respectful in some ways, and Mr.
3 Jackson, please, with that in mind, please say
4 anything.

5 COUNCIL MEMBER JACKSON: Let me
6 just say that while my colleague made some
7 inaccurate statements, it just needs to be clear
8 that I as a Council Member have not communicated
9 with ... that Columbia should only communicate with
10 me on this particular matter. So in fact that is
11 an absolute false statement, and this is some of
12 the stuff that I referred to, where they put out
13 false statements and information in order to
14 poison the well. And I'm not about poisoning, I'm
15 about transparency, accountability in our
16 community, and that's what I'm attempting to do.
17 Thank you.

18 CHAIRPERSON WEPRIN: Thank you, Mr.
19 Jackson, let's just try to keep the rhetoric as
20 calm as possible. I know Mr. Rodriguez wants to
21 add one more thing, let's try to wrap this up,
22 we've got a lot of people to get to, and as Mr.
23 Comrie said, we could always discuss these issues
24 later. Do you want to make a statement? Okay, a
25 question for the panel? Okay, thank you.

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2 COUNCIL MEMBER RODRIGUEZ: We will
3 have the opportunity to continue this conversation
4 with my colleague, and we can speak face-to-face
5 on that issue. So I think that my question is, on
6 the Baker Field, you come ... I mean, and are you
7 making a commitment that you will put a clear
8 policy on how the community will have access to
9 the facilities at Baker Field?

10 MR. IENUSO: Yes, Council Member.
11 We, among the programs and services that we
12 stipulated in the letter to Community Board #12,
13 one of the items that we spoke about is ongoing
14 communication and the quality of that ongoing
15 communication, even the development of a website
16 that would be easily accessible to members of the
17 community, so that they could take a look at the
18 specific programs and services that are available,
19 and very easily understand how they are in fact
20 made available to the members of the local
21 community. So we're absolutely committed to that,
22 and if you have specific ideas on how we may be
23 able to do that, we're certainly open to that as
24 well.

25 COUNCIL MEMBER RODRIGUEZ: And on

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2 Sunday the conversation was about how the whole
3 community should be involved, and the agreement
4 was that we would work together to put a community
5 town hall meeting, to hear from the community any
6 other feedback that they could bring. You are
7 aware of that, right?

8 MR. IENUSO: I am aware of that,
9 and again, I would just point out that, again, I
10 am not an expert on, you know, how the boundaries
11 sort of exist, but what I do believe and
12 understand is that Community Board #12 represents
13 the entire community, and we've done our absolute
14 best to try to not only work with Community Board
15 #12, but to listen to the input of the members,
16 and to have that input, you know, inform our
17 ultimate plan.

18 COUNCIL MEMBER RODRIGUEZ: I would
19 say good luck, and you will have, as I say, all my
20 support. I am also looking to see how, and
21 there's a saying also, (speaks in Spanish), we're
22 just looking to be sure that the whole community
23 benefits from this project.

24 MR. IENUSO: Thank you.

25 COUNCIL MEMBER RODRIGUEZ: Thank

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you.

CHAIRPERSON WEPRIN: Okay, any other comments or questions at the moment? No, okay, gentlemen, we're going to let you be excused for now, if you want to stick around. What I'd like to do is, we're going to call alternate panels, I'm going to start with a panel in favor of this project. I'd like to call Elizabeth from Senator Espaillet's office, please, to come up and Sandra Harris, the aforementioned. Do you want to speak, Sandra? Okay, come on up.

MS. RITTER: Okay. Yes, I do.

CHAIRPERSON WEPRIN: Okay, please state your name for the record and speak when you are ready.

MS. RITTER: My name is Elizabeth Lorris Ritter, I am testifying on behalf ... I am reading a prepared testimony from State Senator Adriano Espaillet. "As New York State Senator for the 31st district, I am privileged to represent the Inwood and Washington Heights neighborhoods, as well as the upper West Side and Manhattanville, all the Manhattan communities in which Columbia University is located. I am pleased to testify

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2 today regarding Columbia University's Baker Field
3 project. The university proposes to construct a
4 47,700 square foot sports facility on its Baker
5 Field campus in the Inwood section of Manhattan.
6 This is a waterfront zoning lot of 1,208,773
7 square feet, roughly 30 acres. The use of the lot
8 also has blocked public access to its own
9 waterfront for many years. The lot is also
10 contiguous to the city's Inwood Hill Park.
11 Compliance with waterfront zoning regulations
12 would generally require the university to provide,
13 among other things, a public walkway along the
14 Baker Field shoreline, as well as a public access
15 area equal to 15% of the zoning lot. Given Baker
16 Field's size, this would be almost 200,000 square
17 feet, or roughly four and a half acres. Due to
18 space limitations and site constraints, the
19 university asserts that it cannot comply with this
20 requirement, and requested instead to provide a
21 half-acre public access area, built partially on
22 city-owned land, to build a modest new freshwater
23 marsh area for public use, and to enter into a
24 memorandum of understanding with the New York City
25 Department of Parks and Recreation to enter into a

1 license maintenance and operating agreement
2 whereby the university would improve city property
3 and provide public waterfront and waterway access.
4 Throughout this process, I have worked closely
5 with my constituents and the Community Board #12,
6 mindful of certain common principles. One, the
7 new athletic facility mustn't serve the university
8 at the expense of the community, but must
9 accommodate site requirements and esthetic
10 considerations. Two, the target project must
11 improve the surrounding parkland without
12 negatively impacting the delicate ecological
13 balance of the surrounding wetlands and marsh.
14 Three, the development cannot merely provide
15 visual access to the waterfront, but must also
16 provide meaningful public access to the waterfront
17 and waterways themselves. And four, the public
18 must be made whole for the university's
19 longstanding use of public land without prior
20 compensation. I am pleased with the university's
21 proposed design for a small wetland adjacent to
22 Inwood Hill Park, and with the university's
23 proposal to enhance city property and provide for
24 dual use of it and the university's own dock by
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2 both the university crew teams as well as by the
3 public. These improvements are excellent as far
4 as they go, but they do not go far enough. I echo
5 the remaining community concerns with respect to
6 enhancing safety in and around the proposed new
7 athletic building and park, environmental concerns
8 of the park itself, ongoing waterfront waterway
9 access and equity. Almost a year ago, Community
10 Board #12 passed a resolution detailing 15
11 specific requests of the university, Columbia must
12 rise to these demands and incorporate them into
13 its final proposal." That list is attached to the
14 testimony. "I draw particular attention to two
15 additional accommodations that the university
16 could implement to make up for its significantly
17 limited compliance with the waterfront zoning
18 regulations: funding of PEP officers for the
19 adjacent city park and the renovation of the
20 park's comfort stations south of the subject area.
21 I also remain concerned by apparently
22 contradictory statements in the environmental
23 assessment statement, and encourage a review of
24 the eight spills listed in the New York spills
25 database, and the creation of a remediation plan

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2 for same, prior to the start of any construction.
3 Last Sunday afternoon, I had an opportunity to
4 meet once again with the leadership of Columbia
5 University, along with some of my legislative
6 colleagues, Assembly Member Guillermo Linares and
7 Council Member Ydanis Rodriguez, who was not
8 there. I was assured of Columbia University's
9 commitment to our community. I am eager to see
10 this commitment on display throughout the entire
11 process and beyond. I call upon the university to
12 continue to dialogue with the community and its
13 elected officials, including members of the City
14 Council, and urge the Council not to approve the
15 university's application unless the university
16 enters into a binding and enforceable agreement
17 which addresses the various concerns raised by the
18 community, my colleagues and myself." Thank you.
19 I would also like to add one other observation
20 with respect to the email sent to the Senator's
21 office on Friday, March 4th, that was referenced
22 earlier. We happily would have responded to it
23 had we received it. There was ... it was sent to
24 two different addresses of the Senator's staff,
25 one of which is a general auto responder, and

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2 there was a general auto response that likely
3 would have been generated to it, although I do not
4 know. We did not receive the original email. The
5 other was directed to the chief of staff.

6 Unfortunately, as there was a typo in that
7 address, the chief of staff did not receive it,
8 nor did anyone on the staff. We never got the
9 email.

10 CHAIRPERSON WEPRIN: I do want to
11 remind everyone, I didn't get a chance to say this
12 before Elizabeth spoke, but we are going to have a
13 three-minute clock on everybody. So if we could
14 please try to keep it to three minutes, thank you.
15 Ms. Harris.

16 MS. HARRIS: Okay, I'm waiting.
17 I'm on, okay. Good afternoon, my name is Sandra
18 Harris, and I'm reading a statement from George
19 Starke. "Good afternoon", he says, "my name is
20 George Starke and I am a Columbia alum. As a
21 former NFL player for the Washington Redskins who
22 appeared in three Super Bowls, I look back with
23 warm and genuine gratitude on my years at Columbia
24 as a Columbia College student, where I played on
25 both the football and basketball teams. I did not

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2 come from the most privileged background and I did
3 not grow up assuming that I would attend an Ivy
4 League institution. However, from my time at
5 Columbia, I know firsthand the sense of community
6 and belonging that is built through a student's
7 athletic participation. Playing football and
8 basketball enriched my academic experience and led
9 me to a successful pro career, but perhaps more
10 importantly, it deepened my commitment to be an
11 active participant in the community to which I
12 belong. After my pro days, I founded the Excel
13 Institute, a non-profit vocational training
14 program for the youth and adults. As the
15 university now moves to construct a new sports
16 center and enhance the area's waterfront, I am
17 very pleased to lend my support to the boathouse
18 marsh project. I believe the boathouse marsh will
19 serve residents of Washington Heights and Inwood
20 and the Columbia community by providing expanded
21 and sustainable access to the waterfront.

22 Simultaneously, the project will enable a range of
23 environmental programs and activities and will
24 become in a way another tangible benefit of the
25 university's sports program. I hope that you will

1
2 approve Columbia's application so that this
3 important joint project can move forward.

4 Respectfully, George Starke."

5 CHAIRPERSON WEPRIN: Thank you, Ms.
6 Harris. Thank you both. Elizabeth, if you could
7 please send my regards to Senator Espaillat, if
8 you would. And I think Mr. Jackson actually has a
9 question.

10 COUNCIL MEMBER JACKSON: Sure,
11 thank you. Ms. Ritter, let me thank you for
12 coming in on behalf of our senator, but I just
13 need to communicate with you that the email was
14 sent to the senator's mailbox. If in fact the
15 senator either doesn't have staff or doesn't, you
16 know, doesn't look at his mail, that's not my
17 issue. The fact is that your mailbox did not have
18 an alternative mailbox to forward to, in fact, so
19 we sent it to the senator's mailbox. If the
20 senator is alleging that he didn't receive it,
21 then he should go check his email. Let me just
22 say that to you, as his representative. But also,
23 you gave out for distribution a press release from
24 the senator, along with a copy of the resolution
25 of Community Board #12, and as you know, the

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2 resolution that you gave with this is not the
3 final resolution of Community Board #12, in
4 reference to this particular project. And as you
5 know, the resolution that was voted on by
6 Community Board #12 in October, the Board failed
7 to act one way or the other. But what you
8 submitted was a Parks resolution going back to
9 April of 2010, so someone can easily confuse that
10 this resolution was what was approved by the
11 Community Board, meaning the final vote of the
12 Board, which it was not. So I just- -

13 MS. RITTER: It was ... may I respond
14 to that?

15 COUNCIL MEMBER JACKSON: Sure.

16 MS. RITTER: The ... I just want to
17 clarify, because it is confusing, and I- -

18 COUNCIL MEMBER JACKSON:
19 (Interposing) Of course it is.

20 MS. RITTER: And it is, it was not
21 my personal intent as staff, or the senator's
22 intent, to confuse, but to illuminate. So the ...
23 what I distributed was not a press release, but
24 was a copy of the testimony that I just read. And
25 it's just formatted differently.

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COUNCIL MEMBER JACKSON: I'm sorry-

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MS. RITTER: (Interposing) I did- -

COUNCIL MEMBER JACKSON:

(Interposing) It says on here "press release".

MS. RITTER: I did not hand that out.

COUNCIL MEMBER JACKSON: This has the senator's name on it, it was distributed to every member of the Committee.

MS. RITTER: Okay, I ... I ... I'm sorry- -

COUNCIL MEMBER JACKSON:
(Interposing) It doesn't matter, it's the senator's staff.

MS. RITTER: Okay, I, I understand.

CHAIRPERSON WEPRIN: All right.

MS. RITTER: In any event, the two things that I gave to the gentleman to distribute to you all was two pieces of paper stapled to each other, the top of which was the testimony that I just read, and the bottom of which was a resolution passed by Community Board #12 in April of 2010. In that resolution there are the 15

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2 specific items which, when you had talked about
3 wanting to make sure that the community requests
4 were incorporated, and because the senator
5 referenced those requests in his testimony as
6 well, I thought it was useful to include that as
7 an attachment. But that resolution is a
8 resolution passed eleven months ago by the Board,
9 and approved not unanimously, I believe there was
10 one abstention. But it is a ... it would be
11 inappropriate to distribute a committee report,
12 that was an actual Board resolution, but not the
13 one that failed in October.

14 CHAIRPERSON WEPRIN: Okay, let's ...
15 I'd like to try to limit the discussion on behalf
16 of Chairman Comrie and most of the people in this
17 room, who don't want to know about the emails any
18 more. Wait, Ms. Harris, just one second. Council
19 Member Rodriguez has a specific question for you.

20 COUNCIL MEMBER RODRIGUEZ: Just for
21 ... yeah, just for, since this is going to be taken
22 to a vote in this Committee, I expect that after
23 we will be able to meet with Columbia and all of
24 us in the leadership also, Council Member Jackson
25 that represents this district, that we would take

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2 it to a vote and we would find it a good thing for
3 the community. But just for the record of the
4 Committee, so we have the right information, the
5 Land Use Committee made the recommendation to the
6 Community Board, to vote in favor of those
7 recommendations. That recommendation was not
8 approved by the Community Board, and the reason
9 was, first of all, it did not get a majority. So
10 it doesn't matter what a Committee recommends, we
11 can as a Committee entertain anything, but it's
12 not official until it goes to the Stated Meeting.
13 So that's what's being, what happened at the
14 Community Board. Second, as I said, they ... the
15 only meeting where the elected officials met, all
16 the elected officials, was a meeting that was
17 called by Borough President Scott Stringer in his
18 office. At that meeting there was a commitment
19 that, yes, we will put a meeting together. Then
20 on ... it was said at the meeting on this past
21 Sunday at Columbia University that Council Member
22 Jackson instructed Columbia University that they
23 shouldn't meet with the other elected officials.
24 My question- -

25 CHAIRPERSON WEPRIN: (Interposing)

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Ydanis- -

COUNCIL MEMBER JACKSON:

(Interposing) I'm sorry, can you clarify that?

CHAIRPERSON COMRIE, JR.: We're

not- -

COUNCIL MEMBER JACKSON:

(Interposing) Who said that?

CHAIRPERSON WEPRIN: Robert,

Robert, Robert.

CHAIRPERSON COMRIE, JR.: ... with

this issue. Robert, please.

COUNCIL MEMBER JACKSON: No, I want

to know what he said.

CHAIRPERSON COMRIE, JR.: It's not

necessary, it is not necessary.

COUNCIL MEMBER JACKSON: I want to

know what he said. Because it's an absolute lie.

CHAIRPERSON COMRIE, JR.: It's just

not necessary.

COUNCIL MEMBER JACKSON: It's an

absolute lie.

CHAIRPERSON COMRIE, JR.: He

stated, that was stated earlier, you're being

repetitive, let's move on.

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2 CHAIRPERSON WEPRIN: And we want ...
3 we'll get to that kumbaya moment later on, I
4 promise. But let's not ... let's not dwell on this,
5 Ydanis, we could and I know you had a specific
6 question for Ms. Harris.

7 COUNCIL MEMBER RODRIGUEZ: So the
8 question is why, for the record, Sandra Harris has
9 been the appointed person, as ... to come in to
10 relay the Columbia University ... in charge of doing
11 the community relations in the whole community,
12 why, after we met at the borough president no
13 effort was taking place to bring, to follow up
14 what we agreed with Columbia and the elected
15 officials, that a community town hall meeting
16 would be in place, why didn't it take place?

17 MS. HARRIS: Following our meeting
18 with the borough president, Mr. Councilman, we
19 agreed, the Columbia people and all the members
20 there, that we would continue ongoing
21 conversations around the project, and that
22 Columbia moving forward will look at ways of
23 continuing to inform the entire community. We
24 discussed the website, we discussed sharing of
25 documentation and ideas on how that could be

1 distributed. If you recall, that meeting took
2 place on November 23rd, and at that moment, the
3 application process was in the City Council. so
4 these were a lot of the things that we agreed to,
5 moving forward on the project, not specifically
6 holding an open meeting.
7

8 COUNCIL MEMBER RODRIGUEZ: It did
9 not happen, even as you know, the whole
10 information, the whole movement about Baker Field
11 right now took place because we met on Wednesday.
12 And I asked the question about what is Baker
13 Field. We did not ... I did not get any briefing.
14 I did not get any information after we met with
15 the borough president, there was no one there from
16 the community board. So my thing is more well-
17 known, all the elected officials besides Jackson,
18 also Senator Espaillet, hasn't expressed any
19 opposition. It was only to put together a town
20 hall meeting, and we had spoken loud and clear on
21 that one, and we agreed. Why did that not happen?

22 MS. HARRIS: We did not agree to
23 hold a town hall meeting at that meeting. Liz,
24 you were at that meeting as well, so you can
25 confirm that?

1
2 COUNCIL MEMBER RODRIGUEZ: Well,
3 I'm sorry, the question is why that meeting ... why
4 engaging the community, as we agreed, did not
5 happen, something that Columbia agreed, and the
6 other panels say, agree with that too?

7 MS. HARRIS: At that meeting with
8 the borough president we did not agree to hold a
9 town hall meeting.

10 MS. RITTER: Am I being asked to
11 answer?

12 CHAIRPERSON WEPRIN: No, no,
13 Elizabeth, don't answer it right now. Listen,
14 Ms.- -

15 COUNCIL MEMBER JACKSON:
16 (Interposing) Well, that's an appropriate question
17 for the senator's staff, if they know.

18 CHAIRPERSON WEPRIN: Listen, with
19 all due respect to my colleagues, and I have
20 nothing but respect for both of you on this
21 subject, this stuff is sort of irrelevant to our
22 business here today. I know we're going to work
23 this out, we're going to talk about this
24 afterwards, I know Columbia is here, they're
25 hearing it loud and clear. Obviously there's some

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2 communication problems here that we're going to
3 work out.

4 COUNCIL MEMBER JACKSON: Mr. Chair-

5 -

6 CHAIRPERSON WEPRIN: (Interposing)

7 I see you have your finger on- -

8 COUNCIL MEMBER JACKSON:

9 (Interposing) ... I will hold a town hall meeting as
10 the Council Member whose district that's in, I
11 will work with our community to hold a town hall
12 meeting immediately, by Thursday, if possible.

13 CHAIRPERSON WEPRIN: Well, we will

14 have a chance to discuss all this after the
15 meeting.

16 COUNCIL MEMBER JACKSON: Anyone can

17 come.

18 CHAIRPERSON WEPRIN: But, RJ and

19 Ydanis, we're just going to ... let's wait to
20 discuss this part, okay? And go back to what Mr.
21 Comrie said. We do have some other panels that
22 are going to speak against this project, we will
23 want to get to them. So ladies, thank you very
24 much, and we move on. I'd like to call the
25 following people to a panel in opposition to this

1
2 project, Gail Abis, Adis, Roger Meyer, David
3 Roderson, looks like, and Jackie Merrill. We're
4 going to keep everybody to three minutes, so
5 please try to limit your remarks if they're longer
6 than that. And there will ... afterwards, there's
7 more people in opposition who are here who will
8 testify. Okay, is everybody here? We're missing
9 one, someone couldn't take it? Okay. All right,
10 well, you can get started. Please state your name
11 for the record, we're going to put you on the
12 three-minute clock, I want to warn you again.
13 Thank you.

14 MS. MERRILL: All right, my name is
15 Jacqueline Merrill, I'm a property owner and
16 resident of Inwood. I live on 217th Street, which
17 is about a block away from the proposed project.
18 Esteemed representatives and other attendees,
19 Columbia University misinformed the Community
20 Board and the community about its intentions for
21 block 2244, and the evidence of this is the five-
22 year planning process being conducted by President
23 Bollinger, the university trustees and the
24 taskforce on athletics. They have extensive plans
25 for development of the large property, blocks one

1
2 to 100, it includes a new sports center for the
3 Baker Field athletic complex, with training,
4 sports (inaudible) and meeting facilities, a new
5 boathouse, a new tennis center, and other
6 enhancements to the stadiums and fields at Baker
7 Field. The boathouse marsh is not a quid pro quo
8 just for the Campbell Sports Center building in
9 question, as stated in the November 5th letter to
10 the DCP resolution. The boathouse marsh is the
11 only public access that Columbia University plans
12 to give. The environmental assessment statements
13 dictated by the City Environmental Quality Review
14 procedures is void, because it only addresses the
15 Campbell building, when all along Columbia has
16 plans to build a much greater-scoped project.
17 With this information, the entire matter properly
18 should go back to the Community Board. We
19 respectfully ask that the City Council vote be
20 delayed until there is an enforceable agreement
21 with the city that reflects the larger
22 construction plans that Columbia University has.
23 We ask for ongoing community involvement in the
24 design, and certainly greater public access, as
25 stipulated by regulation 6250, access that can

1
2 readily be included in the scope of the extensive
3 improvements Columbia plans on the field site.

4 And I ask our representatives, there is a zoning
5 regulation created to protect the ... and represent
6 the interests of the citizenry, and I ask that
7 that not be discounted in this process. There's
8 no reason why Columbia University cannot develop
9 their property in the way that they see fit, and
10 also provide the community access as stipulated by
11 the city regulations. Thank you. And I
12 apologize, I do have to leave, I have an
13 outstanding appointment. Thank you.

14 CHAIRPERSON WEPRIN: Thank you.

15 Whoever gets to the mic first.

16 MR. MEYER: Hello and thank you, my
17 name is Roger Meyer, I just want to briefly
18 introduce myself. I run a canoe club down on pier
19 26, and I work with Metropolitan Waterfront
20 Alliance on the Action Agenda. Those of you who
21 are familiar with that, it was adopted by the
22 Mayor, and in fact it was promoted last ...
23 yesterday, in fact, in the New York Times. And
24 the basic gist of it is that the waterfront is a
25 priority for the community, and the importance of

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2 getting our community, not only near the water,
3 but on the water. So on that note I want to say
4 that I spent my years on the waterfront helping
5 the community get to the water, making real
6 programs for all sorts of youth and adults and
7 folks with disabilities, and I love this project,
8 the boathouse marsh project, I think it has a lot
9 of hope. It could be one of these great community
10 partnerships that will be a legacy project for
11 generations to come. But I think it falls short
12 in a couple of ways. Most importantly, the water
13 access component to the boathouse marsh project
14 fails because it does not take into consideration
15 the land use realities of water access. As you
16 know, Columbia presented that the dock would be of
17 use for the public, that's a fantastic offering.
18 But like many docks that lay fallow on our
19 waterfront, unless there's some attention to what
20 goes on around the land, community will not show
21 up, it will be a giveaway to the seagulls and the
22 ducks. And I can prove that to you, we've got it
23 all over this city, we've got these well-thought-
24 out docks that ... not well-thought-out, but docks
25 that sit on our waterfront for the community, and

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2 because no one had asked the basic questions, how
3 does the community get to the water, what kind of
4 storage do we have, how will the silt affect us,
5 how will a boat that has a deep draught get to
6 this dock? Basic 101 questions about a dock.
7 Because it doesn't address this, people will not
8 be able to use it, folks in our community will not
9 show, because they don't have kayaks and canoes
10 and rowing vessels in their apartment to lug down,
11 it just doesn't exist. So the reality of storage
12 and infrastructure and what that land looks like,
13 it has not been addressed. And we've made this
14 point last year in public, in CB 12 meetings, and
15 we didn't get a response to that that was adequate
16 to make us feel like we were going to see
17 anything. Now, if it goes through as it currently
18 does, by virtue of what's stated in the MOU, what
19 we're going to get is redundant dock, 500 feet
20 away there's another public dock, and that dock is
21 not used, is not used by anybody. The reason it's
22 not used is because it's in silt, and it's locked
23 up, and there's no programmatic possibility for
24 the community to convene on it, there's no place
25 to have youth programs, there's no place for

1
2 environmental programs, other than what's on land-
3 based. So nothing happens there, this will be
4 another mistake. The same thing happened in
5 Harlem, by the way. There's a community dock, and
6 the only person who uses that I think is me, and I
7 paddle up there and I'm by myself. Nobody
8 actually comes from Harlem with any groups that
9 I've ever seen. I've heard this to the
10 consternation of Harlem community groups as well.
11 This basic set of questions of land use has not
12 been addressed for this, and it will be at a major
13 cost to the community. Thank you.

14 CHAIRPERSON WEPRIN: Thank you.
15 Who wants to go next? She seems to be passing to
16 you.

17 MR. BRODERSON: Thank you for the
18 opportunity to speak to the Land Use Committee on
19 the request for waterfront zoning variance by
20 Columbia University for the Baker Field boathouse
21 marsh. I'm associated with a growing and
22 currently-organizing group of almost 500 residents
23 of Inwood Manhattan.

24 CHAIRPERSON WEPRIN: And your name
25 is?

1
2 MR. BRODERSON: David Broderon,
3 sorry, Mr. Weprin. With an esteemed family like
4 yours, I'd do anything. In any case, on behalf of
5 our group, I seek your vote against the variance
6 for modification of related terms. Columbia has
7 started out in good faith and done some good work
8 there. Despite their best efforts, it's still
9 merely, pardon the cliché, lipstick on a pig,
10 which can be improved in conjunction with the MOU.
11 Other members have discussed, or will present, an
12 array of other important issues. I today would
13 like to focus on social or environmental equity or
14 justice related to Columbia's application. And
15 the first comment is related to Council Member
16 Comrie's wisdom in suggesting an ex parte
17 resolution of conflict between our public
18 officials. As long as this conflict goes on,
19 Inwood and the university will lose big-time in
20 this matter. And until that's resolved, we seek a
21 halt to this proceeding and a re-submission of the
22 variance request at a later date. Other
23 environmental or social equity or justice issues:
24 waterfront improvement includes waterfront access.
25 Access as the dictionary defines it is permission,

1 liberty or ability to enter, approach, communicate
2 with or pass to or from, in this instance, water.
3 Despite Columbia's effort, it does not meet this
4 full-blown definition of water access. There are
5 all sorts of restrictions there. For example, as
6 my colleague pointed out, near impossible to bring
7 a heavy craft there. But what we seek is akin to
8 what's been downtown at Central Park, universal
9 access, what's been done on the esplanade at
10 Battery Park City, you have photographs of that,
11 where anyone can launch a boat readily. We also
12 realize that recently as published in the New
13 Yorker magazine of all people, real estate shark
14 Bruce Ratner agreed, as a result of your public
15 efforts, to a school building in the base of his
16 very pricey skyscraper at 8 Spruce Street. In any
17 case, this must be changed, and I'm reminded, in
18 final words, of Daniel Burnham's comments about
19 urban planning. Burnham was a famous Chicago
20 architect, American planner, and he said, " Make
21 no little plans, they have no magic to stir men's
22 blood". Well, this is a small plan, it's not very
23 exciting, it's riddled with errors, omission,
24 incorrect interpretations, and incorrect facts.
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Thank you.

CHAIRPERSON WEPRIN: Thank you.

MR. BRODERSON: One last thing,
it's a Trojan horse.

CHAIRPERSON WEPRIN: Okay, let me
get this down, pig, horse, okay.

MR. BRODERSON: Right.

CHAIRPERSON WEPRIN: Thank you.

MR. BRODERSON: Quite a hybrid.

MS. ADIS: Good afternoon, my name
is Gail Adis, I'm Board President of 100 Park
Terrace West, we're the building that's directly
across the street from the main gate of Columbia's
Baker Field. We've invited Columbia to our lobby,
we've had meetings with them, we have been trying,
attempting to understand exactly what they're
doing. The project as presented by Columbia today
is a de facto eminent domain action, it's a real
estate transaction that rewards Columbia for
failure to plan and for not fully informing the
community or the community board of its true
intention. On February 14th, at the City Planning,
which we have a tape of, which we can inform you
of, the truth ... when we brought up the issue of

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2 the tennis bubble, the use of the tennis bubble,
3 Columbia said, about having waterfront, additional
4 waterfront access for the tennis bubble that's
5 here, that they're turning it into a legal
6 building, it's not a legal building now, the
7 students are unsafe ... that's here. Columbia said,
8 we'll be resubmitting boathouse marsh over and
9 over again, for every project that Jacqueline
10 Merrill spoke about that's on their website, for
11 the project. This is our one shot for the
12 community to get a response from Columbia on this.
13 And this is all city-owned public land. If you
14 need to see it better, this is in Columbia's
15 development magazine that shows the exact line of
16 where the boathouse is, it's Columbia land.
17 Everything else on it is city-owned land, it's a
18 special, unique area of the city for which
19 Columbia has had private use for 90 years and not
20 paid a penny. In a period where we're laying off
21 teachers, reducing fire houses, and Columbia has
22 free use of the land for 90 years. The issue that
23 they're resubmitting boathouse marsh over and over
24 again will come into play in terms of negative
25 impact on our neighborhood because the entire EAS

1
2 was based on the little Campbell sports building,
3 which says it increases the usage by 40 people,
4 and that's all. And Columbia has much greater
5 plans. We used, for the waterfront plan we cite
6 in our neighbors in the Bronx, the NYU campus in
7 the Bronx, where they use their edge condition
8 escarpment for their ... Kim Mead and White used for
9 their ... for the whole thing along their grand
10 library. You can use land around the water if
11 you're creative and if you work hard on it. Our
12 neighborhood group submitted to Mr. Jackson our
13 request that Columbia establish a trust fund for
14 the adjacent parks that compensates for the 90
15 years of private use of public land, a re-
16 examination of the zoning for all of the
17 buildings, the Columbia participation - almost
18 finished - in the funding of elevator access for
19 the 215th Street station. Columbia is accessed
20 from the 116th Street ... the 215th Street station.
21 Columbia by law states in their report, we don't
22 have to give parking on our site, we're an
23 educational facility. How are the students going
24 to get there? They should improve the station,
25 that was specifically in our lobby meeting.

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2 Constituents from Mr. Rodriguez's and Mr.
3 Jackson's office both said, please fix ... have them
4 fix the station. A comprehensive study of the
5 ecology, the boat storage, security improvements.
6 This is ... Columbia needs to think of it as a whole
7 site. Here's 218th Street, here's my house- -

8 CHAIRPERSON WEPRIN: (Interposing)
9 Quickly, if you can.

10 MS. ADIS: Surely.

11 CHAIRPERSON WEPRIN: Okay.

12 MS. ADIS: To ... this is the
13 entrance to Manhattan from the mainland of North
14 America, Bronx, the Bronx. And this is a very ...
15 Columbia has literally turned its back on the
16 Bronx ... on the street. Because now there's a
17 Target there, people walk back and forth. One of
18 my neighbors was mugged behind the soccer stadium,
19 this is- -

20 CHAIRPERSON WEPRIN: (Interposing)
21 All right, you're getting off topic a little bit.

22 MS. ADIS: Sorry. No, it isn't off
23 topic, because it's the whole site.

24 CHAIRPERSON WEPRIN: Well, all
25 right. But, I understand.

1
2 MS. ADIS: Right, but it's the
3 whole site, think of the whole site. It's coming
4 down the middle of Broadway, it's unsafe in Mr.
5 Jackson's neighborhood, it's unsafe in Mr.
6 Rodriguez's neighborhood.

7 CHAIRPERSON WEPRIN: Okay.

8 MS. ADIS: And offer more
9 scholarships, 19 is nothing. Everything they're
10 doing is the absolute minimum. City Planning
11 requires five bike paths- -

12 CHAIRPERSON WEPRIN: (Interposing)
13 Okay, thank you.

14 MS. ADIS: ... I gave you a- -

15 CHAIRPERSON WEPRIN: (Interposing)
16 Thank you, I have to cut you off there, I'm sorry.

17 MS. ADIS: Sorry.

18 CHAIRPERSON WEPRIN: I have a quick
19 question, though, actually, for Mr. Broderon,
20 since he was so complimentary on my family.

21 MR. BRODERSON: Oh oh.

22 CHAIRPERSON WEPRIN: And you
23 printed up all these nice pictures, so I want to
24 ask you about it before you just put it away.

25 MR. BRODERSON: Sure.

1
2 CHAIRPERSON WEPRIN: But you talked
3 about the esplanade down at Battery Park City
4 being better for getting boats in and carrying
5 them in. I don't know much about this, I
6 apologize. So why is this, what is it about this
7 picture that shows me how much easier it is to get
8 a canoe in there or a boat or whatever it is?

9 MR. BRODERSON: When I was drawing
10 the comparison of Battery Park City.

11 CHAIRPERSON WEPRIN: Right.

12 MR. BRODERSON: The esplanade and
13 the boat dock, I was not addressing the physical
14 traits necessarily of the area. I was addressing
15 the public policy, oftentimes in urban planning,
16 and pardon me, I'm trained as an urban planner,
17 one of the hats I unfortunately wear.

18 CHAIRPERSON WEPRIN: You sound like
19 one.

20 MR. BRODERSON: There's a
21 distinction, even though they affect each other.
22 So what's going on, at least in our neighborhood,
23 which reflects upon whether we have the boats,
24 access or not, we've become in a sense a dumping
25 ground for public facilities: the light rail

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2 transit bus depot and there's a third facility
3 there off ... Sanitation, thank you. And we have
4 likewise become inundated by a university.
5 Consequently, we do not have access to the
6 countless array of other resources that other
7 neighborhoods in the city do, unless someone
8 agrees to help us.

9 CHAIRPERSON WEPRIN: Okay.

10 Although I ask with apprehension, Mr. Rodriguez or
11 Mr. Jackson, do either one of you have a comment
12 for this panel? No? All right, thank you all
13 very much. I apologize for cutting you off, we
14 just ... it's been a long day and we've got some
15 more people and we have other meetings to go to.
16 Right, I understood, I ... okay. Okay, I got just
17 enough. Okay, I believe we have two people left
18 in opposition, I'll call them, and if there's
19 anyone else in the room I missed, let me know. Is
20 it Susan Ryan? And James Adis. I may have
21 pronounced that wrong, but I took the glasses off.
22 Anybody else here who ... I think that's all we have
23 to testify, no one else in the room is waiting to
24 testify? Yeah, he has it here, we have it. Okay,
25 James, you want to get started? It's up to you,

1
2 either way. Once, twice, three, shoot.

3 MR. ADIS: Thank you, my name is
4 James Adis, I'm an architect, a former professor
5 at the School of Architecture for the City
6 University of New York, and an architectural
7 historian. Also, I'm a native New Yorker and,
8 most importantly, I'm a resident of Inwood. I
9 wanted to address the scope of the plan for the
10 extension of public access along the waterfront ...
11 along the waterway, in addition to the other
12 issues. But from an historical point of view,
13 Isham Park was given by the Isham women to the
14 City of New York almost ... next year it will be a
15 century ago. This was the first private land
16 which the city accepted as a public property.
17 This was really important, Isham Park is just up
18 the street from where this project is. This is
19 really important, not only for that reason, but
20 because it was conceived of as in relationship to
21 the site as a whole, the site lines across the
22 water, and across to what is Inwood Park now. And
23 the result of that concern for not just its own
24 boundaries, but for its connection to the larger
25 site was that Isham Park, which was not the

1 wilderness it looks like now, but was inhabited at
2 the time, Isham Park ... I'm sorry, Inwood Hill Park
3 was then bought by the city, the buildings were
4 torn down, and it turned into that magnificent
5 park which we have now. The point is that a small
6 project can have a large influence on the
7 immediate surroundings. That's true not only for
8 the present, but also, I think, for the future.
9 The historical lesson I've learned from that is
10 that history is not just about the past, it's
11 about the present as well, but also the potential
12 for the future. If we think about this access as
13 having this enormous potential for people for a
14 very long time, people from all over, both sides
15 of Broadway, I think that it's important.
16 Although it just looks like a small, little
17 addition to the project, it turns out to be of
18 really great social importance. Thank you.

19
20 CHAIRPERSON WEPRIN: Thank you.

21 Ms. Ryan, please. Just reset that clock there.
22 There you go.

23 MS. RYAN: So we turn ... oh good,
24 it's on. I'm reminded of The King's Speech, okay.
25 My name is Susan Ryan, and I live on Park Terrace

1 East, a couple of blocks away from the Baker
2 Field. I want to recognize my Council Member,
3 Robert Jackson, and thank him for his efforts, and
4 also Council Member Ydanis Rodriguez, who
5 apparently has left the room. But I also want to
6 support Council Member Jackson's statement about
7 transparency and accountability in this process,
8 and I'm here to address those issues, because I
9 feel that they have been ... that they are not the
10 case in this situation with our community board.
11 There are serious concerns about the fact that
12 residents of the Inwood community have been denied
13 their right to question Columbia University about
14 information in its environmental assessment study.
15 Environmental information in Columbia's EAS,
16 specifically information in the hazardous
17 materials section, bears closer examination, as
18 this information pertains to the health and safety
19 of the community of Inwood. There is information
20 about several oil spills and hazardous materials,
21 and I encourage and invite anyone to ask me
22 questions about it afterwards, in case I run out
23 of time. This EAS ... excuse me, there are also
24 some serious ethical, and perhaps even legal,
25

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2 questions regarding the process that this
3 environmental assessment statement has gone
4 through at our community board. Number one, this
5 EAS was given to Community Board #12 in June of
6 2010, yet was not released to the community in a
7 meaningful fashion until September of 2010, a
8 delay of four months. To this date we have not
9 been given any answer as to why. Number two, the
10 normal procedure at Community Board #12 is that if
11 a project has an EAS and it has to go before the
12 Health and Environment Committee of Community
13 Board #12 in order for them to review the project.
14 To date, Columbia University's Baker Field project
15 has never come before the Health and Environment
16 Committee, despite the fact that they have been
17 asked to do so by members of the community and
18 even the Chair of the Community Board. Number
19 three, it is my understanding that on two separate
20 occasions the Chair of CB 12 specifically asked
21 the Chair of Health and Environment Committee to
22 have his committee review Columbia University's
23 EAS, and still he didn't do it. As it happens,
24 the chair of the Health and Environment Committee
25 works for the Department of Parks and Recreation,

1
2 which clearly has a vested interest in the
3 approval of this project. This amounts to a
4 conflict of interest. You've heard mention of a
5 meeting where the Community Board was not able to
6 come to a vote. I say this is another example of
7 ... not being able to come to a vote, but come to a
8 conclusion, thank you. At that meeting on October
9 26th, 2010, there were 33 Community Board members
10 in attendance, and yet of those 33 Community Board
11 members, there was seven no votes and two
12 abstentions, due to the fact the Community Board
13 members were on the payroll of Columbia University
14 in one way or another.

15 CHAIRPERSON WEPRIN: Just wrap it
16 up quickly.

17 MS. RYAN: Yes. When almost 30% of
18 the voting body of our Community Board is on
19 Columbia University's payroll, then there is
20 something wrong with this picture. Lastly, the
21 number of 17 ... of meeting with the community on 17
22 separate occasions is misleading. Of those 17,
23 only seven were meetings with the Community Board,
24 five of which were prior to the two meetings where
25 the vote took place, and of those meetings, only

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2 one Community Board meeting took place in the
3 actual community affected, that one meeting in
4 Inwood was attended by over 100 people,
5 demonstrating the community's desire to be heard
6 and their interest in the outcome of your
7 deliberations.

8 CHAIRPERSON WEPRIN: Thank you, Ms.
9 Ryan.

10 MS. RYAN: Thank you.

11 CHAIRPERSON WEPRIN: Gentlemen,
12 anyone ... well, does anyone have a question? The
13 gentleman on my left? No? Well, we thank you
14 very much ... no, Mr. Comrie has a question.

15 CHAIRPERSON COMRIE, JR.: I don't
16 have a question, I just have a statement, and a
17 request that the panelists, especially the
18 previous panelist, if they could just detail what
19 they would like to see, especially the gentleman
20 that was dealing with the canoe and access,
21 detailing what they would like to see, versus what
22 you think is there. Because it was really unclear
23 to me what it is you want to see, specifically. I
24 understand the general content vis-à-vis what
25 they've presented versus what you would like to

1
2 see, and how we get there. Yeah, the canoe club
3 president.

4 CHAIRPERSON WEPRIN: We'll do that
5 afterwards.

6 CHAIRPERSON COMRIE, JR.: Not now.

7 CHAIRPERSON WEPRIN: Do it
8 afterwards, do it afterwards.

9 CHAIRPERSON COMRIE, JR.: Yeah, not
10 now.

11 CHAIRPERSON WEPRIN: Because we
12 don't want to go into all of that.

13 CHAIRPERSON COMRIE, JR.: Right.

14 CHAIRPERSON WEPRIN: Okay, well
15 thank you both very much.

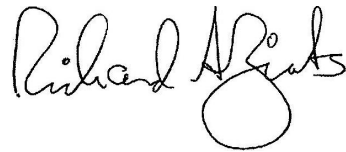
16 CHAIRPERSON COMRIE, JR.: Right, we
17 want it in writing, yes.

18 CHAIRPERSON WEPRIN: I want to
19 acknowledge we've just ... this next person is just
20 ... we're going to submit testimony on behalf of one
21 of the alumni who supports this project, George
22 Van Amson, I have a letter here in favor, which we
23 have for the Committee. With that in mind,
24 anybody else in the audience planning on
25 testifying today? Do I sound like I'm

1
2 discouraging it? Nick, you cannot testify. Nick,
3 you can go eat lunch soon, though, that's ... well,
4 I want to thank everyone for their patience today.
5 And we're moving to close this hearing now. We
6 have a lot of work to do still on this Committee ...
7 on this item, we're going to be discussing,
8 discussing some of the issues that were raised
9 here today, and talking to my colleagues, you
10 know, break some bread and do whatever it takes to
11 bring the parties together. So with that in mind,
12 I thank you all, and we will now adjourn the
13 meeting, this hearing being closed. Thank you.

C E R T I F I C A T E

I, Richard A. Ziats, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature _____

Date March 25, 2011