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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December 5, 2013
Start: 10:27 a.m.
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HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:
Leroy G. Comrie
Daniel R. Garodnick
Robert Jackson
Diana Reyna
Albert Vann
Vincent M. Ignizio
Ruben Wills
Fernando Cabrera

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

Marc Glazer
Le Pain Quotidien

Steve Wygoda
Architect
Nello's

Paul Nicaj
Owner
Nello's

Thomas Makkos
Owner
Nello's

Ross Moskowitz
Counsel
KNIC Partners LLC

Mark Messier
Partner
KNIC Partners LLC

Jonathan Richter
Partner
KNIC Partners LLC

Nnenna Lynch
Mayor's Office

Kyle Kimball
President
New York City Economic Development Corporation

Jeff Spiritos
KNIC Partners LLC

Ruben Diaz, Jr.
Bronx Borough President

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

Senator Gustavo Rivera

Nancy Fernandez
President
Kingsbridge Merchant Association

Christian Ramos
Vice President
Kingsbridge Merchant Association

Carlos Nieves

Nilsa Cintron
Resident

Father Richard Gorman
Chair
Community Board 12

Adaline Walker-Santiago
Chair
Community Board 7

Aleciah Anthony
Executive Director
Northwest Bronx Community and Clergy Coalition

Natalia Rodriguez
Resident

Anna Moran-Gonzalez
Resident

Desiree Pilgrim-Hunter
Parent
Bronx Resident

Alice McIntosh
Teacher

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

Vincent Clark
Vice President of Admin. & Finance
Lehman College

Steven Sloan
Owner
Morton Williams Supermarkets

Taleigh Green
Concrete Green

Chris Gonzalez
Associate Commissioner
Housing Preservation and Development

Thehbia Walters
Director of Manhattan Planning
Housing Preservation and Development

Evan Kashanian
Artimus Construction

Dale Degenshein
Counsel for 422 West 20th Street

Seth Slotkin
Resident

Chris O'Hara
Resident

Betty McIntosh
Community Board 4 Member
Co-Chair of Chelsea Land Use Committee

Erica Baptiste
Community Planner
Manhattan Community Board 4

Miguel Acevedo
President
Fulton Houses Tenant Association

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

Joe Restuccia
Co-Chair of the Housing Committee
Manhattan Community Board 4

Adam Fuller
Resident

Huntley Gill
Guardia Architects

Leonard Anika [phonetic]
Resident, Architect

Ed Wallace
Attorney

John Cetra
Architect

Nick Hawkins
Land Use Lawyer

Purnima Kapur
Director
City Planning, Brooklyn Office

Carolee Fink
Mayor's Office

Aditi Sen
SEIU 32BJ

Bianca Garcia
Build Up NYC

Carolyn Bednarski
Resident

Darren Lipman

Richard Mazur
Executive Director
North Brooklyn Development Corporation

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

Kim Mason
Resident

Bess Long
Resident

Jennifer Childs
Resident

Stephanie Eisenberg
Resident

Michelle Burke
Resident

Lily Peachin
Resident

Noa Bornstein
Resident

CHAIRPERSON WEPRIN: Alright, everyone find their seats, we're gonna get started. Alright, good morning everyone, my name is Mark Weprin; I'm the Chair of the Zoning and Franchises Subcommittee and I am joined by the following members of the Subcommittee, Council Member Diana Reyna, Council Member Leroy Comrie, Council Member Al Vann, Council Member Dan Garodnick, and Council Member Ruben Wills, as well as Council Vincent Ignizio, and also joined by Council Member Fernando Cabrera from the Bronx who's here on a matter and Steve Levin was here, but I think he stepped out and will be back in a little while.

So we're gonna start; we have… first we have… let me just give you the ground rules; we have a couple of cafés to hear first, those will be quick, then we have three fairly large items and they'll be a while, we're gonna have each one… they'll take a while, there'll be people testifying on both sides, so when the time comes for people… we're gonna have people testify from the applicant, then we will have panels in opposition as well as in favor of those projects. We are gonna have to limit people in their testimony to two minutes each and we have a clock

that says that; I know that's a very short time, so what I would ask you to do is to please organize your thoughts and put them down and try to keep it to two minutes, so if you can somehow… if you're with other people on the same you know are raising a similar issue, you may wanna pick a… you know, try to tailor the message away and get all your points in. So that'll be later and we'll get up to that.

One other matter of housekeeping; the Rheingold Rezoning which we heard a hearing on already; we will not be voting on today; that's Land Use No. 951 to 953; we are laying that matter over to a future meeting.

So without further ado we're gonna do the two cafés the first one, Land Use No. 975, Le Pain Quotidien… however you pronounce that… and we have Marc… is it Glazer? [background comment] Mr. Glazer, come on up; sit at that table over there, I think, right? That's our… okay, that's the overhead for somebody else. Please state your name for the record [background comment] and make sure the mic is on; is it on right there? 'Kay. Say it again… [crosstalk]

MARC GLAZER: Yes.

CHAIRPERSON WEPRIN: Say it again and then state the application and what we're asking for.

MARC GLAZER: Marc Glazer; this is an application for a sidewalk café. We have had an agreement worked out with Council Member Quinn where we will arrange our sidewalk café tables and chairs according to the plan on file with the New York City Department of Consume Affairs. We will not ever seat on Perry Street and will arrange only three chairs and six tables on Perry Street. If there are any questions, please call my office.

CHAIRPERSON WEPRIN: Thank you very much and I understand we've been in consultation with Council Member Quinn's office, Speaker Quinn's office, who represents this area and they are okay with these changes and this amendment. Hold on one second. Are there any questions from the panel? [background comments] Alright, no questions. [background comments] No, I see none. We thank you very much. That was easy, huh?

MARC GLAZER: Yes it was. Thanks.

CHAIRPERSON WEPRIN: They… if they only were all that easy, right? Thank you, Mr. Glazer. We're gonna close that hearing and we move onto the

next café, our last café, which is Land Use No. 987, which is Nello's in Council Member Garodnick's district; Steve Wygoda is here as well… they're with us too… Paul Nicaj [background comments] and Tom Makkos, so you guys are all here? Mr. Wygoda, they're with you as well?

STEVE WYGODA: Yes.

CHAIRPERSON WEPRIN: Gentlemen, try to squeeze in there; sorry about the PowerPoint there, we'll try to work around it. [background comment] So Mr. Wygoda, you'll… you know the… you know the drill, so make sure that anyone who speaks… [interpose]

STEVE WYGODA: I do.

CHAIRPERSON WEPRIN: states their name for the record.

STEVE WYGODA: Okay. My name is Steve Wygoda; I'm the architect; did the original application eight years ago for Nello's and this is our fourth renewal, separately for the historical record, we're approaching our 700th sidewalk café application in New York City. Mr. Garodnick, Council Member Garodnick has requested that we attend this meeting to describe the issues… I think there were

three issues, and we had a conversation with Council Member Garodnick and his staff members and so I brought… the three issues had to do with electrical wiring on a tree that apparently is for the holidays; apparently everybody on Madison Avenue seems to do that, so I'm not sure if that's really an issue. Second issue is complying with the agreement that was made on this restaurant a few years back on a variety of closure times, etc., and so the owners are here to represent themselves to say that they will absolutely comply. And the third issue is that perhaps the four-top tables that are there, there are three tables, the service is from inside; they may have inched over three, four inches or five or nine inches, but they will be kept at the proper location. So that's really my understanding of what the issues are.

CHAIRPERSON WEPRIN: Okay. Thank you Mr. Wygoda; do the owners wanna say something on the record or… [interpose]

STEVE WYGODA: Yes, they do, yeah. [interpose]

CHAIRPERSON WEPRIN: Okay. Please, go ahead; just make sure you state your name when you do

speak. Help them out with the mic there… get close to the mic. Good.

PAUL NICAJ: Paul Nicaj, owner of Nello's, Madison Global. Nello is a small restaurant on Madison Avenue that does employ around 40 employees and is, thank god, very successful restaurant and just we… we need to enhance a little bit, somehow those tables help us attract the walk-in traffic and it's very important to us. It's a tremendous amount of revenue produced and then jobs.

CHAIRPERSON WEPRIN: Thank you. Sir; do you wanna say something as well? 'Kay, make sure to say your name… uh yes. [interpose]

THOMAS MAKKOS: Right. My name is Thomas Makkos and I'm one of the owners of Madison Global d.b.a. Nello's. We are there for about five years and we employ like Mr. Nicaj said, about 40 to 50 people; we offer a service to Madison Avenue; we are on a corridor that there's no restaurants left and due to the, you know high rent on Madison Avenue and we try very hard, you know, to service clientele that go shopping around the area. With that said, we believe that we do everything that we were asked to do couple years ago and we comply with all the

regulations with the seating outside of how many chairs and how many tables and how to serve.

CHAIRPERSON WEPRIN: Thank you. Alright, Council Member Garodnick, as I mentioned who represents the restaurant, wants to make a statement.

COUNCIL MEMBER GARODNICK: Just briefly and thank you Mr. Chairman. I just wanna note that we appreciate your presence here today and certainly we're not actually going to be voting on this matter; we will continue our conversation here directly from members of the community; I will note that the Community Board disapproved this action by a vote of 32 to 1, which I think was reflective of the fact that there have been at least perceived issues on responsiveness or closing times and things like that and those are issues that we wanna just resolve now that we have the occasion and to maybe have a fresh start with the community and fresh opportunity to improve those relationships and to make sure that everything here is compliant at the same time. So this will be a continue conversation, but we do appreciate your being here today.

CHAIRPERSON WEPRIN: Thank you very much. So gentlemen, we're gonna be discussing over the next

few days; we're probably not gonna vote on this item today, but we will be in negotiation, okay? We thank you very much gentlemen for coming and taking time out of your day. And Mr. Wygoda; always a pleasure.

STEVE WYGODA: Same here.

CHAIRPERSON WEPRIN: Thank you.

STEVE WYGODA: Nice to see you. Thank you.

CHAIRPERSON WEPRIN: Anyone here to testify on this matter? Seeing none, I am gonna close this public hearing and that'll be it for the cafés.

[pause]

CHAIRPERSON WEPRIN: 'Kay. Alright, we're gonna now move onto the Kingsbridge National Ice Center item, Land Use Nos. 964, 965, 966 and 967 in Council Member Cabrera's district. I'd like to call up Ross Moskowitz, [background comment] Mark Messier, Sarah Hughes and Jonathan Richter. [background comments]

[pause]

CHAIRPERSON WEPRIN: Alright, gentleman at the moment, and lady, if they arrive, whenever you're ready, just… you know the drill, Mr.

Moskowitz; just make sure to state your name for the record when you talk so if it is transcribed people know who's speaking at the time. So whenever you're ready; I see you have a PowerPoint for all of us and we'll all interested to hear.

ROSS MOSKOWITZ: Thank you, Mr. Weprin. Good morning; my name is Ross Moskowitz and I'm a member of Stroock & Stroock & Lavan, counsel to KNIC Partners, the designated developer of the proposed Kingsbridge National Ice Center at the historic Kingsbridge Armory building.

As you will hear from members of the project team who are with me today, KNIC is proposing to rehabilitate and redevelop the vacant armory building into the world's largest ice rink facility, with multiple new uses, including ice rinks and a related program space, retail space, community facility space and an accessory parking garage. The theme of this project from day one has been community, jobs and kids. The project has received great support from the local community, including approvals from Community Board 7 and Bronx Borough President Ruben Diaz.

As you saw in those recommendations, this facility will help to further revitalize and fuel growth to the area, provide recreational opportunities, generate new jobs and create a brand new community center. Additionally, the sensitivity and design of the proposed alterations to the armory building, a New York City landmark, has already received approval from the New York City Landmarks Preservation Commission.

KNIC is seeking the following four land use actions. First, disposition, to dispose of the development site; in fact, the Bronx Borough Board unanimously approved this disposition last month. Second item is to rezone the project area from an R6 district to a C44 district. Third item is a zoning text amendment to amend 7441 of the Zoning Resolution, creating a new subsection, Special Permit, which would allow for this facility, an indoor arena with the capacity in excess of 2500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential community. And the fourth action is a new Special Permit, Section 7441-B, which would allow for this facility with a maximum capacity of 6,000 seats at the

development site and the modification of certain signage and loading requirements.

I'd like to touch briefly on the text amendment and Special Permit. The text amendment would be consistent with the proposed project's goal of providing a public amenity that will be available to nearby residents. Additionally, the proposed amendment would further the goal of the project by allowing certain modifications of signage and loading requirements. This amendment would have limited applicability, as it applies only to a small geographic area, Community Board District 7 in the Bronx and applicability to this text amendment is neither boroughwide nor citywide.

With regard to the Special Permit, only arenas with a capacity of not more than 2500 persons are permitted as-of-right in this district. KNIC proposes to provide a main rink with approximately 5,000 seats, which is a key feature of this project, any other rinks with a combined capacity of approximately 800 persons.

In conjunction with the arena use, KNIC is also requesting modification of the signage and loading berth requirements to allow for additional

signage at the facility. A total of three as opposed to five loading berths is also being proposed. As is fully discussed in our loading plan, the project is not expected to generate significant loading demands, as the project will not contain any significant office use and would only contain limited amounts of food and beverage eating establishments, each of which is intended to be accessory.

Finally, the applicant is committed to the following -- very important to note for the Committee -- a traffic management plan for peak events; second, a traffic monitoring plan to verify the traffic mitigation measures; third, a lead certification of at least silver, with a goal of achieving a gold status; fourth, greenhouse gas reduction measures; and five, construction-related impact mitigation and monitoring. In connection with parking at the armory, the applicant will be entering into agreement with NYPD for traffic enforcement services.

In conclusion, this development, this historic development, would compliment existing commercial uses in the surrounding area by attracting visitors from outside of the neighborhood, many of

whom would arrive to the area via public transportation and providing increased foot traffic and patronage along the surrounding area's commercial corridors. This development, again, an historic development, allow area residents and visitors to appreciate and enjoy the history, beauty and uniqueness of the armory building from inside and out through a new, reimagined, adaptive and appropriate use of the armory building as a world-class ice center, a public recreational amenity, and a benefit to the surrounding area and to the City.

And with that, Council Member, I would like to turn to Mr. Messier.

CHAIRPERSON WEPRIN: Be my guest.

MARK MESSIER: Good morning; my name is Mark Messier; I'm a partner with the KNIC team and as the famous words of a great American, Bob "Badger" Johnson, "It's another great day for hockey." This has been four years of planning, organizing, having strategic meetings and we're on a threshold of doing something incredible in the Bronx. We're about to turn the armory into an iconic destination for all ice sports and to be a center of excellence for kids around the area.

In 1994 I was part of a team that brought the Stanley Cup to New York after a 54-year draught and we inspired a lot of people along the way, and we inspired a lot of kids along the way as well, only to find out that their dreams couldn't come true because of a lack of ice time and a lack of opportunity for the kids in this area and I find that rather disturbing with three NHL teams in our vicinity and all the resources that we have in this area that not more has been done to help kids realize their dreams if that is, of course, one of their dreams is to have an opportunity in any ice sport, not only hockey.

We came into the project after talking with our founder and our leader, Kevin Parker; I had to make a decision whether I wanted to continue a career in ice hockey at the NHL level or I wanted to join the KNIC Partners and try to do something as important in the community as the armory will be. I chose to join the KNIC team because of the incredible opportunity it represents. We came into the project with three things in our mind: kids, jobs and community, and that was what inspired me to join the team. And the other three words that I like to use when we talk to the people in the community was

transparency, truth and honor and about our commitment to uphold what we intend to do.

Thank you for your consideration and I would like to turn it over to our partner, Jonathan Richter to walk you through our presentation.

CHAIRPERSON WEPRIN: Thank you, Mr. Messier. Mr. Richter.

JONATHAN RICHTER: Jonathan Richter, a partner with KNIC, the developer of the project. You know it's an impressive building for any of you that haven't been up there; it's worth the trip; it sits on 5-and-a-half acres in the Bronx; it was built about a 100 years ago, in 1917; it's, you know is a proud heritage of the armory and it's been a community anchor for over a century.

Today the Kingsbridge Armory is a symbol of unfulfilled opportunity. It's a historically significant building with a history of failed attempts and has left this asset sitting vacant and deteriorating for decades. It's an iconic building that merits a powerful vision, and so when we started to think about the armory we started to think about it not in the context of ice sports, but in the context of outcomes and in the context of a community

that had very aspirations for what they wanted to see at the Kingsbridge Armory.

So we defined the project in terms of outcomes and we looked at the project in terms of, you know how do you transform this icon; how do you do something that's positive for the community; how can you have a positive economic impact on the community; and how do you development something that's sustainable, and that really became the mantra for the project; is iconic transformation, community development, economic development and sustainability, and that became the basis upon which we began to form our concept for the Kingsbridge Armory, and how do you take this national landmark building and bring international attention to it and early on we decided to keep the vision pure and keep the vision pure around ice sports and not go down a potential path of failure and trying to make a project that's all things to all people. You know, creating a significant concentration of activity at scale is what would bring significant attention and create significant economic and community development benefits, and it's already happening. You know, the Kingsbridge Armory as the Kingsbridge National Ice

Center has been picked up in news and media around the world, in China, in Russia, in South Africa; you know, there are reports of, you know the Kingsbridge Armory becoming the Kingsbridge National Ice Center, so it's already happening that this national building is getting international attention and focus. And New York City is a perfect example of how, you know clusters and large clusters of activity, you know, can be successful and there are plenty of examples in New York City of large clusters of activity; that's really what made New York City what it is today.

We haven't found any ice sports facilities with four or more rinks that have ever failed; it creates a draw, it's scale and it's… you know, that scale of the project is what allows it to bring people in from the region, the nation and get international attention; the same way any large cluster of activity. And so when we thought about the project, we thought, you know keep it pure, make it big and make it bold; you know, it's that kind of thinking that made New York City what it is today.

And we knew the community had a lot of aspirations; we knew we had a lot of boxes to check -- community space, recreation facilities, education

programs -- don't compete with the local businesses, you know, make sure you hire locally, you know have, you know green building standards and living-wage jobs; we took living-wage jobs off the table immediately to create a balanced set of outcomes for the community.

And so the project is -- you know we looked at the supply and demand and balance of ice in New York City that Mark touched upon; it's nine rinks including a 5,000-seat spectator arena, it's a new icon for New York; it's over a 300… it's a $320 million investment, there's no City funding required for this project; accessibility is amazing with the 4 train on-site; we have indoor parking and we've got a, you know world-class team that's helped get us to this point and will help get this project completed.

A little bit on ice sports in New York, as Mark touched on -- lots of interest in ice -- Wolman has the largest ice sports program in the country; there's over 500 youth in some of the charitable programs -- ice hockey in Harlem and figure skating in Harlem each have waiting lists that are twice as long as the couple hundred kids that are in each one of those programs. New York has the

lowest number of indoor ice rinks per capita, national average is one rink per 100,000 people; in New York we've got one indoor rink for 1.2 million people. L.A.'s better served, Atlanta's better served, Dallas is better served than New York City with respect to ice. New York metro area is the only metro area that can support three professional teams and it's three professional ice hockey teams, The Devils, Islanders and of course The Rangers. The seven rinks are scattered around the City… this will be the only rink with direct subway access; it's actually faster to get to the Kingsbridge Armory from Grand Central Station than it is to get over to Chelsea Piers.

For New York to be national average we need over 80 rinks in New York; we're woefully short of ice in New York and there's lots of ice sports happening around New York; we're the hole in the center of the donut. There's 1.4 million people in the Bronx; that's as many people as live in Philadelphia; there's not a single indoor sheet of ice in the Bronx. And it's not just about ice hockey, there's ice sports of every else -- sled hockey, ice dancing, figure skating, speed skating,

speed skating; curling. You know we had a wonderful example that we could point the community to when, you know initially we went up to the Bronx and we keep joking that the hockey gods are shining down on us on this project as we work through it; Ed Snider, who owns the Philadelphia Flyers, has created a program in a handful of rinks in Philadelphia in communities with very similar socioeconomic and ethnic characteristics to the Bronx and has transformed kids' lives; kids get to play for free, free ice time, free equipment and free coaching and what he's done with kids' lives is impressive. He's taking youth in communities that have a grade to grade matriculation rate of under 50 percent and they matriculate at 97 percent, 100 percent of the kids in the Snider program are getting out of high school in four years and 100 percent of the kids are going to two- and four-year colleges, and it's not… it's… you know, I think we all know, keeping kids active and engaged in their community, keeping them physically active results in successful, you know higher-performing youth. And so Snider has given us his playbook; we're introducing exactly the same program at Kingsbridge; we're supplementing it with an after-

school tutoring program in partnership with the New York Academy of Sciences and to kick-start the 501(c)(3) we're providing a million dollar credit per year of ice time to get kids in the community on the ice. With Mark's help and with Sarah Hughes' help and the help of Ed Snider, who owns the Philadelphia Flyers, and the help of New York Academy of Sciences, we strongly believe we're gonna be able to replicate what Ed Snider has done in Philadelphia and bring that to the Bronx.

So we believe KNIC will make history and this is a game changer; it's nine rinks; it'll be the world's largest ice sports facility; our architect jokes… our architect is the same architect used on Madison Square Garden… that this is the most exciting project that he's ever worked on; he tells all of his clients that, I'm sure, but we believe him because he never gets this kind of wrapper, he never gets nine rinks in one place and he doesn't get to do it in urban centers; there will never by anything else like the Kingsbridge National Ice Center. And we believe it's a destination that New York can be proud of; it's a new icon for the Bronx, it's been a long time; I know there's… they rebuilt Yankee Stadium, but it's

bee a long time since there's been an international destination created in the Bronx; again, nine rinks.

We talk a lot about ice; there's also an incredible community center component to this; there's 50,000 square feet of community space; it'll be one of the largest community centers in New York City; you know, indoor parking, direct subway access.

You know, the community space is gonna be defined by the community, how that space gets allocated and how that space gets used through a collaborative process in consultation with a diverse array of community members.

We listened to some of the concerns about ice; we're creating the rinks so the rinks can be converted, just like at Madison Square Garden, they take the boards down and they have basketball; they have other types of events at Madison Square Garden. Our center rink is designed that way and likely two other rinks will be designed that way, where the boards can come down and on that center rink we can get… if we wanted to, we can get four basketball courts on that center rink and host basketball tournaments, gymnastics tournaments, convocations, etc. And so, you know the community space, in

addition to the flexibility, you know, and we listened to the concerns that this needs to be more than ice; it is a lot more than ice, the project gets a lot of focus around… you know, this is nine rinks; we really try to make people understand that this is about more than nine rinks, it's about, you know community benefits, it's about economic impact and wages; it's about jobs in the Bronx and jobs in New York City and new kinds of jobs from an economic development impact; this is bigger than the National Tennis Center, which runs three weeks out of the year; this runs 365 days a year, 18 to 19 hours a day; it's not bringing everybody to one activity at one point in time, it's activities that are distributed throughout the day, which helps mitigate the traffic impacts.

New types of business, it doesn't compete with local businesses, it brings new people to the Bronx to spend money, new people from New York City coming up to the Bronx, new people from the region, the country and around the world coming to the Bronx to spend money, which is creating a catalyst for new investment in the Bronx and we do that with leagues and tournaments and events and camps in wellness and

physiotherapy, so new, unique kinds of economic activity, new, unique kinds of jobs that's not competitive with what's going on in the Bronx today.

And from a visitation perspective, because of the number of hours that we're open, you know what drives that economic activity is; we will, over the course of the year, spread out through 18; 19 hours of the day, see visitation that is similar to Statue of Liberty, Museum of Modern Art, etc., sustainable, you know, urban regeneration project, lead-certified; this will really truly be a model for public-private partnerships and it's been picked up in the local newspapers and engineering journals, it's been picked up in urban planning journals around the world, so it's getting a lot of attention from a lot of different corners and a lot of interest in how to adaptively reuse a national icon. And so the project was defined in outcomes, we have the team; we've… you know, we think we've designed something that's appropriate for a national landmark building; you know community is very important in this project and we want the project to be tightly knit with the community in every respect and it has a significant impact on the economics and we believe that this is a

very sustainable plan. So you know, as Mark said, kids, community and jobs are really the rallying product for what we want to do in the Bronx and you know, and we'll open it up to questions.

CHAIRPERSON WEPRIN: Thank you. So gentlemen, what we're gonna do now… and I hope this is okay, Mr. Moskowitz, but I… EDC had a tough time getting here, so they're here now; we're gonna let them make a statement and then the questions, we can have them included as well. And I'm asking you to move only 'cause these two guys are much bigger than I am, so you know… [laughter] So I'd like to call on Kyle Kimball, President of New York City Economic Development Corporation and Nnenna Lynch from the Mayor's office… that's alright, you guys can stay there… [background comments] and Ross, I really was kidding a little bit; don't get too far, I… I… so if you guys could just work out… sorry about the lack of seating, you know. [background comments] It's a full house; [interpose]

NNENNA LYNCH: 'Kay. Hi… [interpose]

CHAIRPERSON WEPRIN: we'll put Ross Moskowitz in the blue seats for a few minutes there, okay. So whenever you're ready.

NNENNA LYNCH: I'm gonna start, so… [interpose]

CHAIRPERSON WEPRIN: Okay.

NNENNA LYNCH: Nnenna Lynch with the Mayor's office. Thank you Council Member Weprin and members of the subcommittee for inviting me to speak regarding the proposed redevelopment of the Kingsbridge Armory. I am here on behalf of Mayor Bloomberg and Deputy Mayor Robert Steel to speak in favor of this project and then introduce my colleague here, Kyle Kimball, President of EDC.

I have to say, I am so happy and proud to be here today; the story of Kingsbridge and this project is a story of perseverance and restoring glory. The Kingsbridge Armory is a world-class awe-inspiring structure, longer than two football fields; it is the largest interior drill space in the world; it was used by the National Guard from 1917 until the 1990s, including during World War II and designated as a landmark in 1974. During the 1980s and 90s it was used as a homeless shelter and has been vacant since 1997, close to 20 years.

Though beautiful and majestic, the armory has many challenges. Due to its size and age it has

suffered severe deterioration over time and in the early 2000s, with the help of Assemblyman Rivera, the City completed a $30 million roof and façade restoration project and that was just to stabilize the structure.

The redevelopment of Kingsbridge hasn't been easy either, the road has been long and winding; the revitalization of Kingsbridge and this project is the culmination of a process that started in 2006, that's seven years ago, when a community task force was first formed.

Though important, we're not here to focus on history or challenges, we're here to focus on the future and how bright it can be. The project before you is a creative, adaptive reuse that will transform the armory into an iconic, world-class facility and furthermore, is a project that is thoughtful about community needs. It will be one of the largest private investments in the Bronx, provide quality jobs, restore this magnificent structure, create an exciting destination and it is receiving no public subsidies. In short, this project is a triumph for the Bronx and New York City.

I'm now gonna hand it over to Kyle Kimball, President of EDC, who will describe the deal and its benefits in more detail. Thank you for your time.

CHAIRPERSON WEPRIN: Thank you. Mr. Kimball.

KYLE KIMBALL: Good morning Chairman Weprin and members of the subcommittee; I apologize for being a few minutes late; I was attending the public hearing for the IDA in my other role at EDC.

So I am President… Kyle Kimball, President of New York City Economic Development Corporation and I'm very pleased to join the KNIC team, Nnenna Lynch, as well as Ernie Padron and Patrick O'Sullivan from EDC to testify in support of the City's plan to transform the current vacant Kingsbridge Armor into the Kingsbridge National Ice Center, a world-class ice skating facility that will bring jobs, economic activity and community programming to the Bronx. The Kingsbridge Armory is New York City's architectural jewel that has played an important role in our city throughout it's almost 100-year history. The 575,000-square-foot landmark building is thought to be the largest armory in the

world, with a 180,000-square-foot main drill floor larger in size than a full New York City block.

The structure was used by the National Guard mostly for military purposes until the 1990's; it was also used as a homeless shelter in the 1980s and 90s. However, the massive structure sat largely unused since 1997 and has remained closed to the public. It is costly to maintain and due to its age suffers from severe deterioration. Notwithstanding the efforts of the City, which invested almost $30 million in capital funds in an EDC-led project in 2002 through 2004, with the help of local elected officials to address the most significant structural issues, including the replacement of the building's roof, repairs to the façade, the environmental cleanup, we along with many members of the community have sought over the years, as Nnenna mentioned, not only to reactivate the armory, but to bring this currently unused and dilapidated building back to life in a way that would benefit the community and generate critical economic activity for the neighborhood.

As you know, many plans for the site have been proposed over the years, none have secured

sufficient approval or support, but despite this challenging history we always recognized the potential of the building and its location, we understood the importance of the site to the Bronx and remained committed to reclaiming this underutilized site and transforming it into an economic engine for the surrounding community.

We heard from Council Member Cabrera and Borough President Diaz who convened a community task force in 2010 that ultimately recommended that the City release a new RFP to develop the site. Given the community interest and indication of marked demand in consultation with local stakeholders, we decided to launch a renewed effort to redevelop the site. EDC issued an RFP in January of 2012 seeking a redevelopment plan that would promote economic growth in the neighborhood, provide quality jobs and create an exciting destination of residents and visitors alike.

After a competitive process, in April 2013 the City selected Kingsbridge National Ice Center, or KNIC Partners, LLC to develop the site, not only because we believe the proposal showed great potential for bringing transformative benefits to the

Kingsbridge community, but because of extensive community input and collaboration that had gone into it thereto. The KNIC team has discussed the proposal in greater details, but I would like to spend some time discussing why we consider the Kingsbridge National Ice Center to be one of the most significant economic development projects in the Bronx and one of the most exciting adaptive reuses in New York City history.

This proposal is an opportunity to reopen an historic treasure in the community while generating more than $300 million in private investment in Northwest Bronx; the KNIC proposal has been developed not only with the collaboration of the Kingsbridge community, but also with the support of elected officials, as well as the partnership of those who understand the role ice sports play in transforming lives and communities who you've heard from.

I'm not going to into the details that you just heard from the KNIC team on the facility, but suffice it to say that this facility will significantly increase the availability of ice facilities in the area and is expected to draw more

than 2 million visitors a year. The ice center will create 890 construction jobs, 180 permanent jobs and generate approximately $43 million in taxes and lease revenue over 30 years in a neighborhood that needs additional jobs and economic activity. This redevelopment plan has already received approval of Community Board 7, Bronx Borough President Diaz, the City Planning Commission, as well as unanimous approvals of Landmark Preservation Commission and the Borough Board of the Bronx. I believe that the Kingsbridge National Ice Center provides us with a prime example of how what we can achieve when we come together, despite any differing perspectives on what we may have in pursuit of a common goal and that is the redevelopment of this facility. The resulting proposal under consideration today will be transformative for Kingsbridge, the Bronx and the entire City and will reinvigorate a vacant Bronx landmark while creating a new world-class destination that will attract residents and visitors alike, provide new recreational and academic opportunities for young people and bring critical economic and community benefits to the neighborhood. In the world of economic development, rarely do the stars and moon

align in the way they have for this project, which will bring not only good jobs, but improved health, activities and education to a neighborhood, the Bronx, and to the City as a whole. We are now happy to answer your questions.

CHAIRPERSON WEPRIN: Great. Thank you very much. We're gonna get Mr. Moskowitz' seat closer to the glass, as they say. [laughter] And I know there's a number of people who have some statements and questions, so we're gonna get to those; I'd like to start with the Council Member who represents this area, Council Member, the Reverend Fernando Cabrera.

COUNCIL MEMBER CABRERA: Thank you so much, Mr. Chairman. Today I must admit to having a strange sense of déjà vu; it was just about four years ago in this very chamber that the Committee was considering another proposed redevelopment of the Kingsbridge Armory, The Related proposal. At that time our very strong desire to see the long-vacant armory developed was tempered by the belief that we should not just settle for any development but only the right development. Ultimately the Committee and then the Full Council holding to the principle of

seeking the right development chooses to defeat that project. At that time there were many in the press and the administration who predicted that the armory will now remain vacant for another 20 years or more; frankly, I didn't believe that.

So early in 2010, just two months into office, I asked for a meeting with then EDC President, Seth Pinsky, and what I said to Seth then and I believe it now as well, is that we should not give up on this project; I agree to remove any barriers which will stand in the way of the development and ask the City to release a new RFP. Thankfully the City agreed and we find ourselves here today, about to consider another proposed redevelopment of the Kingsbridge Armory, but the original principle still remains; is it the right project? Regrettably, as this project's currently structured I believe it is not and until the developer is willing to engage in a consistent and meaningful discussion, I will urge my colleagues to vote no in this project. I am told by many of the experts that negotiations never become real until the 11th hour; well, we are here now, well past the 11th hour and the window for meaningful dialogue may

close; I hope, I hope that that doesn't happen. Thank you so much, Mr. Chair.

CHAIRPERSON WEPRIN: Thank you Council Member Cabrera. I'd like to now call on the neighboring council member, Council Member Oliver Koppell.

COUNCIL MEMBER KOPPELL: Thank you very much Mr. Chairman, I appreciate participating in this hearing; I'm not a member of your subcommittee, but this is a most important project.

The Kingsbridge Armory is in Councilman Cabrera's district; however, my district is directly across the street and so I dare say that it will be affected almost as much as Councilman Cabrera's district and I think that I speak for my constituents when I indicate my strong support for this project. This is… and I… I've been around a long time; I've lived in the Bronx for almost all of my life; I've lived long enough to remember the Kingsbridge Armory when it was an armory and also when it was host to all kinds of other attractions, including boxing matches, including at one point the National Boat Show, which was held there when there was no venue in Manhattan available; one particular venue in

Manhattan by Grand Central Station, I forgot what it's called, was closed and the new center at Columbus Circle wasn't open yet and they had the boat show at the Kingsbridge Armory, so I know this building intimately, I know the neighborhood for all of my life and I can say without any question that this is the most exciting proposal, the proposal that offers the most in so many different ways to the Northwest Bronx that has come across my desk, if you will, in 40 years in public service and 70 years of living. This is a fantastic proposal that costs the City no money and will actually completely rejuvenate an area that, as Councilman Cabrera knows, has one of the lowest median incomes of any areas in the City and people don't recognize that. Community Board 7 has very, very low average family income and this is gonna produce jobs not only at the center, but in the neighborhood, it's going to completely change that neighborhood from a place where people are not so anxious to come, to a place where thousands of people will wanna come, but in a measured way; this is not a Yankee Stadium where 65,000 people are gonna come; this is a place where, yes, hundreds and sometimes thousands of people are gonna come, but they're not

gonna overwhelm this neighborhood. The fact of the matter is that we rejected the proposal, as Councilman Cabrera said, because the proposal that was brought to us by Related offered very poor jobs, number one; and number two, competition as a shopping center to the businesses that were already there and those were the two major reasons that we opposed the Related project; they didn't promise living-wage jobs and they were gonna be a competition to businesses in the Kingsbridge Road area and the Fordham Road area and those were the reasons that the community opposed it and why we in the Council turned it down. This developer has promised, and he sort of slid over it, but every job in the place is gonna be a living-wage job. Furthermore, there are gonna be thousands of constructions jobs in the next three or four years as this is built, a huge number of jobs, and as people come to this center to skate and to observe, it'll be a tremendous boon for all the businesses in the immediate area. This is a tremendously important economic development project, in addition to the fact that ice skating is a healthy activity that will attract young people, improve their lives; the Philadelphia project that was described has had an

impact on kids, on their academic ability, on their ability to adjust and to be productive citizens and they're gonna have a program just like this. And I wanna mention something else; there was a community coalition put together that fought like tigers against the project of Related because they are a very progressive group, they have very high aspirations, they are very, very difficult to satisfy; I can tell you this, they have a bias against public officials and public projects and this developer satisfied them with a community benefits agreement, providing… and they didn't even talk about that, but they provided all kinds of benefits to the community besides what they're gonna do with the skate… besides the million dollars for skating, they are gonna do this community center and they're gonna provide monies, a certain portion of their revenues are gonna be there to support community activities, sort of unprecedented, really unprecedented, and the fact that the Northwest Bronx community and clergy coalition, which all I can say is they're always against everything, the fact that they're for this is an absolute miracle in and of itself, the fact that the coalition has come out in favor of this. And as

I say, it is truly amazing to me; I have recommended for over 20 years that the Kingsbridge Armory be converted into a high-quality, athletic training and practice facility, over 20 years, you can look at the record, this is not something that I'm just saying. I talked to dozens of people, I talked to Borough President Ferrer and Borough President Carrion; I talked to people who are… sports promoter, Bob Dreyfus [phonetic], of fond memory, who is active in sports; I talked to him about converting this into a high-quality athletic practice, as I say, and training facility; it's almost to me a miracle that this is now being offered and this Council would be mis… I… I cannot imagine that this Council would not support this project, a project not costing a dime in City support… [crosstalk]

CHAIRPERSON WEPRIN: I'll…

COUNCIL MEMBER KOPPELL: I know that there are potential… I'm finishing up…

CHAIRPERSON WEPRIN: Okay.

COUNCIL MEMBER KOPPELL: I know there are potential issues, any new facility of this sort is gonna provide challenges, but those challenges have to be met for this to succeed, the developer is not

gonna do a development where people can't come and be able to park and be able to arrive and use the facility, so those problems will be overcome, but this is… and I know the borough presidents' here; I'm looking forward to hearing from him; as far as I'm concerned, I'm leaving this office in less than a month and when I look back at the things that have been accomplished during my term in this Council, this will be right at the top of the list. This proposal is so welcome and so wonderful that I can only say, we've gotta move forward. Thank you.

CHAIRPERSON WEPRIN: Thank… thank you… [applause] please… we… we're not gonna be able to allow applause as such and it's a long day ahead of us, so we have to limit the applause and or the other end of that, both those things will have be eliminated, but thank you. Thank you Council Member Koppell; we're gonna miss your sense of history, I have to say. Did you get a boat at the boat show? No. Okay.

COUNCIL MEMBER KOPPELL: Ne… never got a boat, but I bought a mop. [laughter]

CHAIRPERSON WEPRIN: Alright, well… always need a mop. I'd like to call on Council

Member Comrie, the Chair of the Land Use Committee who has some quick questions for this panel.

COUNCIL MEMBER COMRIE: Thank you Mr. Chair. Good morning to the panel. You said that there's no public subsidy; is it… President Kimball, is this a lease or a purchase or the property?

KYLE KIMBALL: It's a lease; within the lease there is a purchase option after 25 years, but a number of the uses have to be preserved and there is no public subsidy going into the project and in fact, two merge points, the City actually receives participation in gross revenues from the project, so the City actually profits from the project.

COUNCIL MEMBER COMRIE: And who's determining… and who's determining the gross revenues?

KYLE KIMBALL: It's something that's auditable and it's just a set percentage of gross revenues, which we estimate to be about a million a year.

COUNCIL MEMBER COMRIE: And has the developer offset any of the costs that were… the City had incurred to get the building into shape so far?

KYLE KIMBALL: No.

COUNCIL MEMBER COMRIE: So the RFP just gave them a building that was already in a certain level of serviceability and they didn't have to pick up the… I think you mentioned like $80 million that had to be put in to maintaining… get the building up to spec?

KYLE KIMBALL: In 2002 we put… the City put $30 million into the building to repair the roof and sort of keep it from falling into further disrepair, but it's not part of the development agreement that they would reimburse the City for that, for those costs.

COUNCIL MEMBER COMRIE: Okay.

NNENNA LYNCH: To clarify; I mean it's a city-owned building, so the City is responsible for itsTc 0 Tw /F0.2(sTc 0 Tw /6)1.3(N)-1.2(N)1.3(A)-599.9-1.2(b)1.3

COUNCIL MEMBER COMRIE: Yeah, if we could get clarification on that. And will there be any vending in the building or any type of opportunities for people to get snacks or anything like that?

JONATHAN RICHTER: Sure, absolutely; it'll be accessory to the use in the building; it'll be ice sports-related retail -- buy a pair of figure skates, buy a hockey stick, some tape, a jersey; we're not opening a Duane Reade in the facility, we're not opening… there will be accessory type food and beverage that would be typical for this type of facility; you wanna get a hot chocolate, you wanna get a cold drink, that kind of retail will be in the building.

COUNCIL MEMBER COMRIE: But no restaurants, no opportunity for… [interpose]

CHAIRPERSON WEPRIN: Just make sure to state your name when you speak again… [interpose]

JONATHAN RICHTER: Sure. Jonathan Richter. Again, there will be food and beverage that is appropriate for the nature of an ice sports facility. Now we expect that there will be many opportunities across the street and around the

building for many more restaurants than we would ever be able to accommodate inside the armory.

COUNCIL MEMBER COMRIE: Thank you. And you mentioned that you… in your presentation here that you are committed to living-wage jobs; is that commitment… what… what… can you describe that commitment in detail please?

JONATHAN RICHTER: Sure. We knew living-wage was important… [background comment] sorry, Jonathan Richter. We knew living-wage was important; we wanted not to discuss living-wage; we took it off the table immediately and we sent a letter to the borough president saying we will pay every person that works inside of the armory, inside the walls and under the roof of the armory, will be paid at least a living-wage.

COUNCIL MEMBER COMRIE: And what do you see that as; the living-wage index to what exactly?

JONATHAN RICHTER: How the living-wage is defined currently; it's a little bit over $10 per hour with benefits and a little over $11 per hour without benefits.

COUNCIL MEMBER COMRIE: So you've agreed to those specific numbers with the borough president?

JONATHAN RICHTER: Absolutely.

COUNCIL MEMBER COMRIE: And just… I had a question -- what schools are in the area that now have hockey teams? Or what… what are the adjacent schools to the project?

JONATHAN RICHTER: There are a number of schools; I mean it's… as you may be aware, this property sits at the foot of Education Mile, you know within a mile… [interpose]

COUNCIL MEMBER COMRIE: I don't… I don't hang out in that part of town, [interpose, laughter] I'm sorry… [interpose]

JONATHAN RICHTER: Uh…

COUNCIL MEMBER COMRIE: I'm a Queens guy; sorry Mr. Borough Pres… sorry… [interpose]

JONATHAN RICHTER: So…

COUNCIL MEMBER COMRIE: sorry all the Bronx people; uh really… that is the one are of the Bronx that I have the least familiarity with.

JONATHAN RICHTER: Sure. No, it's packed with kids and if you… if you spent some time around the armory in the morning, or after school, you can barely walk on the sidewalk, there are so many kids;

there's, you know, Walton School is immediately next door… [crosstalk]

COUNCIL MEMBER COMRIE: Right, but how many of those kids play hockey; that's my… [interpose]

JONATHAN RICHTER: Well the… the challenge sir is that there are no places for kids to figure skate or play hockey; this is creating an opportunity for these kids to get involved in a new type of sport, in a new type of activity and begin to experience sort of the majesty of the building, that its… you know it's currently chained up and you have 20,000 kids in the neighborhood that walk past this building almost every day that can't get access to the facility, so we believe… [interpose]

COUNCIL MEMBER COMRIE: Well can… can you explain how you're going to get those kids to come in to play hockey or how your programs are gonna be designed, how you're gonna get these 20,000 kids or traffic… the local traffic, local Bronx kids who essentially have never played hockey, maybe don't know how to ice skate to wanna be, you know the primary users of the facility?

MARK MESSIER: Sure. Mark Messier. That's a great question and one that we've been asked a lot and I respect the question and as Jonathan had said, there's currently not a single rink in the Bronx for the kids that do aspire to play any kind of ice sport, not to mention just hockey. I think one of the models we are going to replicate is the one in Philadelphia where Mr. Snider, the president of the Philadelphia Flyers, has gone in and redeveloped five or six ice arenas that were basically dilapidated and started a program for youth hockey in Philadelphia. Currently he has over 2500 kids playing, where he started zero, as some of the slides would tell you. This is a challenge for us only for rolling up our sleeves and digging in and getting this program started and we feel that with the resources that we have and the knowledge we have of being through this myself for over 30 or 40 years and growing up in an environment that… my father not only was a school teacher and an educator, but also ran hockey schools, started programs in Portland, Oregon where they didn't currently have ice hockey when he was playing professional hockey there, started their whole current grassroots level hockey, so we come from a

place of having experience of doing this before; we know that there's interest in ice sports in the Bronx, because of our outreach programs to this point, after four years of planning, so it's not a matter of can we do it, it's a matter of rolling up our sleeves and making it happen and that's what we intend to do.

COUNCIL MEMBER COMRIE: I appreciate that and I appreciate Mr. Messier that you have a desire to make this happen; I'm just curious how you get hyper teenagers moving into doing something they've never done before and I'd like to have a comfort level that the local community would actually wanna move into doing something they've never done before. I haven't heard any specifics on that, but you know… and I understand the issues of transportation and accessibility to the rink, clearly and I understand the issues about the lack of ice throughout the City; I just wanna make sure that the local residents will actually utilize the facility and what are your plans to make that happen. I understand your desire and you know, you've explained the Philadelphia plan in concept, I just wanna know how those local zip codes will… and local children that have never had that

experience will now be attracted to this facility here and learn how to play and I hope that there is a real discussion and a real plan to… and a commitment from both the City, hopefully tying into the local junior high schools and high schools and whatever else is in an education role to make sure that there is a real opportunity for those young people in the area that frankly need that type of opportunity and exercise to actually come and use the facility. So that's where my questions are driving to, to try to make sure that it's actually going to be used by the local residents and not by people all over the metropolitan area, not that that's a bad thing, but we need to make sure that those local people have an opportunity to have the usage there. Okay. [interpose]

MARK MESSIER: To reply to that and then I'll turn it over to my partner, Jonathan. Mark Messier once again. The way you do it is to promote trial… [interpose]

COUNCIL MEMBER COMRIE: I'm sorry.

MARK MESSIER: The way you get the kids interested in it is by promoting trial. One of the inspirational point of view for me to come onto this

whole project was that this was not gonna be exclusive from the kids and the people of the Bronx; that it was gonna be inclusive and how are we gonna do that, because of the challenges they have financially, a lot of the families and the kids; by funding them with the opportunity not only for the ice time, but also with the equipment and the free coaching. You have to grow grassroots level there and of course we are gonna get some teenagers that you're talkin' about, but we're also gonna be getting some kids starting at the ages 4, 5, 6 and 7 that have never had the opportunity to skate, not to mention the teenagers. We have talked to every school in the surrounding area and we already have signed letters of intent for ice time rentals from the schools of the Bronx and one of them being Walton, which is right in our own back yard; they can't wait to get and create and start a start-up program for ice hockey.

COUNCIL MEMBER COMRIE: Walton you said?

MARK MESSIER: Walton.

COUNCIL MEMBER COMRIE: Oh Walton. Okay.

MARK MESSIER: So to answer your questions, you promote trial; we got the funds in

order to do that; we got the availability of ice time in order to do that and we have interest already… [interpose]

COUNCIL MEMBER COMRIE: I… I understand your passion for it; I just wanted to know if the City is gonna help you with making sure that the local schools and… have they, the EDC locked in an agreement with the Department of Education about early training or anything like that, Mr. Kimball?

KYLE KIMBALL: No, it's not something that we've done; I think it's something we could look into… [interpose]

COUNCIL MEMBER COMRIE: I would… I would strongly make that suggestion that that is something that is worked out through EDC with DOE to make sure that that happens, 'cause I'm not sure… you know, I… I just… I'm just thinking out loud and tryin' to make sure that the local folks have an opportunity to truly participate and truly be aware.

KYLE KIMBALL: I think we found through the process that the plan to provide equipment and free ice time and free training was compelling in and of itself, but we can look into doing something more strategic with DOE.

COUNCIL MEMBER COMRIE: It is a good start, it's just, you know, for people that are not used to doing something, you've gotta really push them into the facility and give them opportunities to maybe just making sure that every school in their district and the surrounding area has a mandatory visit to the location, just starting from there, but something to make sure that the children in the area know that it exists for them. Just a question on the… [interpose]

NNENNA LYNCH: Can I say… just comment on this point… [interpose]

COUNCIL MEMBER COMRIE: Yes, please.

NNENNA LYNCH: So Nnenna Lynch, Mayor's office. So as a part of the lease there's a requirement to use time for after-school… with after-school programs, so we've locked that into the lease and of course, the intention here is not just to lock in a time, but to get kids there, but by all accounts from the developers, there's been no lack of interest from the local schools and in fact they have a conversation, LOI with DOE to the extent if there are any issues or problems that they need help facilitating, that is absolutely a role we are gonna

play and continue to play to make sure that it is actually successful. But the way we've gone about it is making sure that they're committing to the time in the lease. [background comments]

COUNCIL MEMBER COMRIE: Thank you; I appreciate… again, I appreciate what you said, I just… you know, knowing how people's habits are, if you don't drag them into something and give them immersion in it, then they don't adapt to it, so and I appreciate everything you've said so far; I just wanted to make sure that there's something written and codified that it can be a part of the agreement that's signed with EDC and the community as well.

Just one last question; you said there's gonna be 50,000 feet of community space that is gonna be determined by the community; that's separate and apart from the nine rinks that are proposed?

JONATHAN RICHTER: Jonathan Richter. Yes, that's correct; there's an area in the building on two floors that we've allocated to the community; it's immediately accessible from the 4 train and it's immediately accessible from Jerome Avenue, where you come off the 4 train, so it's in a prominent area of the armory.

COUNCIL MEMBER COMRIE: Thank you. That's my final question for now, Mr. Chair. Thank you.

CHAIRPERSON WEPRIN: Thank you. We call on… now Council Member Cabrera has questions, followed by a quick question from Council Member Ignizio, then Council Member Reyna. Go ahead.

COUNCIL MEMBER CABRERA: Thank you so much and welcome to all members of the panel. I wanna start with some of the assumptions that were made regarding, first parking space; we only have 400 parking spaces and it's estimated over 8,000 people are gonna be coming to this district. I live just a couple of blocks away and my church is literally one block away and I could tell you right now, we have massive traffic; 85 percent of the people will not be coming from the community and most of those people who are gonna be coming are gonna be coming from Westchester County; having lived in Westchester County myself for a little while, I can tell you, they're not gonna be going all the way to 125th Street Metro North, then coming back up and catching the 4 train with all of their equipment; they're gonna be coming in driving and as of right now, as I

understand this project, based on your own plans, you're takin' away parking from the community, the northern part of the building, you're gonna literally eliminate all the parking and I can tell you by 10:00 a night all of those parking… that's like the overflow; that's the last place people wanna park; by 10:00 all of those parkings are, sometimes even way earlier, are taken away; parking is a great necessity and yet, you only have 400 [background comment] parking… how are you gonna address the parking concern and then I'll follow up with the traffic issue?

ROSS MOSKOWITZ: Ross Moskowitz. Councilman Cabrera, couple things; then I'll turn to Mr. Richter to discuss the peak events and really at the end of the day, how many people are really coming on any give time.

First of all, everything we're about to talk about is embedded in the discussions with EDC, so these are commitments, they're binding commitments under our agreement and so that if we don't do them, we're in default, fair and simple; I think Council and Council staff has copies of our commitments and the letters that we have stated, but just summarize

briefly. First of all, Council Member Cabrera, it's 457 spaces, which is documented every which way, just wanna correct for the record… [background comment] in terms of the traffic monitoring plan, I think as you know… [interpose]

COUNCIL MEMBER CABRERA: I'm sorry; I just asked about the parking; I haven't addressed traffic issue yet, just the parking. [interpose]

ROSS MOSKOWITZ: So… so we… we believe, as was indicated in the Environmental Impact Statement, as I know that we have discussed with you and your staff, that 457 spaces is sufficient for the parking for our facility and indeed most of those visitors, employees; what have you, who are gonna be coming to the facility are gonna be using public transportation, so our analysis, done by our experts and those who are in the traffic… excuse me, in the parking field, have determined that there is sufficient parking for those who are estimated to come to the facility.

COUNCIL MEMBER CABRERA: I have to tell you that I defer and I do not agree with that assessment, that there's gonna be sufficient parking; the fact is you're already taking parking from the

community and then… which is gonna affect the local businesses, because it's gonna be harder for people to find parking, unless you are, as the borough president four years ago had suggested, that parking should've been free, which I'm all for that, but I don't think there's gonna be enough parking… you're gonna have events where you're gonna have over 5,000 people; in just the special events you're gonna have over 200,000 people coming to the Kingsbridge Armory and that's a massive amount of people and a massive amount of cars that are gonna be comin' in and again, let me just say accentuate the point, that most of the people who are gonna be coming into the armory are gonna be coming from Westchester County, Long Island… people from Long Island, they're not gonna be taking the subway, they're not gonna be taking whatever subway line they're gonna be comin' from over there with all of their hockey equipment… I'm… I was just tryin' to picture that in my head, all their hockey equipment, changing subways, trying to get there; take two hours, we don't have a subway that comes from Queens jumping over to the Bronx; I wish we had one, but we don't and that's the reality of it and the reality is that we're not gonna have enough

parking. So let me go into the traffic issues. I did receive a let… yeah… [interpose]

JONATHAN RICHTER: 'Kay. Can we… can we… do you want an answer to the question? [crosstalk]

COUNCIL MEMBER CABRERA: Yes, you could… definitely.

JONATHAN RICHTER: Okay. Uhm… [background comment] Jonathan Richter. You know the… as Ross said, more than 400 spaces, over 450 spaces. You know, people aren't showing up for an event like they do at Yankee Stadium and they come en masse, they go to the event, then they leave. This project is nothing like Yankee Stadium in virtually every respect. Traffic is distributed through the day, the facility's open 18 to 19 hours a day, occasionally we have events; we've projected that we have about a 100 events a year; not all of those events are gonna fill the 5,000-seat venue.

You know, with respect to the point about eliminating parking spaces, you know, there's only a portion of the spaces along 195th Street that occasionally, when we have tournaments or we have school buses showing up, those parking spaces won't be available for parking, but they'll be available

for buses to drop youth off in a safe environment and allow them to enter and exit from the north side of the building and those buses will leave and we have an agreement with Lehman College; they've got a very large outdoor parking facility two blocks away from the armory and we have an agreement with them to utilize that for overflow parking to the extent the buses need to wait there and to the extent that we do have events where the 450 plus spaces that are inside the armory can't accommodate that load. So the parking spaces are not being eliminated, they're being, you know, allowed to be used by buses for a period of time and then those spaces will be… when the buses aren't there, those spaces are available again. [interpose]

COUNCIL MEMBER CABRERA: I'm sorry, Jon, they're being eliminated for the people of the community. See that's… that's the point that I'm making. You're saying they're not being eliminated for the buses… you see, the track of mind that you're saying is for the people in the outside, yes they're gonna accommodate them, but for the people in my community, in my community, they're not gonna have those spaces and I would love to… when you get an

opportunity, I would love to see the agreement that you have with Lehman College in which we… that accentuates the problem, because we've got Lehman, you've got four… you have the public schools that we have around the area; I mean we have a whole educational corridor, as you know, in that area that becomes… when it comes to parking there, it just becomes horrendous, horrendous.

Let me move on, 'cause I know some my co… [interpose]

MARK MESSIER: Can I just… can I just… just recap that, just to put an exclamation on it?

COUNCIL MEMBER CABRERA: Yes Mr. Messier.

MARK MESSIER: We have nine rinks; at any given time, if every rink is full we have 40 kids on each rink; if every one of those kids' parents drive them there, that's a total of 360 cars that will be in the building at any particular time. We can facilitate the people that are coming into that armory at any given day at 357 parking spaces, not to mention that the people who'll be coming over will be spread over at a period of 17… so when you say your numbers are… whatever the numbers of… you expect coming in every day, that's spread over 18 hours;

we're not getting an influx of people, of 5,000, 6,000 people coming in any one particular hour; this is spread over a long period of time, where people trickle in and trickle out. When we're at maximum capacity, with 40 kids on each ice surface that every parent drove them there at 360 kids maximum, we can facilitate that; that's why that number was in there.

COUNCIL MEMBER CABRERA: I will buy that, but the number that you provided was 3 million people… that's 3 million people coming every year. I will buy that, if that was it, but your numbers are showing 3 million people and at 85 percent coming by outside vehicles, you're not gonna be able to accommodate that; not… not in my… [crosstalk]

ROSS MOSKOWITZ: Cou… Council Member Cabrera, if I could…

COUNCIL MEMBER CABRERA: Let me move, if I may… [crosstalk]

ROSS MOSKOWITZ: Council Member Cabrera…

COUNCIL MEMBER CABRERA: I get to ask the questions, I'm sorry; it's my time, and I wanna be courteous to my colleagues and we have people in the community that have been waiting here for a very long time; we started late here. [interpose]

CHAIRPERSON WEPRIN: So you're going to another question now?

COUNCIL MEMBER CABRERA: Yes, regarding traffic.

CHAIRPERSON WEPRIN: Alright. Okay. Alright, so go to the traffic question and then you can answer that and…

COUNCIL MEMBER CABRERA: Yeah, regarding traffic, do you have in your own report at least 80 issues related to traffic that you have not been able to mitigate?

ROSS MOSKOWITZ: Council Member Cabrera, I think you're combing questions there. Are you asking if we have a commitment to a traffic monitoring plan in our lease? The answer's yes.

COUNCIL MEMBER CABRERA: Okay. Are there issues… are there outstanding issues regarding traffic that you have not been able to address… [interpose]

ROSS MOSKOWITZ: No.

COUNCIL MEMBER CABRERA: satisfactory?

ROSS MOSKOWITZ: Satisfactory to whom? Satisfactory to the decision-maker, yes. The

Environmental Impact Statement outlines traffic impacts, some of which mitigated… [interpose]

COUNCIL MEMBER CABRERA: To DOT?

ROSS MOSKOWITZ: Yes, DOT, yes.

COUNCIL MEMBER CABRERA: Well I spoke to DOT… we spoke to DOT yesterday and they're not fully satisfied.

ROSS MOSKOWITZ: Well Council Member, as you know, there's a letter in the record to the Council that specifically sets forth a traffic monitoring plan; in fact, this developer has committed not only to implement that traffic monitoring plan, but then when it's operational to meet again with DOT to relook at the operations to see if the traffic monitoring plan is working, and if it's not working, at the cost of the developer, they will implement new measures in consultation with DOT; that's of the record, so I'm not sure what you're referring to.

COUNCIL MEMBER CABRERA: Let me… let me ask… let me just give one example. Cars are gonna be coming off the Deegan; you already got major traffic coming off Fordham Road 230th Street, major traff… 5:00, there's just a line of cars; what are you gonna

do during those peak hours when most people who are gonna leave afterwards, they're gonna be driving from northbound or southbound to be able to go to the hockey facility; what is your plan to mediate that?

ROSS MOSKOWITZ: Again, the traffic monitoring plan which is outlined in our letter, which is committed to in the lease of which you have seen a copy of, outlines the steps that we're gonna take if an when there are tra… [interpose]

COUNCIL MEMBER CABRERA: Can you explain that? Can you explain that to the public please, what that's… [interpose]

ROSS MOSKOWITZ: Sure.

COUNCIL MEMBER CABRERA: gonna be?

ROSS MOSKOWITZ: You want me to read specifically from this? [interpose]

COUNCIL MEMBER CABRERA: Yes, specifically… [interpose]

ROSS MOSKOWITZ: Sure.

COUNCIL MEMBER CABRERA: for… for that.

ROSS MOSKOWITZ: Okay. So the applicant will develop and conduct a detailed traffic monitoring plan once the project is fully operational. The applicant will inform DOT of the

status of the plan's development and will submit for DOT's review and approval… and approval, a detailed scope of work that will include critical locations where significant traffic impacts have been identified. Data collection to be conducted for the monitoring plan will include nine days of automatic traffic recorder machine counts, along with one typical day. Go on and on?

COUNCIL MEMBER CABRERA: No. So translation is; it's just a proposal of a plan; you don't have a solution?

ROSS MOSKOWITZ: No, we actually have a solution and more importantly, if the solution doesn't work, we have to go back and redo it. [interpose]

COUNCIL MEMBER CABRERA: What is the solution, 'cause I haven't heard the solution?

ROSS MOSKOWITZ: The solution is to conduct traffic monitoring as the facility becomes operational. [crosstalk]

COUNCIL MEMBER CABRERA: To mo… just to monitor the problem they already know that we have a problem with. And so this is the kind of thing that is very easy to put down on paper, but in real life…

the people in my community, at the end of the day they're the ones that are gonna be affected by this and I haven't even got into asthma issues, I have not even got into environmental issues when you have all of these cars comin' in… these are the same issues that four years ago this Council, and I beg to differ with Council Member Koppell who said it was living-wage; this is a ULURP process and the process, last time, we know, we turned this down because of these very issues that we're addressing right here and it will be double standard and hypocritical of us to have… we will have to apologize to Related, because we said it was based on ULURP issues, on this very Zoning Committee and Land Use Committee we will have to give an apology to Related if we are dealing… [background comment] excuse me… if we are dealing with these particular issues and we're not addressing the way… I'm gonna… I'm gonna stop right here, for the sake of my colleagues to be able to… [interpose]

CHAIRPERSON WEPRIN: Thank you.

COUNCIL MEMBER CABRERA: Thank you so much.

CHAIRPERSON WEPRIN: Thank you Council Member Cabrera. [background comments] Council

Member Ignizio, for a quick question. [background comments] Oh he left? Okay. Council Member Reyna.

COUNCIL MEMBER REYNA: Thank you Mr. Chair. I just wanted to take a moment to just understand -- the City lease that has been negotiated, it's for how long, as far as this project is concerned?

KYLE KIMBALL: 99 years.

COUNCIL MEMBER REYNA: I'm sorry?

KYLE KIMBALL: 99 years.

[background comments]

COUNCIL MEMBER REYNA: At the cost of how much? [crosstalk]

KYLE KIMBALL: One… $1 a year, plus 5 percent participation in gross revenues, which we estimate, based on current plans, to be about a million dollars a year. Also in the lease is an ability to purchase the site at fair market value two-and-a-half years after the project is completed, [background comment] but they have to maintain a number of… a number of the community uses and that kind of thing for 25 years.

COUNCIL MEMBER REYNA: Can you just repeat the last sentence; the… after two years, so the first two years… [crosstalk]

KYLE KIMBALL: After the project is completed… [background comment] they have a purchase option to buy the site after… two-and-a-half years after the project is completed at fair market value. But if they do exercise that option, after having invested $300 million or so, they have to maintain a couple of back to community uses, for example, a number… they have to maintain the uses for 25 years.

COUNCIL MEMBER REYNA: And is there a provision where a subleasing will not be allowed?

KYLE KIMBALL: Uhm… uh… yeah, it would have to be approved by the City.

COUNCIL MEMBER REYNA: It would have to be approved. So the language in the contract reads as such?

KYLE KIMBALL: I can give you the specific language, but that's a standard form, that any sublessees would have to be approved by the City.

COUNCIL MEMBER REYNA: That's very important as far as I'm concerned; I know… I can point to a particular project in my district where a

Mitchell-Lama was built, 99-year lease on a commercial space and the lease holder gets the revenues from a sublease, when the corporation that was originally signed off as the lessee has bankrupt and yet they still own the lease, because it is a 99-year lease. So that is an important factor that should not be ignored.

KYLE KIMBALL: Sure. And in this kind of lease, as is standard, if for some unfortunate reason this KNIC Partners LLC went bankrupt, we would have the ability in the bankruptcy process to… if someone accepted the lease in the bankruptcy process that we didn't find attractive, we would have the ability to reject that lease.

COUNCIL MEMBER REYNA: And rejecting does not mean that you go back to the Council for approval?

KYLE KIMBALL: It would have been ULURP'd for disposition, theoretically… I can get back to you on the specifics of that; I… I… [crosstalk]

COUNCIL MEMBER REYNA: Uhm-hm, I would…

KYLE KIMBALL: I just don't know for sure. Yeah.

COUNCIL MEMBER REYNA: very much appreciate that.

KYLE KIMBALL: Sure.

COUNCIL MEMBER REYNA: That's an important scenario that needs to plead out and accurate language that protects the City, as well as the community at which this is being proposed, because we can't determine what's gonna happen 50 years from now, but I can certainly tell you it didn't take more than 30 to find ourselves in the situation that I just described.

KYLE KIMBALL: Alright, so I will come back to you with the specific language in the lease, as well as a view on what would happen if we had to reject the lease in bankruptcy and were successful in rejecting that.

COUNCIL MEMBER REYNA: Fantastic. The issue as far as transportation mitigation, this particular project is off the Deegan Expressway?

[background comment]

JEFF SPIRITOS: Yeah, I will. Okay. Hello, this is Jeff Spiritos; I'm the technical and within that, the traffic person for the developer. So we are a number of blocks from the Deegan

Expressway, but yes, that is one access way to the project.

COUNCIL MEMBER REYNA: And the Expressway exit is that one particular… [background comment]

JEFF SPIRITOS: It's close to the… Kingsbridge Road.

COUNCIL MEMBER REYNA: Okay. The commitment as far as traffic mitigation, I understand what you were referring to as far as a traffic monitor assigned, but I'm just trying to understand as far as traffic into and out of what would be the armory in relationship to what would be a corridor of schools, so there's massive pedestrian flow, which one would want as far as economic development is concerned, but I'm trying to understand what that would mean for the pedestrians and whether or not there's an adverse effect to the transportation system within what would be the one-mile radius or half-a-mile radius of where the armory is.

JEFF SPIRITOS: Yeah, so PS 86 and PS 340 are directly across 195th Street from the project, from the building, as is Walton High School. On the north side of 195th Street is reserved teacher parking; we will not affect that teacher parking at

all. On the south side of 195th Street it's public parking. We have… there's been identified, as Councilman Cabrera pointed out, eight unmitigated intersections that for a period of one hour maximum per day we are not able to handle the traffic flow. There is one unmitigated pedestrian intersection, which is at Kingsbridge Road and Jerome Avenue. The purpose of the traffic management plan is to… during our peak… our events, the 100 or so events, which there are two hours to get into the event, the event two hours, and then two hours to get out, we have traffic enforcement agents and signage, way-finding signage, to get people through those intersections and that, to address your question, deals with one unmitigated pedestrian intersection… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

JEFF SPIRITOS: so we'll have a traffic enforcement agent at that intersection for safe passage. What I wanna clarify is that for well over 90 percent of the time that the building is in operation, as Mark Messier was saying, we'll have less than 800 people in the building, for over 90 percent of the time 800 people in the building and as a result, not only is there enough parking spaces,

but there's very little traffic that will result from 90 percent of the use, it… [interpose]

COUNCIL MEMBER REYNA: What is your… your anticipated C of O.

JEFF SPIRITOS: What is… C of O?

COUNCIL MEMBER REYNA: Uhm-hm, the Certificate of Occupancy, I'm sorry.

JEFF SPIRITOS: You mean the date?

COUNCIL MEMBER REYNA: As far as for the facility is concerned, you said less than 800 people expected per day?

JEFF SPIRITOS: I'm sorry; you're talking occupancy?

COUNCIL MEMBER REYNA: Yes.

JEFF SPIRITOS: Oh okay, 5900 people. So over 90 percent of the time, however there's not gonna be any more than 800 people in the building.

COUNCIL MEMBER REYNA: How so?

JEFF SPIRITOS: Well because those… [interpose]

COUNCIL MEMBER REYNA: If it's 5900, I'm just trying to understand the math.

JEFF SPIRITOS: Right. Right. So the event, which is less than 10 percent of the time,

where there might be as many as 5,000 people on that main rink… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

JEFF SPIRITOS: and by the way, the other eight rinks are expected to be running at the same time, so 5,000 people plus 800 people is 5800 and we just round it up to… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

JEFF SPIRITOS: 5900 to give a little room.

COUNCIL MEMBER REYNA: Uhm-hm.

JEFF SPIRITOS: So what my point on that is that, if you can hear, for the vast majority of time there's really very little traffic; in fact, far, far less traffic than there would be under the prior use, potential use of the mall by Related. I have to say, at the same time that, although we have eight unmitigated intersections, and I'd like Councilman Cabrera to hear this, we have less than 50 percent of the unmitigated intersections that Related did, so. And our traffic, our peak traffic condition is just over 50 percent of Related's peak traffic condition, so we are a fraction of the traffic… have a fraction of the traffic impacts that Related did

for over 90 percent of the building's time in operation.

COUNCIL MEMBER REYNA: And so those particular mitigation issues, as far as those eight intersections, were already part of the original application?

JEFF SPIRITOS: Yes.

COUNCIL MEMBER REYNA: And so the City, in its second attempt to readapt the use of this facility did not deal with those issues prior to your response?

JEFF SPIRITOS: No. So in… in many prospective ULURP actions or environmental applications there are gonna be unmitigated traffic intersections; as Councilman Cabrera says, this is a very highly trafficked, vehicular- and pedestrian-wise area to begin with, so… [interpose]

COUNCIL MEMBER REYNA: Correct, because of the corridor of schools and colleges, correct?

JEFF SPIRITOS: Sure, and because of all the commercial activity that's in the area and the… there's… although there's numerous exits from the Deegan, they're very busy, they're in very busy areas. So what the DOT prescribed for us is not only

that management plan with the traffic enforcement agent, but a mitiga… that's the mitigation plan, but the management plan is; we're going to come back and completely reassess the traffic effects of the project after it's in operation. We didn't wanna have to do that, but because… and nobody can really predict… even though we say we're gonna have 50 percent visitors by subway, we can't… and in fact, Yankee Stadium and Barclays have far fewer car traffic than were anticipated; the DOT suggested… required and we agreed that we'll come back in and if for some reason our traffic enforcement agents on eight corners is not sufficient, then we'll augment that or if in fact there's really not as much traffic as we thought there would be, then there'll be an adjustment in that direction as well.

COUNCIL MEMBER REYNA: Can the City just speak on behalf of [background comments] the Department of Transportation on the issue of transportation right now? I just wanna understand these eight unmitigated issues and whether or not DOT has addressed them between the time of the two proposals, considering that they were there prior to and they are there still.

NNENNA LYNCH: Okay, I'm not… Can you restate your question; I'm not sure I understand it?

COUNCIL MEMBER REYNA: There's traffic issues that are unmitigated and these particular issues were there prior to this application and continue to be there and this is the second bidding process regarding this particular site, and so what has the Department of Transportation completed as far as tasks to mitigate these particular intersections?

NNENNA LYNCH: Yeah, I can't speak to what DOT is doing to mitigate those intersections; I can tell you that, as with… as is standard for a project of this size and because of the process that we go through the Environmental Impact Statement, the DOT has been intimately involved in this project from the outset and we've had numerous meetings and we've come to a point where they are very comfortable with this project and with the mitigations we're putting in place. But if you need more detail, we would have to follow up with DOT or perhaps have the traffic consultant, who's here, speak to it, because they… of a technical level. [crosstalk]

COUNCIL MEMBER REYNA: Separate uhm… I… I appreciate that, it's just separate… [interpose]

CHAIRPERSON WEPRIN: Diana, if I can ask you just to wrap up as soon as you can, please.

COUNCIL MEMBER REYNA: Of course, Mr. Chari; I just wanted to understand separate and apart from what the consultants are doing; it seems to me that this has been an issue, an ongoing issue separate and apart from this application as far as traffic mitigation issues are concerned in relationship to this area.

NNENNA LYNCH: So we'll have to follow up with you on… [background comment] on what…

COUNCIL MEMBER REYNA: The Department of Transportation has done?

NNENNA LYNCH: Yes.

COUNCIL MEMBER REYNA: Not the consultants.

NNENNA LYNCH: Yes. Yes. I think we should be…

COUNCIL MEMBER REYNA: I… I appreciate that very much. And my final question is related to the commitment as far as MWBEs, if any, I didn't hear [background comment] mention of MWBEs; I just wanted to make sure that I asked.

JONATHAN RICHTER: Yeah, uh Jonathan Richter, absolutely there's a commitment to MWBE hiring to local procurement and local hiring. So we've got targets of 51 percent for local procurement and targets of 20 to 25 percent for local hiring and MWBE hiring, through… in construction and during operation. And we hope that we're gonna be able to exceed those targets.

COUNCIL MEMBER REYNA: And that's both for soft and hard costs?

JONATHAN RICHTER: Yes.

COUNCIL MEMBER REYNA: Thank you very much. And is this written… I apologize… I haven't seen this document, as far as the CBA is concerned; I would love to receive a copy, if that is possible.

JONATHAN RICHTER: It's contemplated in the lease and it's… [crosstalk]

COUNCIL MEMBER REYNA: Okay.

JONATHAN RICHTER: contemplated in the Community Benefits Program.

COUNCIL MEMBER REYNA: Okay. So there is no draft that we would be able to review? [background comment] Oh. Thank you very much.

CHAIRPERSON WEPRIN: Okay. That it, Diana? Thank you very much; I appreciate your workin' with me. Council Member Cabrera has another question, one last question we wanna get to.

COUNCIL MEMBER CABRERA: As you know, many of the businessmen and business women in the community are very concerned about the lease renewal; we have heard numerous reports; matter of fact, some of them are here this aft… this aft… this morning, it's still morning, and they are… their leases have renewals… they're not getting the lease renewals that they used to get; some of them just go now month by month; before they were getting 5-, 10-year leases; have you studied the impact on local businesses that the Kingsbridge Armory will have; is there an official impact study?

[background comments]

JEFF SPIRITOS: We have not done any empirical study of the impact of the project on the local businesses; we have met with the Merchants Association, we have met with the 27 members of KARA, we have had numerous meetings and lunches and gatherings with numerous community members; we have received nothing but unanimous support from all of

those entities, individual and business for the project; we have de minimis amount of retail usage in the building, we are… have set aside $250,000 to support rejuvenated streetscapes and awnings for the businesses across the street… [crosstalk]

COUNCIL MEMBER CABRERA: Who's gonna manage… who's gonna manage those $250,000?

JEFF SPIRITOS: That's set out in the Community Benefits Agreement; I believe you know the answer to that.

COUNCIL MEMBER CABRERA: Yeah and is… why is it not going straight to the Kingsbridge Association, since we have 250 businesses that are gonna be directly impacted; why have a middle person, a middleman; are you gonna have operational money, [background comments] or you're gonna have bureaucracy, things set up instead of going straight [background comments] towards this businesses that… some of them could literally go out of business very soon? [background comments]

JONATHAN RICHTER: Because the capital will be allocated to local businesses, local businesses will be integrally involved in making decisions about how that capital gets allocated and

coming up with proposals, so you know, we are in discussions and continue to be in discussions with local businesses on how to best utilize that capital interjection.

COUNCIL MEMBER CABRERA: Thank you very much for your answers. Look, I love the project; I just want it to be done right. I… I started this process, Nnenna, you know, EDC knows; I was the catalyst to get this process going; I just want this thing… I want this project to be done right; it's not just the what, but the how and so I'm hopeful during the next five days we could be on the same page. Thank you so much. [crosstalk]

CHAIRPERSON WEPRIN: 'Kay. Thank you, Council Member Cabrera. Before I let this panel go I want to acknowledge that she got out of speaking today, but we want… we are joined by one of the partners of the KNIC project, the pride of Great Neck, New York and indeed all of America, Sarah Hughes, the Olympic gold medal figure skater… [applause] there you go, that you can clap for. [applause] Thank you. And we wanna thank you all and we've got a long day ahead of us, so we're gonna move along. Thank you all very much… [interpose]

MALE VOICE: Thank you.

CHAIRPERSON WEPRIN: I assume somebody will be sticking around to hear the rest of the people testify on this matter. We are now gonna have two elected officials give brief statements; we are delighted to be joined Senator Gustavo Rivera who's heading towards the front and with an… our old friend, the Borough President to the Bronx, Ruben Diaz, Jr., [applause] welcome. Applaud for them too, even though they… they don't have a gold medal. Gentlemen, whenever you're ready; realizing we are holding everybody else up.

[laughter]

RUBEN DIAZ, JR.: Well, good afternoon Mr. Chairman, to you and to all of the committee members; first let me start by saying I hope that you had a wonderful, happy Thanksgiving and to all those who are here in the audience, and of course a great Hanukkah, and I just wanna wish everyone a happy holidays. As you know, I am here today to offer my enthusiastic support for the Kingsbridge National Ice Center, other known as KNIC, and the four ULURP applications which when approved will facilitate construction of one of the most outstanding ice

sports arenas in the world. This project transforms an iconic yet vacant landmark into a destination for thousands if not tens of thousands, and by doing so will also revitalize an entire community and offer permanent living-wage employment for Bronx residents. The key to the anticipated success of this project is that it represents the culmination of a comprehensive participatory process that included all those who have had an interest in the future of the development of the Kingsbridge Armory. These parties include representatives of the surrounding community; you've heard organizations such as KARA, the Community Board, borough elected officials, the mayor's office and the City's Economic Development Corporation, as well as those associated with KNIC, the Kingsbridge National Ice Center development team.

I'm pleased to highlight some of the supporting figures that substantiate my endorsement, such as an approximate $300 million investment to restore and preserve this historic Bronx landmark, which entails the reconstruction of the entire drill hall floor. The project will also pay its employees a living wage, which is defined, and I know this question was asked earlier, $11.75 an hour without

benefits and $10 per hour with benefits, which represents a great victory for this site, given, as you know Mr. Chairman where we started with this situation about four years ago. The redevelopment of the Kingsbridge Armory will create 170 full-time-equivalent permanent positions at the armory, as well as 885 construction-related jobs on-site; in addition, the project is expected to create an additional 2700 off-site jobs as a consequence of its development. KNIC will generate 580,000 annual visits or so plus to the armory, which in turn will generate new economic activity, approximating about $42 million annually. My enthusiasm for this proposal and what it will offer the Bronx and our city is only surpassed by my support for the CBA, the Community Benefits Agreement that has been achieved. This agreement is historic, Mr. Chairman, as it sets to paper benefits I believe establish a gold standard for all future projects that rely on the disposition and use of public sector assets.

Key components of this agreement include assurances of 51 percent of those workin' in the armory will be Bronx residents and that employers shall award at least 25 percent of the funds spent on

employees performing construction to minority- and women-owned businesses. Beyond these stipulations the developer also has pledged to provide an initial monetary contribution of $8 million to be used towards developing and building out 50,000 square feet of community facility space for an annual rent of just $1. Let me just say also that, as was stated here earlier, there's an academic component where our kids will be mentored and tutored and as you know, some of us were able to visit… I went with Councilman Cabrera, members of the Community Board; we went out to Philly and we saw the type of model that the foundation of Ed Snider, the owner of the Philadelphia Flyers has, to see children, to see students getting the mentoring services, to see them getting the instructions, both in academics and in ice skating, to have free equipment made readily available to them, to see them getting scholarships; I saw this with my own eyes, scholarships to go to higher education, not to play basketball, not to play baseball; football, but to play ice hockey. It was something that we truly need, not just to the Bronx, but throughout the City of New York. And I just wanna say that the overwhelming majority of those

students and those children that we saw were black and Latino students and individuals who never before had played hockey or had ice sports made available to them. In addition, there's a $1 million of ice time that will be provided annually to local schools and community organizations. KNIC will also provide $250,000 for capital improvements of properties and local businesses, and in fact, let me just reiterate this; nothing inside of the armory, unlike the prior proposal, is in correct competition with the business community right outside of the armory. I am also especially proud to note that this entire project will be environmentally sound as a lead silver designation is being sought. My administration is very proud of what the entire proposal represents; it is a project that broadens the profile of not just the community, but of the Bronx as a place where new ideas can become reality, where new approaches can bring about better results.

So many people have worked so hard, many of them you're gonna hear from today, to bring this project to fruition, Mr. Chairman, from elected officials to Community Board folks, to local organizations, to our not-for-profits, to the

developer and everyone in-between. What we are discussing today is a culmination of years, if not decades of advocacy and effort to revitalize this magnificent structure. A vote in the opposition, in my opinion, to this project will be reprehensible.

In closing I wanna recommend approval of these applications and by doing so endorse the redevelopment of the KNIC, or the Kingsbridge Armory, Kingsbridge National Ice Center. Let me just say this, as part of all of the conversations, all of the debates, all of the meetings and the hearings, very few people have brought up any opposition to this proposal. To compare the traffic now to what it would've been to the prior proposed project is mixing apples and oranges; this development will only have less the amount of traffic now. To have questions about how this is gonna affect neighboring businesses, well that's the reason Mr. Chairman we did not support the initial project, because that project would've hurt neighboring businesses; this project, I believe, will have the foot traffic that would augment the profitability of the merchants outside and the $250,000, the money allocated by the developer will help these businesses better their

facilities to be able to handle that foot traffic. I am so proud of the work that we've done here; I'm so proud of how open this process has been; I am so proud of the community folks, many who have come together, who in the past have been in opposition, whether in this project or others… with this site or others. This is the time now where we move forward; this is part of an overall plan that we have to make the Bronx the sports mecca of New York City. Yes we have the Yankee Stadium, but we also have things like the Cary Leeds Tennis Center, where are kids will be able to play tennis; we have the Donald Trump Golf Course, where our kids will become golf players, so perhaps we could have the next Chichi Rodriguez coming out of the Borough of the Bronx. And so why not have it so that we have the next Mark Messier? Why not have it so that we have the next Sarah Hughes come from the Bronx or from neighboring communities or other boroughs in the city of New York? The time has come now; I ask you Mr. Chairman, I ask the members of this committee, I ask the members of this entire body, please let's help the Bronx, let's help New York City; this will be a facility that will have

is something that is going to be something that they're going to eventually make money on, they know this, but they knew that they did not want to come into a community that did not want them there. So they sat down and in good faith negotiated over a long period of time, and I'm sure that there were ups and down and disagreements and agreements, but ultimately what came out of it is a Community Benefits Agreement that all of you will have the opportunity to discuss when some of the members of the negotiating team that actually put it together come up here and have an opportunity to talk to you.

So ultimately, I support it because it is a project that will be transformative for the Bronx and because the process, the way we got here, the inclusion of the community and the way that this came about was incredibly positive and should be the gold standard. And I will say one quick thing about the traffic; this is one thing that I disagree with the Borough President; he said comparing this to the traffic in the Related would be apples to oranges; I think it's apples to giraffes. [background comments] We have two completely different processes here -- one project that would've been a retail project,

would've had thousands of people walking in and out every day; another one that will have, at best, a couple of hundred at any given time and will be open for the majority of the day. So colleagues in the City Council, I urge you to vote in positive in this subcommittee and ultimately in the City Council, because I believe again, it'll be transformative for the Bronx, for the community that I live in that I represent and the process that we got here will be the gold standard for how these types of developments should be done in the future. Thank you for your time.

CHAIRPERSON WEPRIN: Thank you very much Senator. [applause] One last question -- Mr. Diaz, do you ice skate?

RUBEN DIAZ, JR.: I ice skate, I have ice skated, Mr. Chairman.

CHAIRPERSON WEPRIN: Okay.

RUBEN DIAZ, JR.: And just to… just to… so that folks know, we have a smaller rink; it's a portable rink in Van Cortlandt Park that we've had for the last two winters now and to see the level of Bronxites, to see the level of people, again, those who normally did not ice skate, you know any time in

their lives, participate in that rink, that's the reason why this armory is needed and I believe is gonna be a huge success and I believe so many Bronxites are gonna be able to benefit from this and have fun as a family and also provide an outlet for them to participate in a sport that has never been made readily available to them.

CHAIRPERSON WEPRIN: Great. Thank you gentlemen both very much, we appreciate you bein' here. Uh thank… [interpose]

COUNCIL MEMBER COMRIE: Council… Councilman… uh Mr. Chair, sir, just want… [crosstalk]

CHAIRPERSON WEPRIN: Oh, sorry. Yes, Mr. Comrie.

COUNCIL MEMBER COMRIE: just wanted to reemphasize the point that I made earlier to the team; to make sure that, you know, the Mark Messier does come from Council Member Cabrera's district; you know, to make sure that whatever you need to do to lock down a linkage agreement with DOE and the developer, I think they have good intentions, but, you know again, it's habit and people don't have a habit of playin' hockey in the Bronx, in that area, so you need to… [crosstalk]

CHAIRPERSON WEPRIN: They never had the access, Council Member.

COUNCIL MEMBER COMRIE: Right, they didn't have the access, so they don't have the habit, they don't have the access; you've giving them the access, but now they have to understand that it's really there for them and not there for everyone else in the metropolitan area, so I would hope that… [interpose]

RUBEN DIAZ, JR.: Oh you… you know our history and you know the energy of the elected officials and the many folks that have started to find out how serious we are in the Bronx about job creation, the living-wage debate and the law in the City of New York [background comment] started and originated out of the Bronx and this development, or this site; we will hold everyone's feet to the fire, but we believe that there's already the outreach and the interest in the neighboring schools and remember Councilman, the 50,000 square feet that's gonna wind up going to not-for-profits; this inherently will have that foot traffic from local community folks where the kids and the community will take that level of interest to participate; I rest assure that we

will get someone even better than Mark Messier coming out of the Bronx [laughter, background comment].

CHAIRPERSON WEPRIN: Alright, guys, before you leave… gentleman, before you leave, Diana Reyna has a quick question also, and of course, Mr. Comrie meant if it was from Queens it would be okay; isn't that right Mr. Deputy Borough President today, right?

[laughter, background comments]

COUNCIL MEMBER REYNA: Thank you. Good morning. I just wanted refer to the Borough President's recommendation here and there's mention of transportation issues that are being addressed here, so to say that there's… we're not trying to compare apples to oranges, but raising transportation issues is our duty here in the City Council… [interpose]

RUBEN DIAZ, JR.: Absolutely and I…

COUNCIL MEMBER REYNA: and so right now what I read here, as far as the Borough President's recommendation; one being KNIC reach out to bus service providers such as New York City Transit and Westchester County's B Line to explore the possibility of offering transportation to the

Kingsbridge Armory or including a specific stop as part of an existing route, I'd like to understand why, and then the third of the three recommendations referring to DOT, we encourage the Department of Transportation to work with KNIC to enroll a portion of a mapped street located at the northeast corner of the intersection of Reservoir Avenue and West Kingsbridge Road in the agency's Public Plaza program.

RUBEN DIAZ, JR.: Well first of all, we… the… you've gotta understand that obviously there is gonna be a level of folks that are gonna come in and use their cars, but we believe that the underground parking is sufficient, we believe that a lot of folks… [interpose]

COUNCIL MEMBER REYNA: But I'm referring to these points that you've include as part of the recommendation upon your vote.

RUBEN DIAZ, JR.: Well we… we… they are recommendations and… and I think that they'll be… [interpose]

COUNCIL MEMBER REYNA: So the public plaza is something that occur currently in the last, probably six years that could've been implemented.

RUBEN DIAZ, JR.: But there was nothing there, Councilwoman; that's why… you know, I mean, when you look at… you know, wanting to know why is it that you didn't get any mitigation in the last couple of years, it was just that the building is vacant; there's nothing happening at this location now.

SENATOR RIVERA: And if… if I may, Borough President, if you look at this image right here… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: the curve is… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: that is Reservoir…

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: and then Reservoir to the right there leads to Kingsbridge Road and then… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: 195th is on the other side…

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: so what you see in the trees right there, right now it's just a big fence…

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: so there is just a big fence around the entire structure…

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: which means that there's no public… there's no peop… you know, people walk on the sidewalk, but… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

SENATOR RIVERA: the sidewalk is, you know, yay thick or wide and the rest of it is just the space that will then be opened up and potentially be used for the one thing that you referred to as far as park space.

COUNCIL MEMBER REYNA: So the issue as far as traffic mitigation, issues do not presently exist in and around that area? [crosstalk]

SENATOR RIVERA: There… there's… there are certainly issues in parking; I mean I'm not… I know that uh… [interpose]

COUNCIL MEMBER REYNA: So the only issue is parking, not pedestrian safety, not… you know, I'm just trying to consider what would be the… [crosstalk]

RUBEN DIAZ, JR.: Well if you… if… uh the…

COUNCIL MEMBER REYNA: corridor of students…

RUBEN DIAZ, JR.: It's… it's… it's a busy strip, Kingsbridge Armory, they have a lot of retail stores, the Kingsbridge train station is… it's a busy train station… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

[background comment]

RUBEN DIAZ, JR.: but… but with regards to traffic now existing or extra traffic, because of anything happening in the armory, there's nothing there now… [interpose]

COUNCIL MEMBER REYNA: It's not about…

RUBEN DIAZ, JR.: so… so… so they… they are… just like in every other busy strip… I'm sorry, Councilwoman, but… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

RUBEN DIAZ, JR.: but just like in other busy strips, we are always mindful and we always want to do the best that we can to ensure the safety of our children and our pedestrians, and certainly we are doin' that now, even without anything in the

armory, but as we move forward, these are recommendations that we believe the City, the different agencies and the developer are in conversations and I think that, you know will be addressed, I'm confident. [crosstalk]

COUNCIL MEMBER REYNA: Okay. I just wanted to understand the transportation issues… [crosstalk]

RUBEN DIAZ, JR.: 'Kay.

COUNCIL MEMBER REYNA: because we're not talking about one little building, we're talking about five acres, I believe; right?

RUBEN DIAZ, JR.: Right.

[background comment]

COUNCIL MEMBER REYNA: That's a significant portion of land where more pedestrian on top of what would be a corridor of retail and existing schools, anywhere from, you know, toddlers to college age, just… [interpose]

RUBEN DIAZ, JR.: Let me just point out…

COUNCIL MEMBER REYNA: increasing rather than… [crosstalk]

RUBEN DIAZ, JR.: let me just point… [interpose]

CHAIRPERSON WEPRIN: I'm sure that the… the Borough President has staff that can talk to you about this after the meeting as well, right?

RUBEN DIAZ, JR.: Give me one second Mr. Chairman… [crosstalk]

CHAIRPERSON WEPRIN: Please finish up.

RUBEN DIAZ, JR.: let me just point this out… [interpose]

CHAIRPERSON WEPRIN: No problem.

RUBEN DIAZ, JR.: a) in all of our conversations, I don't believe anyone has brought traffic concerns up into the forefront, number one; number two, there hasn't been not one, not one, unless… I mean I haven't seen it… not one legitimate report or study that shows us that the traffic, with the armory being developed, is gonna create, you know that much of an adverse effect. So there's not even been not one report.

[background comment]

COUNCIL MEMBER REYNA: Uhm-hm.

CHAIRPERSON WEPRIN: Okay.

COUNCIL MEMBER REYNA: Thank you.

CHAIRPERSON WEPRIN: We're gonna… we'll continue this afterwards; you can still speak. I

apologize; it's just people have been here over three hours [background comment] and we've got a lot more to go, so uhm, but thank you gentlemen very much for bein' here… [crosstalk]

RUBEN DIAZ, JR.: Happy holidays.

CHAIRPERSON WEPRIN: Yes, and to you and your family as well, thank you.

We're now gonna call up a panel who has some concerns to raise in opposition -- Christian Ramos, Carlos Nieves and is it Nane [phonetic] Fernandez? I'm not sure of the first name, but uh… I apologize. Thank you. Tell me when you get up here, you'll say it in the mic; tell me where I went wrong; my wife does it all the time. So whenever you're ready, please state your names and describe your opposition and I apologize again to everyone for… you know we have a lot of work to do today and we really have a lot of questions we have to have answered, so it's very hard to accommodate everybody's time schedule, so I do apologize. [background comments] Whenever you're ready, please state your name and give your testimony.

NANCY FERNANDEZ: Hi, good afternoon. Yes and uh, my name is Nancy Fernandez, President of

the Kingsbridge Merchant Association. [background comments] We are here today to represent our merchants in one voice. As a merchant association we were always in favor of the project of the Kingsbridge National Ice Center. The members of the KBMA consider ourselves a partner with KARA and the MWBCC, as we share the goals and objectives related to creating opportunities for those who do business, live, visit the Kingsbridge Road community.

As an organization that was founded to specifically advocate for the improvement of the economic and business conditions with a primary focus on Kingsbridge Road from the eastern border from Grand Concourse to the western border of Sedgwick Avenue. There are more than 250 businesses in our area who feel strongly about having a direct voice in the administration of the funding that will be allocated towards the improvements of economic development and construction along the Kingsbridge Road commercial corridor.

Our organization for the past four years has worked hard to build a strong relationship with the business community, our elected officials, city agencies and our local community groups along

Kingsbridge Road. KBMA feels well-established to administrate a grant for our local businesses, a grant that will also be used for capital improvement.

Our association, in conjunction with Small Business Administration, we have the capacity to manage and administrate these funds to our small business owners. Our priority will be provided this grant to local business with a purpose to increase their inventory, hire more people and eventually equipments that will need. KBMA members have also experience and understands to know how these grants will work in the best ways for these restaurants, shops, bakeries and all the businesses on Kingsbridge Road.

We have been in this neighborhood [bell] running our businesses for more than… for many years, generations to generations and we see all the changes every year; now we will have the biggest change, the Kingsbridge National Ice Center, which will impact not only the community, but also all the businesses. So in conclusion, the grant that has to be allocated to the correct organization has to make sense and logic in making business improvements from business experience that will make a difference.

CHAIRPERSON WEPRIN: Thank you very much. I wanna remind people that we're gonna have a two-minute time limit on everybody and I know there's nothing more obnoxious than making you wait and then cuttin' you off, but I'm gonna have to do it 'cause we have a lot of people to get to. You were first, I understand it's sometimes hard to gauge. So yes, from now on we'll try to keep it as close as possible, please. Thank you. Gentlemen.

CHRISTIAN RAMOS: Yes uh… my name is Christian Ramos, Vice President of Kingsbridge Road. The same think like my partners in the association say; we there in the Kingsbridge for local small businesses area, we… it's not only our generation; maybe we are the new ones, but we see two, three past generations, our families run a business for so long; I know more of them from restaurants, we know from shoe shops, pharmacies; we know the hardware stores, so we're already in the neighborhood; I run every day, see different type of people, from the guy who sells hot dogs on the corner, from the other guy who has… Morton Williams, who employees 700 persons a year. So my concern… I respect everyone… is; we need that type of money, that grant, to help all the

businesses in the area, because after six years… seven years, this big place coming to the area, we're gonna feel inflexible, we're gonna feel unbreakable if we don't receive that grant to support the business; that grant's gonna help a lot as equipment, as hiring more people; for example, some restaurant, they have inventory as to give for 100 persons or 200; now we're gonna have 1,000… 2,000 every day people, so we definite… we know that that type of money gonna help to change the storefronts, to change the floor, the ceilings, inside and I'm here today to let you know guys, it's not only the community; we are small business in this area and we need to review and check the SBA to contract a Community Benefit Agreement to make sure that if we're doing some changin' in the future, these change have to be clear. [bell] Thank you, thank you so much.

CHAIRPERSON WEPRIN: Thank you. Uh [background comment] sir, you're all set? Okay, just bring it closer; state your name; see where I got it wrong… [interpose]

CARLOS NIEVES: My name Carlos… Carlos Nieves… [interpose]

CHAIRPERSON WEPRIN: So Carlos.

CARLOS NIEVES: Like Mr. Christian over here said, we wanna better up this neighborhood, as all fronts on Kingsbridge with this armory being built, it should be like a mall coming in and, I mean we need to replace all these canopies, light posts, have garbage cans on the corners, that right now we don't have garbage cans and the garbage is being thrown out in the street, so we need that money to fix up Kingsbridge.

CHAIRPERSON WEPRIN: Thank you. Do you have a question? Great. Council Member Cabrera has a question. [interpose]

COUNCIL MEMBER CABRERA: I'm… I'm just curious to know; have you heard reports… can you put it on the record… heard reports of landlords renewin' the lease but just a month to month or greatly reduced?

CHRISTIAN RAMOS: Yes, definitely; that's another thing, our association is worried about it; we started having discussion with our lawyers; we're gonna try to find out, to see how kinda deal with landlords to extend the lease. For example, the soon as this Kingsbridge Ice Center comes to the place, we try to renovate and luckily is at least 10 to 20

years or 5 to 10 years; the more longer it is better for the local merchants.

COUNCIL MEMBER CABRERA: And also what… so I can understand what you're asking, you're asking that the monies that were allocated for business will go straight to you and not through any middleman. [background comments] Okay. Have you spoken to… have you spoken to KNIC or have you spoken to Northwest Coalition and what was the outcome?

[background comments]

CHRISTIAN RAMOS: Yes, we are gonna have… [background comment] uhm what… we're gonna have a discussion around by the 20 or the next week, all of three… actually, we all three KKK, so we're gonna sit down and lets talk about that part in the agreement they say the funding's going to the coalition; that funding has to go to the Kingsbridge Merchant Association, who close to the SBA, we can know how to manage this to where that grant for the merchants.

COUNCIL MEMBER CABRERA: I'm just curious; you're part of the CBA?

CHRISTIAN RAMOS: SBA, uhm… [interpose]

COUNCIL MEMBER CABRERA: No, were you're part of the CBA?

CHRISTIAN RAMOS: No, no; we are not part of the CBA yet, uh… [interpose]

COUNCIL MEMBER CABRERA: You were never included?

CHRISTIAN RAMOS: That's why we're gonna do it uhm for the…

COUNCIL MEMBER CABRERA: Okay. Thank you very much.

CHAIRPERSON WEPRIN: Thank you. Anybody else, comment; questions? Thank you all very much; appreciate your patience; I know you have to get back to work, so thank you.

[background comments]

CHAIRPERSON WEPRIN: We're gonna call up… we have an extra chair there… we're gonna call up four at a time and I know some people have to leave or have left, I understand that, so we're gonna call every name and if they had to leave, we understand. So Nilsa Cintron, in favor this is, Father Richard Gorman… Gordan, Adaline Walker-Santiago and Aleciah Anthony. Father; how are you? We've got a fourth chair, right? How many are here? All four of you here? Yes? Okay. Terrific. Again, we're gonna hold you all to two minutes, even the members of the

cloth, [laughter] so don't get me in trouble with the man upstairs, father.

FATHER GORMAN: No.

CHAIRPERSON WEPRIN: Okay.

[background comments]

CHAIRPERSON WEPRIN: Alright, whenever you're ready.

[background comments]

CHAIRPERSON WEPRIN: It must not be on. Help her out there. There you go… [interpose]

NILSA CINTRON: Hello, my name's Nilsa Cintron; I've lived in the community for 25 years, yet there has been no progress in rehabilitating this armory. I'm asking that my elected officials keep in mind what's best for the community as a whole, for the common good as opposed to individual good. The Kingsbridge Armory has been an issue which for many issues no one has had a solution for, yet now we have one. For the community this is a dream in progress which many children and adults will benefit from; everyone needs to look at the broader picture for this much-neglected armory. I believe that what you put out in the universe comes back to you and with that said, much-awaited renovation of this armory, we

will see the benefits return. For this reason I'm asking for your vote in favor for the KNIC to rehabilitate this armory and give it back to the community. My grandchildren cannot skate because I don't wanna come into Manhattan; I would like for this armory to be rehabilitated as soon as possible and I would like my elected officials to make it happen for us.

CHAIRPERSON WEPRIN: Thank you very much.

ALECIAH ANTHONY: Good afternoon, I am Aleciah Anthony; I'm an Executive Director of the Northwest Bronx Community and Clergy Coalition, to be distinguished from the coalition that's in the CBA, which refers to the signatories, so I just wanna let you know that there are two different coalitions being mentioned here in this room today.

I was born and raised in the Bronx; I attended a public school where we had arts and drama and music and dance and gym and then I was fortunate enough to go to a private school in Riverdale, which I learned how to play tennis and hockey and all those great things, and then I became a single mother of two boys who went to public school and they didn't have gyms and they didn't have computers and they

didn't have art and music and dance and sports, but because of all of that they still ended up playing sports; my son is a three-sport athlete because I took him to Harlem, so he plays soccer and he plays basketball and he plays football… I'm sorry, that's four, because he also plays baseball; I have a big trophy in my house that indicates that. But that is the crime here today that we have to take our kids outside of the Bronx, that they don't have the opportunities that other people have, right? And so why not the Bronx; why not now? The Bronx is deserving and we are tired of our children in the Bronx being left out; we are in the poorest urban county; where is it time for us to get what we deserve? The time is today, so we encourage the members of the council to vote yes to this project, that the Northwest Bronx has fought so hard for, for 18 years, 18 years battling to have development in the Kingsbridge Armory that is responsible, that has community at the center and a community business partnership like none other across the world. Did you hear me -- across the world. This is gonna change life for all of us as we go forward; not just in the neighborhoods of the Northwest Bronx, not just

in New York City, but nationally, and Northwest Bronx Community and Clergy Coalition represents 17 community and faith-based organizations, [bell] moving more than 2,000 people in the Bronx. Thank you.

CHAIRPERSON WEPRIN: Thank you, Miss Anthony; very impressive. [background comments] Next please.

ADALINE WALKER-SANTIAGO: Dear Chairman Weprin, Council Members and ladies and gentlemen. My name is Adaline Walker-Santiago and as Chair of Community Board 7 I am honored to represent the entire Community Board District where the Kingsbridge Armory is located. It is thus my privilege to announce that our board members voted overwhelmingly in favor of the ULURP application for our Kingsbridge Armory to be developed into the Kingsbridge National Ice Center at our public hearing on September 17, 2013. Our board members come with an array of expertise and a commitment to the community and have considered all aspects of this development, the Community Benefits Agreement and what the residents want and have come to the conclusion that KNIC is the development that has our full support and vote.

KNIC and the CBA agreement has been supported by 26 different community institutions, which brings a great number of opportunities for our community, creating nearly a 1,000 jobs with living wages where 51 percent of those jobs will go to local residents, while offering tremendous educational, recreational opportunities not only for the young, but for everyone; it'll also be a green site with a wellness center, which will bring a healthy environment to the community at large. These are just a few of the many benefits that residents envision and ensured in the shaping of this project, as one that truly invests in the people of the Bronx. CB7 acknowledges the mayor, our borough president, council members, and all those who have supported this development and the agreement to come to our community, so we urge that all council members vote in favor with us of this iconic Kingsbridge National Ice Center, as it'll be the largest of its kind in the country, and upgrade the economic, social and educational status of our community. [bell] On a personal note, this is a picture of me with my grandson, age 3 at the new Van Cortlandt ice skating rink -- if he can do it, so can you, and I'm his

grandmother; if I can do it, so can you and that's… [crosstalk]

CHAIRPERSON WEPRIN: Thank you.

ADALINE WALKER-SANTIAGO: three generations of our family on the ice. Thank you.

CHAIRPERSON WEPRIN: Thank you. Great. Well our hockey teams could use help right now, so maybe we can get 'em out there. [laughter] Father. I wanna acknowledge, Mark Messier laughed at that; I wanna scream out. [laughter]

FATHER GORMAN: Good morning Chairman Weprin and members of the committee and ladies and gentlemen. My name is Father Richard Gorman; I'm the Chairman of the Community Board 12 in the Bronx and I realize that it's sometimes a bit strange and it's sometimes out of place for the chairman of one community board to sort of stick his nose in the project that's taking place in another community board, but I hasten to add that this project is just not for the people of Community Board 7; it's for all the people of the Bronx and so therefore it is important that all of us get behind this project because it's going to do great things for the Bronx.

You know today we heard that what was formerly known as the South Bronx is now gonna be called SoBro and it's gonna become the next hot place to live. Well, that's great that we're doing something in the southern part of our borough; let's do something for the northern part of our borough. Stop and think for a moment, begin with Yankee Stadium, go up the line, the Bronx Hall of Fame, Fordham University, the Botanical Gardens, the Bronx Zoo, Lehman College, the Lehman Performing Arts Center, Manhattan College, the Columbia University Field -- you have all along the western and northern coast of the Bronx a series of facilities that are gonna highlight cultural and recreational attractions and that's gonna bring people to our borough and that hopefully will help the businesses of our borough, especially the small businesses that are the engines for economic development, as we know.

Another point in this project is that it's gonna bring jobs to a borough that was just called the hungriest borough in New York City. We need jobs in the Bronx and we need jobs that pay, and it's interesting that the exact amount of the living-wage that we're proposing here, it's exactly what

President Obama just called for the other day. So I do hope that we will turn around and have this project approved by the City Council and in the two seconds remaining, if I could [bell] just quickly say to Council Member Comrie, Council Member, I've already spoken to the Bronx Superintendent of Catholic Schools; to the Superintendent of Catholic High Schools and we are ready and waiting for this to come. When I was in charge of the finances at Spellman High School, I started an ice hockey team and I gotta tell you, one of the things that held us back from playing other teams in the Bronx was the expense of going out of state… yes, out of state, not only out of borough, but out of state to find a hockey rink. So there is interest out there, sir and you can be sure that I'll be out there campaigning to make sure all those kids get their ice hockey time.

CHAIRPERSON WEPRIN: Thank you very much, Father… [crosstalk]

COUNCIL MEMBER COMRIE: How many… how many of those Catholic schools are in Councilman Cabrera's district?

FATHER GORMAN: Right… right now I would say that in… I'm not sure of the exact lines of the

Council Member's district; I'm more familiar with my own, but again, in the whole borough of the Bronx there's six dozen.

COUNCIL MEMBER COMRIE: Six dozen catholic schools?

FATHER GORMAN: Yes.

COUNCIL MEMBER COMRIE: Alright. Thank you.

CHAIRPERSON WEPRIN: Alright, one second, only… we have… Council Member Reyna has questions. If you can keep it short Diana, I'd appreciate it.

COUNCIL MEMBER REYNA: Always. This particular agreement, as far as the Community Benefits Agreement, it doesn't state who this is with, it just refers to coalition, so I just wanna understand this particular document in reference to the statement that there's two coalitions and there's a difference and I'm not sure who this one belongs to.

ALECIAH ANTHONY: Absolutely. So in the beginning of the original Community Benefits Agreement there… or it might be at the end, but there are terms and definitions. So the Northwest Bronx Community and Clergy Coalition does grassroots social

justice organizing; we are one of the signatories; the coalition, as it is referred to in that document, refers to the 27 signatories that signed the document and those are community-based organizations. So that's why I wanted to make the distinction, right, that it is not the Northwest Bronx Community and Clergy Coalition alone; that's a different coalition, but we are one of the coalition of 27 groups that signed onto the document.

COUNCIL MEMBER REYNA: Hence the initials on this document?

ALECIAH ANTHONY: Yes.

COUNCIL MEMBER REYNA: 'Kay. Thank you very much.

CHAIRPERSON WEPRIN: Thank you.

COUNCIL MEMBER CABRERA: Uh I'd like to… [crosstalk]

CHAIRPERSON WEPRIN: Council Member Cabrera, quickly.

COUNCIL MEMBER CABRERA: Yeah, I'd like to make a point of clarification. Only Northwest Coalition was involved in the negotiations, never did any of the other ones showed up to the negotiations

and so, just wanted to make that point of clarification.

ALECIAH ANTHONY: So yes, Councilman, that is correct; however, before the document became official, each organization had to designate someone from the organization that would sign onto the document, so that required that all 27 groups were at the table, going through the points of it, making sure that they agreed before they put their name on a legal document.

COUNCIL MEMBER CABRERA: That is not correct. As a matter of fact, you went to this Kingsbridge Association; to me they have more to lose than they're already losing and all you did was here, come and sign over here; that's exactly what you did and they went… the business community were like, wait, we haven't had a chance to process this, so please… [interpose]

CHAIRPERSON WEPRIN: Alright.

COUNCIL MEMBER CABRERA: don't come here and tell me that you had a whole process; you did that all in one Friday and you went to everybody and you asked them to sign.

CHAIRPERSON WEPRIN: Let's not debate this further. I thank you all very much; we appreciate your time and thank you. [background comment] I am going to now call another panel in favor -- Anna Gonzalez, Natalia Rodriguez, Desiree Pilgrim-Hunter, Alice McIntosh -- that's four; I don't know if they're all here or not. Are they all still here? [background comments] Think one, two, three, four. [background comments] Okay. Alright, thank you. [background comments] Okay, welcome. [background comments]

NATALIA RODRIGUEZ: Hello everyone; my name is Natalia Rodriguez and I… [interpose]

CHAIRPERSON WEPRIN: Natalia, before you start, just… have the microphone go really close to her mouth if you could, okay? Thank you so much.

NATALIA RODRIGUEZ: I'm 11 years old and live in the Bronx. I have been ice skating for six years and skated as part of a synchronized skating team. I love ice skating because it is fun and helps me make friends and gives me something to do after school, but having to drive so far from home to skate is very hard on my family. I'm thankful for KNIC bringing a huge ice skating facility to my

neighborhood; this would mean I could have more ice time and I will be able to continue something I love to do right here in the Bronx. I am asking the City Council, not just for me, but for my whole family and all the people in the Bronx who want to follow their dreams on the ice, to please vote yes on this project. Thank you.

CHAIRPERSON WEPRIN: Thank you, Natalia; did you get to meet Sarah Hughes? Okay, good, excellent. Alright; who wants to go next? Grandma? Okay. Okay.

ANNA MORAN-GONZALEZ: Hello, my name is Anna Moran-Gonzalez; I am here today because the Kingsbridge Armory is a very special place to me. I could not be more excited knowing that the armory will become a national ice center, as this building made wonderful memories in my life; I was a member of the National Guard; I also met my husband there 36 years ago; will also bring wonderful experiences to others. Through KNIC programs our community will be helped and they will help mold and transform our youth and their future; it will teach discipline, responsibility, accountability, self-confidence and to be a team player. This will not only help them in

the area of sports, but in every aspect of their lives. I say this because I am the grandmother and I have experienced through my granddaughter, Natalia, the success and the direction that she has developed so far through skating. I am happy to know that every youngster and every family have the opportunity to experience this as well and especially in my community. I am excited that the Kingsbridge National Ice Center is making this happen in the Bronx and I would like you to vote in favor of this project. Thank you.

CHAIRPERSON WEPRIN: Thank you. Ladies, whenever you're ready. Did you have to run… did you have to leave suddenly? Did you have to run? I thought I got a message. If you do you could leave, but if you wanna stay, we'd love to have you. Go ahead.

[background comment]

DESIREE PILGRIM-HUNTER: Good afternoon; I am Desiree Pilgrim-Hunter. I am a representative; president of the largest privately-owned cooperative in the Bronx and City Councilmen, I represent 4,000 in your community. I am also a parent who has lived in the Northwest Bronx for more than 30 years and all

of us want this project, but I'm here to talk as a parent.

My daughter came to me recently and said that she will be moving down south to Charleston, North Carolina and when I asked her why she said to me, "The standard of living is too high for young adults like me to have a chance at establishing a good life. If I stay here in the Bronx I will probably be living with you and dad well into my 30s; I just can't do that. There's no way I can afford to live on my own here in the Bronx or New York City." She currently works two jobs, she travels to Midtown Manhattan for one and to Nyack, New York for the other; with both jobs she still can't afford to move out, pay rent, buy groceries, pay for transportation to and from work or buy the clothes that she's required to wear at work. Families should not be broken apart because opportunities for economic advancement don't exist in the Bronx for their children, much less themselves. She's leaving the Bronx in March in search of an opportunity for a better life -- it breaks my heart as a parent. KNIC's Partners' willingness to pay a living wage for all the jobs in the Armory is a first step towards

keeping some of our young adults closer to home and hopeful that opportunities [bell] will exist in the Bronx, and for the sake of those young adults, I have worked for eight years to make this a reality. I am very excited… [crosstalk]

CHAIRPERSON WEPRIN: If you could just finish up.

DESIREE PILGRIM-HUNTER: to be here today to ask you to vote yes to the redevelopment of the Kingsbridge Armory. Vote yes to $45 million in new economic activity every year in the center when the center opens in 2017. Vote yes to the opportunity for the economic advancement being created here in our own back yard called the Bronx.

CHAIRPERSON WEPRIN: Thank you very much. And number four.

ALICE MCINTOSH: Good afternoon, I am Alice McIntosh and I actually led the negotiation process for the Community Benefits Agreement that you've heard talked about today. I live in Councilman Cabrera's district and about 827 steps from the armory, according to my cell phone. I teach middle school at Mott Hall Charter School and I've been talking to my students about self-advocacy and

being mindful of what's happening in their neighborhoods; we've been talking a lot about the armory and what's happening at the armory. My students have been extremely excited to learn about what's going to happen at the Kingsbridge Armory, because this is a building that they pass by every day. When I told them about the possibility of a national ice center coming to our community and that perhaps one day they could watch the Rangers practice or themselves get on the ice or come to the armory for homework help and earn free equipment while learning to skate, they were elated. As an educator I can tell you that graduation rates increase significantly for students who participate in extracurricular activities and sports programs.

During the last six month I have travelled all over the Bronx, I've talked to community residents, non-profit organizations, the other community boards that surround the armory and the Kingsbridge Merchants Association in order to talk about the project and get support for the project. My students also wanted to get involved; my 27 sixth graders came out to the armory with me every Saturday during the month of September to get these

postcards signed that say yes to the project. My students also got their parents to commit to getting a 100 cards signed. My sixth graders and their parents collected more than 3,000 of these say yet postcards of the 10,000 that we got signed. I think that speaks volumes about where this community in District 14 stands on this project, not just the adults, community leaders and activists who have fought for many years [bell] to see responsible, sustainable development at our beloved armory, but out community's greatest asset; its children have spoken with their zeal to get those postcards signed and their enthusiasm to see the project approved. Send a message to our children that their voices have been heard… [interpose]

CHAIRPERSON WEPRIN: Thank you.

ALICE MCINTOSH: say yes.

[applause]

CHAIRPERSON WEPRIN: Thank you very much. Thank you panel. Natalia, make us proud -- give Mark Messier your autograph, it might be worth money for him one day, so… [laughter] Thank you very much; I'm gonna call up what may be the last panel on this item… [background comments] Oh, you do? I'm sorry

ladies, I apologize; Mr. Councilman Cabrera has a question. I apologize.

COUNCIL MEMBER CABRERA: No, not a problem, not a problem.

CHAIRPERSON WEPRIN: Council Member Cabrera.

COUNCIL MEMBER CABRERA: Miss McIntosh… [crosstalk]

ALICE MCINTOSH: Yes.

COUNCIL MEMBER CABRERA: were you always for this project?

ALICE MCINTOSH: In the beginning we talked to the two major developers who were interested in the project and we talked to KNIC and we talked to Young Woo and we talked about the things that we didn't like, the things that we did like. So at the beginning of the project I had always said that the developer who was willing to sit down with the community and talk about not only their vision for the Kingsbridge Armory, but also our vision as a community, would be the developer that got my vote.

COUNCIL MEMBER CABRERA: Did you ever communicate with EDC that we shouldn't be doing cartwheels over the KNIC project; yes or no?

ALICE MCINTOSH: No.

COUNCIL MEMBER CABRERA: That's not true. Second… [background comments] that's not true. Second, did you ever say neither project is perfect, but KNIC is less flexible because it revolves around ice; what if we don't want to skate? Did you ever say that?

ALICE MCINTOSH: What I said was, I would support the developer regardless of what the project was that was willing to sit down with the community and it's true… [crosstalk]

COUNCIL MEMBER CABRERA: No, no, no; that's not what I asked. No, it's a simple yes or no question… [crosstalk]

ALICE MCINTOSH: Wait, no; let me answer your question, you…

COUNCIL MEMBER CABRERA: did you say…

ALICE MCINTOSH: you can answer the question or I can answer the question, but at the beginning of the process, when we first sat down with KNIC, I absolutely had reservations about that project, but over a process of more than four months and 30 hours of conversations we came to an agreement about a way to do the project that would be

successful for the developer and the community as well, and this is why we penned our Community Benefits Agreement, so I'm a 100 percent for this project at this time… [interpose]

COUNCIL MEMBER CABRERA: Miss McIn…

ALICE MCINTOSH: and as a woman, I always have the right to change my mind.

COUNCIL MEMBER CABRERA: Yes you do…

[laughter, applause]

COUNCIL MEMBER CABRERA: indeed.

CHAIRPERSON WEPRIN: Quiet please.

COUNCIL MEMBER CABRERA: but… but…

ALICE MCINTOSH: Uhm-hm.

COUNCIL MEMBER CABRERA: you're appearing before a hearing of the City Council; we expect your [background comment] statements to be correct and I will tell you that you did communicate with EDC, we have it on the record, that you said that we should not be doing cartwheels over this project, and in the blackobserver.com, it has you quoting exactly what I just said, "neither project is perfect, but KNIC is less flexible because it revolves around ice; what if we don't want to skate;" good question that needs to be answered.

ALICE MCINTOSH: Absolutely and that question… [interpose]

CHAIRPERSON WEPRIN: 'Kay.

ALICE MCINTOSH: was answered when KNIC sat down with the community for more than 30 hours over four months and helped us to develop the Community Benefits Agreement.

COUNCIL MEMBER CABRERA: But we don't know what's gonna be in those 52,000 square feet.

ALICE MCINTOSH: We absolutely don't at this time, but the community will be involved in creating what's gonna be in that community space.

COUNCIL MEMBER CABRERA: I think… let me just make one more comment and let me just… [crosstalk]

ALICE MCINTOSH: Absolutely.

COUNCIL MEMBER CABRERA: if I may…

ALICE MCINTOSH: Uhm-hm.

COUNCIL MEMBER CABRERA: let me quote our own speaker, Christine Quinn, regarding the last project that went through here that you and your organization opposed and she said, "The Bronx communities surrounding the armory is an area with significant traffic problems…"

ALICE MCINTOSH: Uhm-hm.

COUNCIL MEMBER CABRERA: "and as just a matter of fact, since four years from then it's gotten worse and the impact… and the impact this project will have cannot be underestimated," Quinn said, "even after numerous discussions there continues to be an imaginable traffic impact, we cannot approve a project that will bring more people to an already, already overcrowded area and cause further strain to the community." Thank you so much and… [crosstalk]

CHAIRPERSON WEPRIN: Thank you. Alright, thank you.

ALICE MCINTOSH: Thank you.

CHAIRPERSON WEPRIN: And thank you, panel. Alright, I'm now gonna call up the next panel -- Vincent Clark, Steven Sloan it looks like, Taleigh Smith -- is there anyone else here to testify on this project that I might've missed their name? Raise your hand; speak now or forever hold your peace. Okay. So this is gonna be the last panel on this particular project. Gentlemen and lady, right; we all here? Okay, excellent. Right; no one else is here to testify? Great. Whenever you're ready. I

apologize for the delay, but think how these people feel. [laughter] So yes, please, whenever you're ready, start.

VINCENT CLARK: Sure. I'm Vincent Clark, I'm the Vice President to Administration and Finance at Lehman College of the City University of New York, just a couple blocks north of the Kingsbridge Armory. I am here as a representative of President Ricardo Fernandez, as well as the entire college community -- faculty, staff, students and alumni. Lehman College is ready to see the Kingsbridge National Ice Center become a reality. It has always been part of our mission to lift up the community that we call home, as an institution of higher learning, a center for arts and culture and a place that transforms the lives of thousands of students every day. The Kingsbridge National Ice Center will serve an unprecedented role in helping Lehman College achieve that goal, changing our students' lives and expanding their visions of the world. Lehman College has 12,000 undergraduate and graduate students, a great many are the first in their families to attend college. Another 10,000 students visit campus regularly as part of our continuing education

programs and thousands of people from across New York City enjoy our athletics and arts facilities each year. With the Kingsbridge National Ice Center as one of our closest neighbors and the thousands of people it will bring to the area, all the members of our community stand to reap enormous benefits from this project. The millions of dollars in anticipated economic benefits that our neighborhood would experience is only good news for Lehman College and we look forward to being part of this revitalization. We're excited about the center's pledge to incorporate an educational component, the after-school programs for youth and the proposed elementary academy. In our experience, such programs can only be incredibly beneficial for students. The involvement of the New York Academy of Sciences in this programming fits with Lehman's role as a leader in science and technology education, as well as our programs in health sciences, sports medicine, media and management. Lehman already has first-class facilities which we are certain will compliment the ice center's programming [bell].

CHAIRPERSON WEPRIN: Thank you Mr. Clark; you wanna just wrap up one second? Go ahead.

VINCENT CLARK: Sure, I'll just… my… we at Lehman, we feel strongly that the Kingsbridge National Ice Center will only enhance our community and lives of thousands of students who attend classes along the education mile. We look forward to a long and fruitful partnership with the ice center. And just let me point out real quickly -- the schools that are along the education mile, it starts with, of course Lehman College, but we also have DeWitt Clinton, the Bronx High School of Science, the High School of American Studies, as well as the Walton High School educational complex and Elementary School 86.

CHAIRPERSON WEPRIN: Thank you. Thank you very much.

STEVEN SLOAN: Good afternoon, my name is Steven Sloan; I am the third-generation owner of Morton Williams Supermarkets, located directly across the street from Kingsbridge Armory. We currently employ over 700 employees citywide, mostly which are hired and live right near in the Kingsbridge Armory neighborhood. We are very happy that this project will enhance the local vitality of the people of the Kingsbridge area.

The Morton Williams family has watched for over 50 years the ups and downs of the Kingsbridge area; we believe that the development of this world-class ice skating venue will help create countless opportunities for the community, especially for the youth in the Bronx and will be a huge plus for the economy citywide. We welcome the Kingsbridge National Ice Center project and think it's a leap forward for all of New York City.

On two separate points that were discussed earlier -- you know, we do most of our hiring right in that area, in that Kingsbridge area and I wish… I would invite everyone on Wednesday mornings to our offices to see how many people are looking for jobs, [background comment] so I have a line of a 100 people every Wednesday looking for a job and I wish I could give them all a job and these jobs are greatly needed in the area. And on a second point, we have successfully renegotiated our lease, long-term lease, recently in that location. Thank you.

CHAIRPERSON WEPRIN: Thank you. Miss Smith… [crosstalk]

TALEIGH SMITH: Good afternoon. Thank you. My name is Taleigh Smith; I'm here representing Concrete Green, which is a worker-owned cooperative in the Bronx; we are consultants for sustainable development, urban sustainability, and we've been participating in the KARA consultation process for about a year-and-a-half, so the 30 hours that were referred to in the negotiation process was only the very tail end; right, there's been 18 years of community engagement, there's been multiple open community meetings; all the businesses and community organizations in the area were always invited to participate, so the final document was a product of this extensive community process that we are privileged to be part of.

In terms of urban sustainability, we're really excited to see a project that goes beyond damage control that's really forward thinking and visionary. The concerns that we've heard here about traffic and air quality, green space; green jobs, these are the concerns that we've heard from the very beginning from the community and that we've been working to build solutions on from the beginning. So traffic, for example, isn't just about making sure

there's enough traffic spots; it's also about incentivizing public transportation and emissions-free transportation, both of which is in the Community Benefits Agreement. Food -- right, food justice is a big issue in the Bronx and KNIC has demonstrated its dedication to only having healthy food and to having health consultants on-site for student athletes. Waste management -- that was actually mentioned by the businesses in the area -- KNIC has committed to a comprehensive waste management process that involves not just using recycled products and minimizing waste on-site during construction, but also having recycling and compost available for users of the facility in an ongoing way and having educational placards and opportunities built into their design so that visitors and athletes alike can learn about the sustainable design of the project and take that knowledge with them going forward. [bell] Just one final point -- this isn't about outsiders coming in and doing development, this is about developing the local community; KNIC has put $10,000 into a renewable energy scholarship fund for every year for Bronxites to get certified and they've said that they're gonna research geothermal and solar

panels on-site, which would reduce emissions and provide a really exciting economic opportunity in the Bronx. Thank you so much.

CHAIRPERSON WEPRIN: Thank you very much. Before you leave, Council Member Cabrera has a question.

COUNCIL MEMBER CABRERA: I have a question; then a comment for Lehman College; you are aware that many of your students park in the streets, right?

VINCENT CLARK: Yes we do, but we also have parking for students as well.

COUNCIL MEMBER CABRERA: Yeah, but many of them park in the street and I know, because my church is like half a block away from where you are, and so find it very difficult to find parking when it's time to go to services and so I see a lot of the Lehman College students double-parked, waiting for a park, and many of them go to the Kingsbridge Armory northern part for parking and you're aware that's gonna be eliminated?

VINCENT CLARK: We have had discussions with the folks developing the Kingsbridge Armory and we will work with them around the parking issues.

Like I said, we do have parking on-site, we accommodate hundreds of our students in parking right now… [interpose]

COUNCIL MEMBER CABRERA: They have to pay to go there, right?

VINCENT CLARK: Yes they do.

COUNCIL MEMBER CABRERA: Okay. So you have a lot of students who can't afford it and this is why they park outside, they wait outside trying to find a parking and this is why they go often to the northern part of the Kingsbridge Armory to find parking, and it's gonna be sad because they're not gonna be able to have that parking available to them; it's gonna be… [interpose]

TALEIGH SMITH: Councilman, more parking is being created with this project.

COUNCIL MEMBER CABRERA: I'm sorry; I was just… I was asking him a question… [crosstalk]

TALEIGH SMITH: Right; I felt like you needed clarification.

COUNCIL MEMBER CABRERA: Thank you, thank you so much. And then… and it's parking that people have to pay; that's the point that I'm making. If it's free, then let's talk; I would love to hear

that; as a matter of fact, the Borough President presented that four years ago; it's interesting that's not being presented now. But let me just say one more thing; I'm gonna close with this, the Majority Leader, Joel Rivera, of the Bronx; this was the Gotham Gazette, said a traffic study conducted by the Kingsbridge Armory Redevelopment Alliance, translation -- Northwest Coalition, a committee opposed to the project, found that the redevelopment will have brought an additional 1500 cars to the area during peak hours. I keep hearing that somehow this project is gonna be able to equally have cars… able to control when cars are gonna come in -- they're not gonna know when a family decides to use the ice skating rink; I would imagine Friday night; Saturday night they're gonna go in there and it's gonna be totally jam-packed, and the area, already congested, said the Majority Leader, and plagued by high-asthma rates. I just wanted to put that on the record and I wanna thank you Mr. Chair for giving me an opportunity to share and I wanna thank the panel for coming.

CHAIRPERSON WEPRIN: Thank you Council Member Cabrera. We thank you very much. Again… [crosstalk]

TALEIGH SMITH: Thank you.

CHAIRPERSON WEPRIN: thank you… there's no one else here to testify on this item on the Kingsbridge National Ice Center? Alright, with that in mind, we're gonna move to close this hearing; we will not be voting today; there are some issues that were raised and as Council Member Cabrera has said, he supports the project, but has come concerns that we are gonna discuss over the next few days and we'll get to that later on.

And now we're gonna move on to our next item on the agenda, which is Land Use No. 988. Oh, I also wanna mention -- if anyone's here for the Planning meeting, the Subcommittee on Planning is actually next door, if you happen to be here for that. [background comments]

I also want to announce that if you're here to testify on both of the remaining items, that would be Fulton Housing and the Brooklyn project, the Greenpoint Landing project -- you have to fill out separate slips, separate slips -- 32BJ, separate

slips, right? Okay. [background comments] Alright. So, if… there are other items as well, so any… if you have more than one more item you have to fill out separate slips and mark that item number on it.

Alright. So now, 988, Fulton Houses, Speaker Quinn's district. On behalf of the applicants we have Evan Kashanian, Thehbia Walters and Chris Gonzalez I saw here. Here he is, Mr. Gonzalez. [background comments] I will say it again; I appreciate everyone's patience; I know it's a long day and I wish I could figure out a way to do this faster. I try. Whenever you're ready we'll get started. Thank you.

CHRIS GONZALEZ: Good afternoon Chair Weprin and well, members of the subcommittee; I am Chris Gonzalez, Associate Commissioner at HPD and I'm joined by Thehbia Walters, HPD's Director of Manhattan Planning and Evan Kashanian of Artimus Construction.

Land Use Item 988 is a zoning action before the Subcommittee for the site located at 425 West 18th Street, between 9th and 10th Avenues in Community Board 4 in Manhattan. In 2005, during the public review process for the West Chelsea Rezoning

that ultimately established this special West Chelsea district, the administration made a commitment to create additional affordable housing opportunities on underutilized parking lots at two NYCHA-owned sites. The Fulton Houses project represents collaborative effort between HPD and NYCHA to address the need for permanently affordable housing that targets a mix of incomes. This project will also utilize funds from the West Chelsea Affordable Housing Fund created during the West Chelsea negotiations and will be funded by developer contributions in connection with the 2012 Chelsea Market Expansion approvals. We would specifically like to acknowledge and thank Speaker Quinn and her staff for their efforts in creating this fund. The sponsor selected to develop the site, Artimus Construction, was chosen through a competitive process and is proposing to construct an 18-story building with approximately 158 permanently affordable residential units. Along with that, 4,310 square feet of community facility space and 3,698 square feet of outdoor recreational space. The units will be available to households earning between 50 percent and 165 percent of area median income; there will be a mixture of studios, one-bedrooms and two-

bedroom units. The action before you today is a zoning map amendment that seeks to extend the existing R8 District to the entire project area located within the Robert Fulton Houses NYCHA development. Council Member Quinn has indicated her support for this project. Thank you for this opportunity to offer testimony and we are available to answer any questions you may have.

CHAIRPERSON WEPRIN: Gonzalez. Next; you gonna testify as well or just here to support? [crosstalk]

CHRIS GONZALEZ: We're… we're… we're…

CHAIRPERSON WEPRIN: Okay. Alright. Great. I know we have a number of people to testify in opposition who raise a lot of concerns; I know that we've gotten e-mails on and comments on, so I'm gonna let them testify and I know we're not voting today and we're gonna have a chance to talk about these issues over the next few days. Okay? [crosstalk]

CHRIS GONZALEZ: Okay.

CHAIRPERSON WEPRIN: So we're gonna let you go for now…

CHRIS GONZALEZ: Thank you.

CHAIRPERSON WEPRIN: and I'm gonna get right into the people who have been waiting and I know have a lot to say, so let's do that. I'm just tryin' to work on my eyesight here. Alright, so I'm gonna call up panel… people to testify; again, I'm gonna limit you to two minutes each. I understand some people may have left, but I will call out their name; these people are in opposition to testi… will testify -- Don [phonetic] Dagenshanonstrook [phonetic]… I don't know; I messed you up bad, I'm sorry, [laughter] but you know who you are, Christina Dudd [phonetic]; is it Charlotte Fuller? Craig Disecius [phonetic]. Craig here? You guys may know if I'm calling a name you know… Angalee Dahea [phonetic], Rick Mason… these people are all in opposition to this project, and I probably heard from them… come on up. Actually, if you… when I call your name, if you could just sort of give me a little here… Seth Slotkin… [background comment] very good Seth Slotkin, Chris O'Hara… [background comment] alright, Chris, come on up; I think that's four, we'll start with them and we'll get through. Again, those people were are all here, all waiting patiently; unfortunately, actually had other parts of

their lives they had to probably take care of and I apologize. Here you go. Alright, so whenever you're ready we'll… [crosstalk]

DALE DEGENSHEIN: Good after…

CHAIRPERSON WEPRIN: you're welcome.

DALE DEGENSHEIN: noon, Dale and I apologize for my handwriting. Uhm… [interpose]

CHAIRPERSON WEPRIN: Sorry.

DALE DEGENSHEIN: let me… let me preface all of this with… [background comments]…

CHAIRPERSON WEPRIN: Is it on?

DALE DEGENSHEIN: Okay.

CHAIRPERSON WEPRIN: Okay.

DALE DEGENSHEIN: Sorry.

CHAIRPERSON WEPRIN: No problem.

DALE DEGENSHEIN: Uhm…

CHAIRPERSON WEPRIN: Start again; we'll start the clock again.

DALE DEGENSHEIN: Dale Degenshein from Stro… [interpose]

CHAIRPERSON WEPRIN: We'll give you the five seconds.

DALE DEGENSHEIN: [laughter] I'm counsel for 422 West 20th Street condominium, and let me just

be clear that no one here actually objects to the Fulton House project and we appreciate that a lot of people have spent a lot of time and worked very hard [background comment] to put this project together and that there are a lot of people who believe that it's now time that it go forward. The problem here [background comments] is that when it comes to the issue of the relocation of the trash compactor and dumpster, no one contacted the residents or management of the condominium building which is 25 feet [background comment] from where the [background comment] dumpster and compactor are going to be located, and the problem is that it's 25 feet… it's only 35 feet if the developer, if Artimus Development actually gets a waiver from the Department of Sanitation, which, based on my understanding, they haven't even applied for yet. So you're talking about a very serious situation here and coincidentally, the reason the building even knew about it is because somebody attended a community board meeting in August of 2013.

CB4 and I think Artimus acknowledged the issue in their September 16 correspondence to CPC and CB4 wrote, in relocating the dumpster, New York City

Housing and Artimus will work with owners and tenants of adjacent apartments. I will go quickly, but I will say that there are two issues here; one is… and if you review the architect's report from Guardia that we forwarded previously, there are other sites and other locations where this dumpster and compactor can be placed, mostly notably, a completely different site that's furthest from all residential areas and also, if they just moved it 60 feet away from east of the building, those are sites that could work. The other issue is; if this is the only place that it can go, you have as a model [bell] the Heywood Chelsea Elliott dumpster… compactor; you can get rid of the dumpster entirely, it is not supposed to be for the purposes of every day garage, the compactor does that; you can get rid of the dumpster and as you will see in the letter that we previously forwards, there is major extermination issues, Artimus wants to put a garden behind; we have an expert in extermination who indicated that's the worst possible thing that you can do, and all of these must be taken into account.

CHAIRPERSON WEPRIN: Thank you.

DALE DEGENSHEIN: Thank you.

CHAIRPERSON WEPRIN: Are these yours? I mean, you're using this? Okay. [background comment] Why don't you go next anyway, 'cause you've got the pictures you wanna show too?

SETH SLOTKIN: Sure. Sure. Sure. [interpose]

CHAIRPERSON WEPRIN: Then they'll be… I can see them while everyone else talks too. 'Kay. [crosstalk]

SETH SLOTKIN: Yeah, thank you.

CHAIRPERSON WEPRIN: 'Kay.

SETH SLOTKIN: My name's Seth Slotkin; I live at 422 West 20th Street… [interpose]

CHAIRPERSON WEPRIN: 'Kay.

SETH SLOTKIN: I live there with my wife and my two young children who are 10 and 8; they go to public schools in the area, we're members of this community and we're concerned about the relocation of the dumpster and trash compactors just 25 feet from our building; it's a great neighborhood, we have the seminary to the north of us, we have the Fulton Houses to the south of us and we are supportive of more low-income housing, but I think that not enough thought has been given to the impact that this will

have on this little block, this block between 19th and 20th and between 10th Avenue and 9th Avenue. As you can see, there are about… well there are 15 units of about 35 units, one-bedrooms, two-bedrooms and three-bedrooms, that will face directly on the parking lot, about 60 windows, some ground floor units that will be right… right there will be directly impacted and there are light wells so that really the entire building will be kind of open to this and these are the… the… the dumpsters and the compactors that are going to be relocated right there. It's… you know, for us it's a serious situation, it's something that is bound to be unpleasant and we are looking for some assistance from someone to make it maybe less so, less unpleasant; we've reached out to the community board, we've attended meetings, as one… another resident can tell you all the steps we've done, but we're really having… trying to get someone to kind of address this building and this situation. You know, I think that right now the dumpsters are much further away from any residences than they would be under the relocation and that's all that we propo… [bell] we

oppose is the relocation of the dumpsters right behind our building.

CHAIRPERSON WEPRIN: Great. Why don't we get the other two and then I have a quick question for you guys. Yeah.

RICK MASON: My name is Rick Mason; I work for the Brodsky Organization, a management arm; I'm the property manager for 420 West 20th Street condominium. Again, we're not opposed to the development on the Fulton House campus; what we're opposed to is moving the waste facility into a close proximity to these residential buildings, including the building I manage. There are other sites on their campus that are better suited; we appreciate all the time and effort that went into them locating it here, but we feel that a different look has to be taken. The developer is proposing green space between the site and the residential building that will provide a home for the rats and mice that are feeding on the waste; clearly it's a problem. The existing waste facilities are very poorly maintained; they're filthy and they're full of rats and mice. They're just gonna be taking the same equipment, moving it closer to the residential buildings.

Alternatives to this… pardon me… alternatives to this component of the development were really not thoroughly vetted, I feel. The process was pushed through the approval… the approval process was pushed through without proper communication and notification to the neighbors; I've been in this building since its inception; we were unaware of it until this past August. We respectfully request that the developer and Housing Authority be required to work with the community on the waste facility relocation and operation as a condition of the approval.

CHAIRPERSON WEPRIN: Thank you very much. Sir.

CHRIS O'HARA: Thank you for the opportunity to speak. I live on the bottom left corner of that top left photo where that light is on; that's probably me brushing my teeth, so I'll probably be… my wife and my two young children would probably be most impacted by the potential relocation of a dumpster and compacter. Ideally we hope we can find an alternate solution, but we also want to address possible issues, if in fact it's the only option; that being that something should be done to encapsulate, enclose the facility; I think a big

problem is that you basically have a 20-foot-long, 9-foot-wide, 6-foot-deep open trash container that's open to vermin, that the wind can stir up trash; it could blow over the fence and land in our back yard; it can go across the street to the Fulton House playgrounds, attracting more rats and more vermin; you know, we just feel like we… we wanna reach out to Artimus and see if we can get some more meaningful dialogue going on and discuss all possible actions before any decision is made.

CHAIRPERSON WEPRIN: You mentioned that you thought there were other alternative sites on the campus; where are those sites and what has been the response to using an alternative site?

DALE DEGENSHEIN: May I? Dale… [interpose]

CHAIRPERSON WEPRIN: Whoever can best answer it.

DALE DEGENSHEIN: Dale Degenshein. Actually, Huntley Gill of Guardia Architects is here; he can address that better than I can; however, there is an alternative site, again, in documents that were previously forwarded that I have another copy of, if you'd like. But there is an alternative site very

specifically the furthest distance from any residential housing and that would be Block C West. The only issue, as a matter of fact with that site has to do with two parking spots and that issue can in fact be easily remedied by either extending… either removing some plantings or extending the sidewalk.

CHAIRPERSON WEPRIN: And what response did you get when you made the suggestion?

DALE DEGENSHEIN: We were advised… we had a meeting December 3 with CB4 and Artimus, that's the first meeting, sit-down meeting that we had and the only sit-down meeting that we had, and we were simply advised no. It's… [crosstalk]

CHAIRPERSON WEPRIN: Okay.

DALE DEGENSHEIN: been considered, but no… no… no articulable reason, frankly.

CHAIRPERSON WEPRIN: Okay, understood. Alright. Well thank you all very much; I appreciate the testimony and we're gonna keep moving here.

DALE DEGENSHEIN: Thank you.

CHAIRPERSON WEPRIN: So thank you. I'm gonna call up a panel now in favor of this project -- Betty McIntosh, Erica Baptiste, Joe Restuccia and

Miguel Acevedo. Anyone… okay, I've got four. You guys forgot to say here. [background comment] 'Kay. Do we have four though? I believe. [background comments] Is anyone else here… oh no, you are here. Okay. [background comment] Is anyone else in favor of this project who is there still? [background comment] Okay; think this is our last in-favor panel and then we have another opposition. Okay, whenever you're ready, you guys can choose who goes first. [background comment]

BETTY MCINTOSH: Hi, good… it was going to be good morning, but now it's good afternoon, Chair Weprin. I'm Betty McIntosh, Community Board 4 member, Co-Chair of the Chelsea Land Use Committee. Community Board 4 is very happy to support the Fulton affordable housing proposal; this project will bring much-needed housing for low- and moderate-income people. We're pleased that the developer has responded to conditions set forth by Community Board 4 and other issues -- an increase in tenant preference for Housing Authority Fulton residents from 20 percent to 25 percent, improvement on Fulton Houses' playground and basketball court with ongoing support for upkeep, a working group to recommend the

use of affordable community facility space and design and improvements for a playground and a basketball court. And regarding the trash area, lessoning the impact of the relocated waste compactor at West 19th Street on the residents at 420 West 20th Street condo, which backs up on that location, which were you hearing about a second ago -- the compact would be moved closer to West 19th Street with trees and shrubs planted on a berm as a buffer. Community Board 4, the developer, HPD and Housing Authority carefully examined all possible parking areas within the campus for the relocated waste compactor, and there is documentation from Artimus, which goes through every single site that was considered, which I assume you have in a package somewhere.

CHAIRPERSON WEPRIN: Uhm-hm.

BETTY MCINTOSH: These other areas could not accommodate the compactor for a variety of reasons -- not enough space for the sanitation truck pickup, the elimination of too many Fulton Houses parking spaces, [bell] the need to decentralize compactors and too close to Fulton Houses residential windows and I guess that's my time.

CHAIRPERSON WEPRIN: Thank you; I appreciate that. Gentlemen, who wants to go first? [interpose]

ERICA BAPTISTE: Hi, uh…

CHAIRPERSON WEPRIN: Okay. Please.

ERICA BAPTISTE: Good afternoon, I'm Erica Baptiste and I'm the Community Planner with Manhattan Community Board 4 and I'm speaking on behalf of the Board.

In 2004 and 2005, Manhattan Community Board 4 worked in cooperation with the Mayor's office and the City Council to ensure affordable housing commitments were made as part of the major rezonings of the West Side and Hudson Yards, Hells Kitchen and West Chelsea. The public process resulted in two Points of Agreement documents between the Mayor's office and the City Council detailing a number of commitment, including affording housing. The West Chelsea Points of Agreement increased a projected percentage of affordable units, as Betty said. In order to reach this goal the administration committed to develop affordable housing on sites in NYCHA, Elliott Chelsea and Fulton Houses. Artimus Construction ultimately was selected by RFP to

develop affordable housing buildings on existing parking lots in each NYCHA development. The Elliott Chelsea project was completed in 2011 with 168 permanently affordable housing units, but the Fulton project proved to be more difficult financially and was delayed. In 2012, Chelsea Market Rezoning included a contribution to the West Chelsea Affordable Housing Fund. After taking into account these funds, NYCHA and HPD concluded that the number of affordable units on the Fulton site could be increased to at least 150 to enhance the financial feasibility of the project. Based on this assurance, Artimus, NYCHA and HPD proceeded with the Fulton project; the current proposal calls for an 18-story building with 158 affordable units, including one superintendent unit. On September 2nd, 2013 the Board voted to recommend denial of the application unless certain conditions were met; these conditions included unit distribution, preference, pets, ADA accessibility, the proposed community facility, the outdoor areas and the façade. CB4 is very pleased that Artimus has now agreed to the majority of CB4's recommendations for this project and welcomes the

much-needed 158 permanently affordable units that will be added to the Chelsea community.

MIGUEL ACEVEDO: Good afternoon… [crosstalk]

CHAIRPERSON WEPRIN: Thank you.

MIGUEL ACEVEDO: community counc… I mean City Council members that are left here to hear us out, you by yourself, but anyway, I appreciate you staying along. I'm here in support… I'm the President of the Tenant Association at Fulton Houses; my name is Miguel Acevedo; we are in support of this project, but we have some requests that we are asking of the City Council to consider. One of the requests -- as you know, there was a substantial amount of money that was contributed to this building from Chelsea Market, so senior citizens don't have the ability to move into this building and they wanna see if there could be some subsidies created from that contribution to create housing for them. The other issue is; there was supposed to be underground parking put into this building; that then saves more money for the developer to try to create some subsidies for senior citizens to move into this building. NYCHA is facing problems with senior who

are living in four-bedroom units, three-bedroom units and NYCHA's looking to relocate them in different neighborhoods, which puts them in fear, so they are willing to move into this building if there are subsidies created for them and then that frees up space for the four bedrooms and three bedrooms that NYCHA is looking to put into family-sized composition. The other issue is employment -- we want some type of guarantee that neighborhood young adults are employed at this site, from construction to the end. We are receiving TPA funding from the New York City Housing Authority to set up OSHA programs, carpentry programs and electrical programs to give them the ability to work at this site. The other concern that we have is the community-use space be a health facility due to the closure of St. Vincent's Hospital and no medical facilities nearby for my senior citizens to go. In the past years we have found close to six senior citizens deceased in their apartment. That is all I have to say -- one other thing, I'm sorry, in closing, I do wanna mention the issue about the dumpster; there actually is no other location, working location for this dumpster to go [bell]; I'm a resident of there for

over 50 years; I know for a fact the only place where it's gonna work is right there; like I said, I'm the Tenant Association president of Fulton Houses.

CHAIRPERSON WEPRIN: Alright, thank you. Sir?

JOE RESTUCCIA: My name is Joe Restuccia; I'm the Co-Chair of the Housing Committee on Manhattan Community Board 4 and I have worked at the Fulton site since 2004 and I'm very happy to support it in its current incarnation; it grew from a 100 units to 150 units with the Chelsea Market contribution for the Chelsea Market Rezoning.

Our board, as you know, is not an easy board to work with; we are very specific, we are very exacting and we are very clear as to what our community wants. Our community knew that this project hinged on relocating parking and managing the NYCHA parking and relocating the dumpster. We went through a serious due diligence with each and every site, we had NYCHA, HPD and the developer grid out for us where the parking spaces were, where they could be relocated and how the dumpster would be relocated. The only location that works physically is this location on West 19th Street. Yes, it is

behind the residential buildings; however, during the course of our discussions, which by the way the 20th Street buildings were faculty housing for the seminary; they were renovated in 2012 with the condo owners moving in the mid-2013, about six or seven years after this project began. They were noticed regarding the public hearing; they came to a public hearing and actually, through a community problem with their attorneys, did not come to subsequent committee meetings. We're very sorry for that, but now we're engaging with them, hoping to do anything to mitigate how this dumpster and its siting works adjacent to their building. Thank you very much for your consideration. Thank you.

CHAIRPERSON WEPRIN: Thank you. Mr. Acevedo, I see you're wearing an Autism pin; are you involved in the cause?

MIGUEL ACEVEDO: Yes, Autism speaks.

CHAIRPERSON WEPRIN: Okay. Alright. Thank you very much. You know, in the City Council, we're very involved with Autism and sponsor… I sponsor the Autism Initiative, so it's an issue near and dear to our heart too, so…

MIGUEL ACEVEDO: Thank you.

CHAIRPERSON WEPRIN: Thank you. Alright, well thank you all very much and we're now gonna call up another panel in opposition. I'd like to call up Adam Fuller… [background comment] there you go Adam, thank you… Leonard Necha… Necka [phonetic]… sorry about that, Leonard, Huntley Gill and… Huntley Gill, that's the architect, aforementioned architect, Joseph… yes… Gerovacik… [phonetic] revik… you here, Joseph? I hope he's not, only 'cause I really messed up his name, but… he had to leave? [background comments] He had to leave. Okay, good. Don't tell him what I said about his name. Okay. So is anyone else here in opposition to this item? [background comments] Sorry; I'm gettin' a little punchy. No? Okay, so I think this is our last panel on this item and then we'll move to our next after that. Gentlemen, whenever you're ready, please decide who goes first; state your name for the record and go…

ADAM FULLER: Great. I'm Adam Fuller; I'm a resident of 422 West 20th Street and I thank the Council Members for listening to our concerns; we've done much to voice our concerns about the trash compactor relocation site and we ask City Council to consider the logical alternative locations that we've

come up with. We reiterate that we're very supportive of affordable housing, but have serious concerns with the negative impacts to our quality of life that the trash compactor and dumpster relocation site that's currently contemplated will have on our lives.

Because the building was empty during most of 2012, as was just stated, there was a renovation during 2012; it took a year; there was no one in the building when most of the plans were drafted and therefore we totally understand that there was not much thought put into the relocation site because nobody lived in the building. Well that's changed now that the entire building at 422 West 20th Street is occupied and this actually articulated at the CPC meeting on October 23rd, when the architect of the development, Mr. Randy Gerner stated that, "Unfortunately, the way this Fulton Houses project was originally designed, is they did not properly consider the trash or what to do with it; it wasn't planned originally that way; this is not solving the problem; it is just changing the location, quite frankly." That's word for word from Mr. Gerner's statements. After we heard those

statements we hired Mr. Huntley Gill, because clearly they had not put any thought into the trash compactor issue, which we understand, because the building was unoccupied when they drafted the designs.

We've done much since then to voice our concerns; we wrote a letter addressed to the CB4 District Manager, Robert Benfatto, on August 27th, a dozen residents spoke at the CB4 meeting on September 3rd, our building sent a letter to CPC Commission on October 22nd, nine residents and our building's attorney spoke at the CPC Commission public hearing on October 23rd, we drafted a petition on November 9th citing our concerns; had 156 individuals sign that, including 114 from Fulton Houses, we FedEx'd 19 letters on November 13th to various public City officials, including CBC, CB4, Borough President, Speaker Quinn's office and Corey Johnson [bell] and… and… one more thing… [interpose]

Sure.

ADAM FULLER: on December 3rd we met with… because of our meeting with the Speaker's office, we were… we initiated a… the first interaction with CB4 and Artimus on December 3rd and were basically told, tough luck, the decision's been

made; there's nothing we can do about it, even despite the fact that there's a major vote that's gonna happen in the City Council, and so we're here begging the City Council members to listen to our concerns, because we've had no one listen to us thus far.

CHAIRPERSON WEPRIN: Thank you. Gentlemen. [laughter]

HUNTLEY GILL: My name's Huntley Gill from Guardia Architects; I wanna say that I think that the idea of Artimus replacing a parking lot and a compactor with low-income housing is a really brilliant use of this space and I wish they'd do it more; I also have to say that having taken a look at the statements that there are no alternatives for the location of this facility are simply wrong, as a matter of fact and a matter of record. I think that we've done a very careful look at all of this, using the criteria set forth by Artimus and NYCHA and have pointed out that there are other choices; the choice of this site ironically is a really poor one. If you look at the entire campus of the Fulton Houses, there's only one place where you could choose to put a compactor and a dumpster, and the Housing

Authority, to be clear, is served by two compactors and one dumpster, so two-thirds of their garbage facility is being placed here; one-third of it remains on 16th Street, the only place on that entire campus that you could choose where you could put this facility that's really attractive to rats and that is next to residential gardens, is this site. Every other single site on the campus does not have any sort of good residential garden, which is attractive to rats for nesting. So my only point that I really wanna underline is that this is a problem that has an easy solution and it's one that we are here and ready and willing and able to work with NYCHA and with Artimus on and there are compromises, there are lots of different ways to deal with this; a simple one even… not ideal for my client, but nevertheless is just taking this open dumpster and putting that on the 16th Street site that they already have next to a compactor and putting only a compacter here; there are other ways to kind of move things around; our clients have not had a chance to deal with this; it's something that could happen quickly, it need not stand in-between this project and its completion and we really, really would like a chance to come up with

a workable compromise to enhance the quality of life for not only these people, but their neighbors on 20th Street. [bell]

CHAIRPERSON WEPRIN: Well timed. [background comments, laughter] Thank you. Yes, sir.

LEONARD ANIKA: My name is Leonard Anika [phonetic]; I'm an architect, but… and I live on 422 West 20th Street, but I'm speaking here also as a father of two young kids and I'm living in the building, facing the eventual, future trash compactor and I am opposing the relocation of this trans compactor because it's gonna be very disruptive for our life; I have two young children and I have been in the neighborhood for 10 years and I love the neighbor, I love the community; I'm supportive of the Fulton House project, the new development, but I just strongly recommend to find another solution, another option for the relocation of the trash compactor, because they do exist and from an architectural point of view, we have other available solution and if this is gonna happen, it's gonna be like dramatic for our… for my family and not only for my family, not only

for my kids, but also for the other kids and other families that live in the same building.

CHAIRPERSON WEPRIN: And you've had the same experience when you've tried to suggest these changes; you just had a straight no or there was a discussion? Any… [crosstalk]

HUNTLEY GILL: Uh…

CHAIRPERSON WEPRIN: any one of you, you know, any one who has that answer.

HUNTLEY GILL: Yeah, absolutely; I mean, the response has been, this is done, this is finished, this is over, yes, you have facts… reminds me of my mother at her worst -- hi, don't confuse me with the facts; I've made up my mind. This is something that is workable; it's doable, it's not a big deal; all we need is a chance for a little bit of time on this.

ADAM FULLER: I just wanna say one thing…

CHAIRPERSON WEPRIN: Sure.

ADAM FULLER: at the meeting on December 3rd, a couple days ago, with Robert Benfatto, Joe Restuccia, Betty McIntosh of CB4, and also Robert Ezrapour and Daniel Goldbard of Artimus, which we initiated by the way; at this meeting we were

basically told by CB4, there is no chance of having the compactor relocated elsewhere, despite the fact that we have identified five alternative sites.

And… and also… one… one more thing about that meeting, CB4 and Artimus also admitted at this meeting that they had not explored the option of enclosing this specific compactor, which was the solution to the problem at the Elliott Chelsea development, which Artimus was also involved with; they admitted at that meeting that they had not explored how to… the possibility or cost associated with this particular compactor being enclosed, which… [interpose]

CHAIRPERSON WEPRIN: Got it.

ADAM FULLER: I find quite ridiculous.

CHAIRPERSON WEPRIN: Alright. Well thank you gentlemen very much. As you know, we're not voting today; were gonna be discussing it and I do appreciate your testimony. Is there anyone else here to testify on the Fulton Housing project at all? Okay. With that in mind we're gonna close this hearing. We are gonna move up to the next item, which is 77 Commercial Street, Land Use No. 961, 962 and 963. While you're setting up the tech, the

chairman's gonna take a quick break, so I'll be right back and so Mr. Wallace, you'll set that up and I'll be right back, alright? [background comment] Thanks.

[pause]

[background comments]

[pause]

CHAIRPERSON WEPRIN: Alright, we're gonna get started. Thank you for allowing me that break. [background comments] Alright, so again, this is Land Use Items 961, 962; 963, known as 77 Commercial Street; we have with us… why don't you guys just introduce yourselves as you go, but Ed Wallace, John Cetra, Nick Hawkins and…

ED WALLACE: And… and we've added Erica La Britz [phonetic] from the office John's… [crosstalk]

CHAIRPERSON WEPRIN: Okay. No problem. So whenever you're ready, Mr. Wallace… [crosstalk]

ED WALLACE: She… she knows how to get those pictures on the screen. Yes, thank you very much.

CHAIRPERSON WEPRIN: I have it in front of me too; look at that.

ED WALLACE: Chairman Weprin; Council Member Levin, we're honored to be here; I'm particularly honored having once served in this house and I'm gonna let the people who really know the technical side of this make the presentation. One thing I would like to just say at the outset; that our request is a very simple request for height and setback; this is not a rezoning, as I think some people may think it is, this is not adding one foot of FAR to what is as-of-right on two adjacent sites, it's merely clearing one side of the FAR to allow for a public park that I think was part of a promise made in 2005; none of us were there; I don't think Council Member Levin was there when that agreement was struck.

Our client has owned the property for a year-and-a-half; he bid on an RFP to buy the air rights from the adjacent site and in the intervening period, really since last May, we have done as much community outreach as I think we could accomplish in a short period of time; we've had very good dialogue; we've been very thankful to not just the community board, but the council member, for putting us together with a lot of folks; many of whom you'll

hear from today; even in disagreement we've been respectful and I think you'll see that today. But I do want everybody to understand that the height and setback is what allows the FAR to transfer so that the bottom line is, 200 units of affordable housing, $8.2 million to create the park. If we don't… if we're not permitted to buy the full FAR, those two things are either reduced or probably eliminated. With that said… you're gonna go first? John Cetra's gonna present you with just a quick overview of the project.

CHAIRPERSON WEPRIN: Thank you.

JOHN CETRA: Good afternoon, Chairman Weprin. I just wanna run through quickly the design and to locate the site and give everybody a little introduction into it.

The site is on… it's in Greenpoint, of course, on Commercial Street; the drawing that is up on the screen shows an aerial view of the existing site, which has a one-and-a-half story warehouse on it and the site is approximately 220 feet by about 500 feet. The site next… immediately next to us with all this parking on it, is the site where the park is intended to go. This is just the location and

further location on the Newtown Creek and the overlay showing the current zoning districts.

This drawing encapsulates the design intent here for the property and for how we envisioned that it should work in conjunction with the new park that will be developed. Along the western boundary of the property is an upland connection that was prescribed in the Brooklyn waterfront urban design guidelines and we are conforming to that. The basic concept is to provide pedestrian access along this line from inland to the waterfront and to the esplanade that you see here and what we did then, using that as kind of a principal and a spline [phonetic], created our site plan here which calls for a kind of a c-shaped development which encompasses three buildings that are interconnected to one another with a six-story building fronting Commercial Street, as prescribed by the zoning, and then stepping up to two towers that… with an eight-story building in the center and the two towers we're proposing 30 stories and 40 stories.

To give you a bird's eye view of the development, you can see the low-rise element here that kind of wraps the site here and fronts on this

pedestrian access way, which is 30 feet wide on our property, we're setting the building backs there, and materials and fenestration, articulation are all intended to add a lot of variety and interest to the base of the building as one goes from inland to the waterfront and the two towers are nestled within that structure.

From the other side, from east, you can see how we've separated the pedestrian from the vehicular, so there is a driveway which then culminates in this cul-de-sac which gives us direct access for all the residents to the building and also provides all of the access points for the residents as well.

So from Commercial Street the land use there at grade will be new commercial space, which encompasses about 20,000 square feet, and as I said before, a six-story-high building where we're combining contextual materials, such as masonry, into the design. As you step back a little bit to the west you can see in the foreground here the area where the park will go, and this is just… this is not the park design that Parks is proposing; this is simply a rendering to show sort of an integration of

park area to our building. But you can see in the building, at the corner here, some commercial space, possibly a café spilling out there to provide some activity and interest there and the height of the building here at six stories with a variety of architectural elements that kind of break up the facade and as the building meets the sky and as well as where the low-rise building is integrated into the high-rise.

This site plan here shows what I was referring to before in terms of the difference between the vehicular access to the right, pedestrian access to the left. Below this base here is the parking that you see on the left-hand side of the screen, with a community facility space of about 5,000 square feet; that can actually open up onto the park and we've been working with the Parks Department in terms how to make that happen. And you can see here on the right where our entrances are located so all residents have kind of an equal access to this area.

Various views through the and around the site; this is the… standing at the high point of the upland connection that looks out over to the park to

the left, the city skyline and the Newtown Creek, which continues downhill here, closer to the water. You know again, a lot of importance and attention paid to how the building relates here in terms of uses that front along this walkway and to make the building… create a number of visual interests and variety with the architecture there as well.

Looking east you see the breadth of the site, the 217 feet that would run along the Newtown Creek; to the left the idea here is to create an actual… what they call a get-down area which would allow for boats to be put into the water at that point.

Stepping back from the site you get kind of an overview here of the development and how we've attempted to integrate a low-rise element building, which is six to eight stories and to incorporate the high-rise buildings within the overall composition. Thank you.

NICK HAWKINS: Good afternoon, Council Member Weprin; Levin, my name is Nick Hawkins; I'm a land use lawyer representing the applicant. I'm pleased to be here this afternoon because this project, 77 Commercial Street, offers a significant

opportunity for the City to realize and make good promises that were made in the 2005 Williamsburg Greenpoint Rezoning. During that process, commitments were made to provide affordable housing and more parks to the Greenpoint neighborhood and this project makes that happen. We're providing 200 units of affordable housing, which is about 27 percent of the residential floor area in the building that will be permanently affordable as part of the project. We're also providing $8.2 million in funds for the sale of the development rights from the adjacent site that's earmarked for use to construction Box Street Park, 25,000 square feet of public-accessible open space on our site, which is about 10,000 square feet more than what's required under zoning, and 20,000 square feet of local retail. The relief is relatively limited; as Ed mentioned, there's no upzoning that's being requested here, we're staying within the floor area limitations of an R6 district; what's happening is that, in order to have one parcel that's completely vacant and being used for a park, you've gotta have some site and setback relief to be able to use that floor area effectively and that's essentially what we're asking

for; a 30-story tower at about 305 feet, a 40-story tower at about 405 feet and the base, and what's permitted as-of-right is 15 stories, or 150 feet and the base; we're also getting a little bit of relief there to be able to have same floor to ceiling heights throughout the project.

In addition to the special permit we're also requesting, co-applicant with the City for a text amendment to ZR Sections 1113 and 62351 that will allow the MTA site to continue to generate floor area, even after it's developed as a park; that text amendment is limited only to this site, although there's another one that's being done similarly for Greenpoint Landing. And lastly, we're seeking authorizations to allow flexibility in the design of the waterfront so that we can do a little bit of waterfront resiliency work.

CHAIRPERSON WEPRIN: Thank you very much. I'm gonna call on Council Member Levin, who has a statement and some questions. Thank you.

COUNCIL MEMBER LEVIN: Thank you, Mr. Chairman; thank you to the panel for testifying; I appreciate the opportunity to speak about 77

Commercial Street this afternoon -- it said this morning on my testimony, but I have to amend that.

On its own, this project will have a significant impact on the Greenpoint community, the community that I live in, a community that since the 2005 Williamsburg Greenpoint Waterfront Rezoning has experienced high-rise residential development and together with the other large-scale development projects slated for the North Brooklyn waterfront, 77 Commercial Street will alter the neighborhood's skyline; it will or would flood the community with new residents and add to the neighborhood's already overburdened infrastructure.

The actions before the Subcommittee this afternoon include the sale, as was said, of the development rights from the adjacent city-owned lot in order to facilitate the construction of a building with a 30-story tower and a 40-story tower with 720 units of housing. The sale of these development rights, as was said, would be earmarked for the construction of a park on the lot which is currently housing MTA vehicles and would ensure that 200 units of affordable housing would be built on-site, both of which are needed in Community District 1. I wanna be

clear that the developer is currently zoned so that they may build two 15-story towers as-of-right with no affordable housing and no funding for the park, so while what they are proposing today is a significant increase in density from what would be allowed under a single parcel, there is in fact an as-of-right development that is allowed. However, I am not convinced that the community that I represent and the community that I live in needs to accept even more residential development in order to finally get the open space and some of the affordable housing that we were promised eight years ago, when our neighborhood was rezoned to accommodate an influx of luxury development. Council Member Reyna, who had to go next door to the other subcommittee can attest to the fact that we have had quarterly meetings with the City and it's been a frustrating experience, to say the least, in terms of what the City has been able or has been able to deliver on the promises that were made to the community in 2005.

Our community is frustrated, the promised residential development is being built, but the other promises have largely not been fulfilled. I do wanna acknowledge Carolee Fink, who is in the chambers this

afternoon, who has made real efforts over the last few years to jumpstart delivering some of those commitments, so I do wanna acknowledge her work and in working with my office to try to get some of these things done. But before we can handle more development we need to improve the infrastructure, we need to fix the transportation problems, we need to build out the parkland, we need to make sure that we are addressing real and significant environmental needs and hazards that are widespread and ubiquitous in the Greenpoint community, and we need to ensure that long-time residents are not displaced; you only need to go to a website like Brownstoner or Curbed to see what has happened to the price of rental property over the last decade-and-a-half in Greenpoint, and that tells the story of what has happened and what is continuing to happen with regard to long-time residents and their inability to stay in the neighborhood that they stabilized for generations.

I'm looking forward to a productive and perhaps lively hearing this afternoon and I do wanna apologize to everybody who has been here since 9:30 this morning; we've had a lot of items on the agenda in this committee and just so you all know, next

door, right through that door, is the hearing on Greenpoint Landing which is gonna be happening in a few minutes. These are important and difficult questions that need to be answered about this project and how it impacts our community, so I wanna thank Chair Weprin for holding this hearing and for allowing the Greenpoint community to have their voices heard. Thank you.

CHAIRPERSON WEPRIN: Thank you Mr. Levin. Yeah. Alright, you have… you have some specific questions. Good. Go ahead… why don't you go ahead, Steve?

COUNCIL MEMBER LEVIN: So I wanna start… and this might be questions better answered by City Planning, but this property was specifically left out of the 2005 rezoning, so where the 2005 rezoning extended from North 5th Street down in the north side for a very long stretch, probably well over a mile, up to the end of Greenpoint Landing site, at the other side of 65 Commercial Street, I'd like for somebody to explain why [background comment] this property was left out of the 2005 rezoning, based on planning principles, and then why there's been… why that's something different now.

NICK HAWKINS: So, this was part of the 2005 rezoning, this property; it was rezoned from manufacturing to R6 and R6-24; it was… the Greenpoint Landing site had a mix of R6 and R8 and this was a lower… the MTA site and 77 Commercial were zoned lower and City Planning is here; they can speak to it; one… one… [interpose]

COUNCIL MEMBER LEVIN: Right.

NICK HAWKINS: reason could be, if it was zoned R8 there would be no need to purchase the development rights from the MTA site and there'd be no proceeds from the MTA site, so by keeping… [crosstalk]

COUNCIL MEMBER LEVIN: But is that… was that contemplated; was that the reason being that… [crosstalk]

NICK HAWKINS: I don't know; I wasn't… I wasn't part of that process. [background comment]

COUNCIL MEMBER LEVIN: Uhm… [background comment] I… I just wanna apologize for a moment; I have to unfortunately run next door and cast a vote; this is the unfortunate thing about having both subcommittees happening at the same time; I chair the

other subcommittee, so if you'll allow me a moment here to cast a vote, I'll be right back.

CHAIRPERSON WEPRIN: We'll just take a one-minute pause. You know there's a restroom in the back to the right if you wanna do uhm… just till he comes back. [background comments] Hi uhm… [background comment] yeah, we're just gonna wait. [background comments]

[pause]

CHAIRPERSON WEPRIN: Alright, we're back on.

COUNCIL MEMBER LEVIN: Thank you. Sorry 'bout that. Sorry; picking up where we left off there… so if perhaps somebody from City Planning could answer that; is there somebody from City Planning in the chambers right now that could potentially speak to that?

ED WALLACE: Pull up a chair.

COUNCIL MEMBER LEVIN: Thank you and if you could identify yourself for the record.

PURNIMA KAPUR: Sure. My name is Purnima Kapur; I'm the Director of the Brooklyn Office of City Planning.

So in terms of the zoning changes, as Nick pointed out, this site was zoned; it was zoned from manufacturing to R6, not a combination of R6 and R8…

COUNCIL MEMBER LEVIN: Right.

PURNIMA KAPUR: and like all of you here, I wasn't in Brooklyn at that time; however, I mean we make decisions on zoning designations based on existing land uses and what would be appropriate there; my understanding is at the beginning of the process it was not contemplated that the MTA site would change or would be moved that quickly. It was towards the end of the process when these points of agreement were being put into place and I believe that was happening when it was under council review, that this whole sort of proposal came to for about finding sites for affordable housing provision and the MTA site was identified as one of the city-owned properties that could generate the floor area required to provide affordable housing, but there was also the competing demand for an open space there and so this sort of proposal that you see was put together to address both those concerns so that the footprint of the site itself could go towards making

a park while the floor area generated could be used for affordable housing production.

COUNCIL MEMBER LEVIN: Right, but yet another need or a concern that's intentioned with that is the impact of residential density, and so I think… I just…

PURNIMA KAPUR: No, the residential density is not increasing; the form of the building is changing. The residential density that is proposed here was fully analyzed as part of the 2005 rezoning… [interpose]

COUNCIL MEMBER LEVIN: But…

PURNIMA KAPUR: the total floor area remains what was analyzed.

COUNCIL MEMBER LEVIN: But the 65 Commercial Street was not contemplated in the 2005 rezoning as being a residential site was it?

PURNIMA KAPUR: As be… yes, because it was zoned… it wasn't what we call in secret terms a projected site; I mean, the entire waterfront was rezoned; as you know, some sites have developed, others have not and that's what sort of the development program that we look at sort of lays out; it's looking… [interpose]

COUNCIL MEMBER LEVIN: Let me…

PURNIMA KAPUR: in the crystal ball at that point and saying, this is site is more likely to develop, this is less likely to develop.

COUNCIL MEMBER LEVIN: Let me take one step back. So then why… why was this site, 77 Commercial Street, zoned for R6 as opposed to R6-R8?

PURNIMA KAPUR: I assume because at that point the anticipation was this would be coming at a later point; there isn't sort of… you know, some of the sites… like Greenpoint Landing had a developer who had a proposal that had been out in the public as this process was taking place; whereas at that point these sites were not quite out there and the context around it is lower and that's why it was left R6.

COUNCIL MEMBER LEVIN: And that's what I'm speaking to; is that the context around it was lower and so is envisioned as being something of a step down from the height and density allowed by… [interpose]

PURNIMA KAPUR: Well…

COUNCIL MEMBER LEVIN: by the rest of the rezoning; I think that… I mean, that can only be my…

what… I mean I… again, I wasn't there and I… [interpose]

PURNIMA KAPUR: Right.

COUNCIL MEMBER LEVIN: I can't go back in time and… [interpose]

PURNIMA KAPUR: It would…

COUNCIL MEMBER LEVIN: but… but I… I imagine that there was a reason why it was left R6 and not given an R6-R8 designation, which would've allowed for the development… the floor area and the heights that are currently being proposed to be achieved as-of-right.

PURNIMA KAPUR: That may well have been the reason; the other reason also could be that you had GMDC next to it, which was a manufacturing use, active manufacturing use and there was some… [interpose]

COUNCIL MEMBER LEVIN: Still is.

PURNIMA KAPUR: yes… and the concern was to sort of not disrupt that in some ways also. So I mean it was… I don't know what the combination of reasons were, but yes… [interpose]

COUNCIL MEMBER LEVIN: Uhm-hm.

PURNIMA KAPUR: there was a conscious decision made to sort of not go to R6-R8 at that time. However, by the time this proposal was approved at the City Council this proposal was very much on the table.

ED WALLACE: Yeah; could… can I… can I offer a more logical answer to your question… [interpose]

COUNCIL MEMBER LEVIN: Sure.

ED WALLACE: than… none of us were there and I don't mean… [interpose]

PURNIMA KAPUR: Yeah, [background comment]

ED WALLACE: that the… what… the response was not logical, but that I think… if you accept what I think was said, which is that the city-owned site was zoned for residential, then you can only conclude there was a reason for that and I think the R6 leads to exactly what we find before us, because if we were R8 and we acquired the air rights, we'd be sitting here asking for… [interpose]

PURNIMA KAPUR: Right.

ED WALLACE: something even bigger; instead, what this deal with the City Council

produced was to put us in a box where we're only going to the heights of the R8, were identical to what was at the other end of the park, so you know, call it genius or call it luck, but it… this zoning, and I think it's the most important fact; there's not one more human being gonna live in this neighborhood because of what we're asking for; this was what was intended with that zoning, not one human being more; we could argue about whether it's a good or bad idea for people to welcome people; the Mayor spoke this morning and said the greatness of New York is that we welcome people to our neighborhoods, but we're not doing that, we're simply keeping the population the same, the FAR the same and trying to design it in a way, all credit to John Cetra, where it does not cast shadow much on the park and where it enables the park to come to life. So I think the logic, and I didn't mean to disparage other explanations, led to where you are today.

COUNCIL MEMBER LEVIN: And I think, Mr. Wallace that we do in Greenpoint welcome new people; we like… we consider ourselves a welcoming community; the issue really is… [applause] the scale of development; we're generally a neighborhood of three-

and four-story buildings and tenements that were built, you know, 100 or more years ago, and it's the type of… I mean, in addition to an industrial history that was very rich but has left us with the legacy of a lot of polluted sites, but that's… we are in fact a welcoming community, we just don't have the infrastructure to really handle much more, we have an over-burdened… we only have one train line; it doesn't go to Manhattan, the 7 train is in another borough and you have to go over a bridge, [laughter] so it's… we have… we have serious challenges that… that… [interpose]

ED WALLACE: And we want to assure you; A., we recognize… first of all, this has been a terrific dialogue we've had both with the community board, the folks in the community not on the community board, yourself, the president, etc.; the idea that infrastructure needs a response is something that we are committed to and as you know, prepared to discuss solutions within the scope of what we can do and also I think the City wants to address it too. So I… you know I think… [interpose]

COUNCIL MEMBER LEVIN: Okay.

ED WALLACE: it's a 15… you can build two 15-story towers, as you said, so with all respect to six-story buildings, once you're up at 15 I think it's hard to perceive if it's well-designed, that there's a meaningful difference in terms of the beauty of the buildings. [background comments] In terms of the number of people in those buildings… [interpose]

CHAIRPERSON WEPRIN: Plea… please audience, I know you're emotional about this, but we don't wanna have this starting.

ED WALLACE: Look, we fully respect folks can disagree on design, there's no question about that.

COUNCIL MEMBER LEVIN: I… I am… I'm one of the people that… I perceive the difference between a 15-story and a 30-story tower, and a 30-story tower and 30-story tower; I do. I wanted to speak about… you know because… because this is an unusual history that… you know, the seeds of this were sewn back in 2005 and I wanna go back to the document that reflects that and that was codified; this is the Points of Agreement that were entered into by the City Council and the Bloomberg administration.

Couple of things, going back and looking at this item, which is on Page 9 of the Points of Agreement, at the top of the page is… it says the sale of air rights from the MTA Commercial Street site and it says the administration and the Council agreed to allow the sale of air rights from the MTA Commercial site to an adjacent owner, the sale will require a follow-up ULURP for the disposition of those development rights -- this is that follow-up ULURP -- this disposition will require the purchaser to create 200 units of affordable housing as part of the disposition and revenue of the sale projected to be up to $12 million will be used in two ways -- a waterfront affordable housing infrastructure fund, which I won't go into the description of that, but there was supposed to be a waterfront affordable housing infrastructure fund, and the Greenpoint Williamsburg tenant legal fund. Now I know the back story with the tenant legal fund and how that was funded by the City up front and there was $2 million that was used up and we're exploring ways to keep something like that funded, but the proceeds of this sale, for one thing, at the time in 2005 was project to be up to $12 million; we're at $8 million, that's

two-thirds of the way there; why… if someone from the City could speak a little bit to how the value was assessed here, because as [background comments] far as I knew… I mean I know that 2005 was a bubble, but I think that the value of property has generally continued to go up and I can't imagine that it's gone down by 33 percent.

CAROLEE FINK: Carolee Fink from the Mayor's office. I wasn't there for the appraisal; I'm not sure who did it; I believe it might've been estimated by DCAS [phonetic]; this was something that came along pretty late into the rezoning, so I can't imagine that they had time to do a full-blown analysis; I can only… and I'm not sure that their appraisal took into consideration the discount for the affordable units. So in our purchased price, our deal with the developer, we look at… we're subsidizing the affordable units and we're not assigning value to them, so it's subsidizing, you know, from the purchase price instead of HPD capital. So when you think about it that way the price makes sense; we've also done an independent appraisal for the development rights confirms our price.

COUNCIL MEMBER LEVIN: So then… [interpose]

ED WALLACE: It… it may… it may not have taken into account that… [interpose]

COUNCIL MEMBER LEVIN: Sorry; if you could speak closer…

ED WALLACE: Sorry, Ed Wallace, representing the developer. The estimate, which is what I think I would call the 2005 number, putting aside the collapse of the market, obviously Greenpoint has become now a more desirable place…

COUNCIL MEMBER LEVIN: Plenty desirable, trust me.

ED WALLACE: Yeah. So I think it doesn't fully take into account that air rights, as opposed to land with air rights…

CAROLEE FINK: Uhm-hm.

ED WALLACE: have different values and you know, Jerome Haims, who the City commissioned to do this study, is one of the leading appraisers; our client bid radically less money for it and there's an audience of only two property owners who could really use the air rights; one was Greenpoint Landing's owner and they didn't even have an interest in adding

air rights, and I must tell you that our client, who came into this very late, you know, was not eager, frankly to go through this process and was, you know, sort of convinced that there was some will to get it done and that there was obviously a tremendous advantage to having a park next door and so I think the number you're seeing holds up as a true market number, given all of the pluses and minuses attached to it, and the appraisal validates that.

COUNCIL MEMBER LEVIN: I mean I don't… you know, I'm not necessarily comparing it to development rights that are not air rights; I think that that's… [interpose]

ED WALLACE: Yeah.

COUNCIL MEMBER LEVIN: you know what I mean; I think that the development rights of how many thousand square feet are we talking about?

NICK HAWKINS: Well…

ED WALLACE: That we're acquiring…

NICK HAWKINS: we're…

CAROLEE FINK: 300.

ED WALLACE: three and five.

NICK HAWKINS: well we're acquiring 303,000 square feet, but 165,000 of that is being used for the affordable. [crosstalk]

COUNCIL MEMBER LEVIN: For affordable. It's something that I'm gonna, you know, continue to look into, because you know that's… the market in that neighborhood has gotten… you know, it's out of control and so my concern is that the City is not realizing its full potential value here. That being said, there was prescribed in the Points of Agreement that the funding would be used not for Box Street Park, but for these two other uses and the reason being that also in the Points of Agreement was… on Page 2, an allocation of capital funds from the City; it says: the administration will include approximately $14 million in capital budget appropriation in the FY '07 executive budget for City Council approval for the creation of this open space and the relocation of the current MTA facilities. And so just for the record and I know that, Miss Fink, you weren't in the Mayor's office in 2009, but if you could tell us… [interpose]

CAROLEE FINK: Uhm-hm.

COUNCIL MEMBER LEVIN: what happened there and why it's appropriate to use this funding to supplant what was a commitment made by the administration… you know, Dan Doctoroff signed this and put his imprimatur on it and put his imprimatur on it and… you know, what happened there?

CAROLEE FINK: It was a commitment that was made, that's clear; I believe that… I guess it was 2008, I believe, when we had to do massive capital cuts across the entire portfolio of the city; we had to make some really hard choices, and at that time… at that point in time there were no relocation sites that had been identified for this park; it wasn't a project that was shovel-ready or imminent and the choice was made to reduce the funding.

COUNCIL MEMBER LEVIN: But now that the project is, you know, I wouldn't say shovel-ready… [interpose]

CAROLEE FINK: Uhm-hm.

COUNCIL MEMBER LEVIN: to your credit it's getting there; wouldn't it be appropriate then for the City to put that money back in, because if the reason being that in 2008 it wasn't shovel-ready and that's why it had to get swept, now that we're

getting there, wouldn't it make sense for the administration to put it back in, because there was in fact a commitment made by Dan Doctoroff and Deputy Mayor at the time?

CAROLEE FINK: I believe that although our budget situation is better than it was in 2008 or 2009, what we've tried to do is solve this problem a different way and rather than taking the proceeds from the sale and giving them to developers, which was what was contemplated in the rezoning, let's be clear about that, the idea was to give private developers money so that they would build out their public esplanades and I think we all realize that private developers don't need additional funding to build out public open space; that they will do it themselves. So we're redirecting the money from the public space that we were going to give to the developers to the city-owned public space.

COUNCIL MEMBER LEVIN: I wanted…

CAROLEE FINK: But I'm sure they would take the money if you would like to give it to them.

[crosstalk]

ED WALLACE: And we would… we would take the money if the Council decided to… [background comment]

COUNCIL MEMBER LEVIN: Okay; I mean… [interpose]

CAROLEE FINK: I would say too that we've also… we're also investing a significant amount in the relocation site that is currently in design right now; our budget is holding somewhere between $8 and $10 million.

COUNCIL MEMBER LEVIN: And that was funding that was contemplated, uhm… [interpose]

CAROLEE FINK: The $14 million at the time that was written was contemplated for everything -- the relocation, paratransit facility, the relocation of the ERU and the build-out of the park. I think that that… [interpose]

COUNCIL MEMBER LEVIN: A little short at the time. Right.

CAROLEE FINK: a little short, but I wasn't… I wasn't there; I don't know how those numbers were calculated.

COUNCIL MEMBER LEVIN: Okay, so that leaves us with still a difference of about $4 million.

CAROLEE FINK: Well there's one in the budget and then we're using 10, so 11… so I guess we're at three.

COUNCIL MEMBER LEVIN: Three. Okay. Fair enough. Okay, 'cause I can… I'll be glad to work with the administration on finding $3 million in the City budget of over $70 billion in the next couple of days if you want.

CAROLEE FINK: We're also happy for you to make any capital allocations in… you know in your member items too.

COUNCIL MEMBER LEVIN: I can't do that until January, unfortunately. But… no, I mean… you know… you know, to be frank, I mean there's… it's a big budget and the capital budget is bonded out over a number of years and I think that maybe there's a way in which we can figure something out.

I wanted to talk about as well, another issue in the Points of Agreement; this is also on Page 9, it's letter D, the commitment on public and partner sites; it says the administration commits to

developing affordable housing using available public sites -- this would be one of those public sites -- and to work with the existing owners to develop affordable housing on the partner sites listed below; the administration anticipates that these sites will generate 1345 affordable units; these units will target the following income groups -- and we're getting into the issue of AMIs here -- 20 percent of the affordable units would be between 20 and 30 percent of AMI, 40 percent between 30 and 60 percent of AMI, so that's 60 percent of all affordable units under 60 percent of AMI, 20 percent between 60 and 80 percent of AMI, so now we're at 80 percent under 80 percent of AMI, and then 20 percent between 80 and 125 percent of AMI. The proposal that's been put forth at this point does not reflect those targets; can you explain why that doesn't expla… and what then course of action do we take here; I mean this was… this again is in the Points of Agreement on public sites; this is, in all intents and purposes, the public site, so why aren't the AMIs targeting what was expressed in the Points of Agreement.

ED WALLACE: I'm gonna let you do the technical explanation, but just to put in a context,

what's before you is… I think Nick will explain in greater detail sort of what's contemplated by the law, not necessarily what was in the Points of Agreement. I think our approach to this is that there are a lot of unanticipated issues -- Carolee Fink just spoke of some of them -- some, as you know, could add value to the site because of an uptake in the market; other's are turning out to be much more expensive, whether it's the relocate or the building on the waterfront or the, you know, raising of the site because of Hurricane or Superstorm Sandy. On this point I think we have been exploring, since we kinda got involved in this only seven months ago, the best ways to lower AMIs; as you know, the community board very much stressed the lowering of AMIs; I would note that they did not mention height at all or density, and neither did the borough president… [interpose]

COUNCIL MEMBER LEVIN: They were leaving it to me.

ED WALLACE: I… and… and I understand why they had a good advocate for that waiting for us, but I think depending on what the final site could look like, there is certainly a willingness to explore

ways to produce lower AMIs… you know, these are economic issues, but in terms of willingness there's no unwillingness at all to do that, and as you may know, we are in some discussion, not yet finalized, with a community-based affordable housing entity that can help us perhaps bring those AMIs down a lot more; they're… you know the senior housing possibility is a difficult one these days, but that obviously could help achieve those lower AMIs in a very sound way. So just let Nick give you the technical answers, but I think the spirit of it is, we'd be very interested in having that discussion; it's a little hard to do until we know what are we acquiring and how much of it.

COUNCIL MEMBER LEVIN: Okay; thank you for that answer. The… I wanted to ask about the proposed unit size of the development; what is the… what are you looking at in terms of breakdown in unit size with affordable and market?

JOHN CETRA: The… this is John Cetra speaking. The 200 affordable units would be following the HPD guidelines HPD guidelines in terms of square footage per unit and so that would be strictly enforced. In terms of the finishes, all of

the finishes would be the same as the remaining 500 market rate units. [background comments]

The unit mix is 30 percent one-bedrooms, 40 percent twos… and what were the… sorry… [crosstalk]

NICK HAWKINS: 30 percent.

[background comment]

JOHN CETRA: 30 percent studios.

COUNCIL MEMBER LEVIN: No three-bedroom units contemplated?

JOHN CETRA: Not at this time.

NICK HAWKINS: And I mean that's both for the market and for the affordable; there's… you know that's across the board, what's being considered.

ED WALLACE: And ju… just to say it again, I think once we understand what could be approved, we are perfectly prepared to have discussions on that question.

COUNCIL MEMBER LEVIN: Okay. The question that's come up in the community a lot that I've heard over the last several months has… one… another question that's come up, is the issue of how the units will be… are proposed to be integrated in the buildings; is… your proposal has the towers as

100 percent market rate, and the affordable units in the low-rise; is that correct?

ED WALLACE: So this is a kind of unique project relative to others that either have a separated building remote from that is all affordable or have a fully integrated project where it's one building and then people worry about what's called poor door, separate entrances and such. We either have the best or the worst of both worlds in that these are three distinct buildings from a Buildings Department point of view, so we do achieve that stand alone characteristic that would make it legitimately a separate affordable housing building from a look and appearance style that is fully integrated; the entrances are integrated, the amenities are identical, the views of the river and the park are comparable; the community board resolution actually spoke to this with a slight, I think misunderstanding of what I just said, but asked us to sort of keep some integration up to floor…

NICK HAWKINS: Six.

ED WALLACE: and we're actually up to floor…

NICK HAWKINS: No, no, uh…

ED WALLACE: Well, aren't we seven in the base?

NICK HAWKINS: No; I mean, we're not…

ED WALLACE: Six. Okay, so… so we're achieving kind of in spirit what they asked for, but the technicalities are I think as I described them.

COUNCIL MEMBER LEVIN: Uhm… [interpose]

ED WALLACE: We've taken very much a one project, three buildings equal access and amenities, but yes, you're right, that the higher up apartments are the market rate apartments.

COUNCIL MEMBER LEVIN: But there's no reason, like sometimes there's like having… it has to do with an HPD program that's being used where there needs to be a stand-alone building that's 100 percent affordable; this project is not relying on… [crosstalk]

ED WALLACE: Is… not at this time; frankly, if we were lucky enough to get some senior 202 money, which I think everybody believes is almost impossible… [interpose]

COUNCIL MEMBER LEVIN: Uhm-hm.

ED WALLACE: we have the capability I think of accommodating that idea because of the

separate building, and as you know, when you do senior-only housing you run into other legal… you know, questions; they're overcomable, but you have to be careful. So I think we understand the issue; we've tried to address it in a really good-spirited way and a practical way… [interpose]

COUNCIL MEMBER LEVIN: But there's nothing… what I mean to ask is; that there's nothing that is preventing this development from having the affordable units fully integrated throughout the development.

ED WALLACE: Other than the economic impacts, you know. And there's a debate within the low-income housing community; do you want in effect to have what you just described as, you know, using the higher market value units for certain purposes or do you wanna create more units in effect. We think we hit the right balance point, but I think… again, that could be on a list of discussion once we knew what we knew what we were acquiring.

COUNCIL MEMBER LEVIN: I mean 'cause if you go further down on the waterfront to the edge or Northside Piers where you do have, you know, distinctly affordable buildings and distinctly market

rate buildings; I mean it creates… you know, to borrow a phrase from the Mayor-elect, it's a tale of two cities and you have… [interpose]

ED WALLACE: I… I think we've done everything we could to avoid that and I don't think anybody would think that's what we're achieving, but I said, you know, if this little smidge of a difference is worth talking about, we're happy to talk about that.

COUNCIL MEMBER LEVIN: I just wanted to ask about the environmental issues; I've heard quite a bit from the community about environmental concerns. This community has a long history of industrial uses and so if you look up State Superfund sites or Brownfield in… I mean, Federal Superfund sites, if you happen to be on a Federal Superfund site, there are a myriad of concerns that have been growing in intensity that I've heard, and so I wanted to know, on this site have you done an extensive environmental round of testing and if so, what have you found and where have you done it? That'll be the first question.

NICK HAWKINS: Right. This site, when it was rezoned an E designation was placed on a site

that requires development of a Remedial Action Plan and a Construction Health and Safety Plan and a full testing site plan for the entire site, so before any soil is disturbed we'll be, you know, working with DEP to do a very extensive boring plan; we will, you know, do the test bores; they'll be sent to independent laboratories for analysis, the results will be delivered to DEP; we'll determine whether or not there are any hazardous materials on site that are of concern and if there are, develop this Remedial Action Plan and the Construction Health and Safety Plan to remove those materials and to do it in a way that it doesn't harm people that are working on the site or people that live in the area; there are very strict rules about this. There is no evidence in the history of any of the databases and environmental analyses that we've done to data that were done as part of the rezoning that suggests that this particular site has any unusual hazardous materials.

[laughter]

COUNCIL MEMBER LEVIN: I'm sorry; can you repeat that last sentence?

NICK HAWKINS: I'm saying there's… there's… there's nothing in the… in the Phase I's… in the 2005 Williamsburg EIS and the other analyses that have been done, there's nothing that's come up that says there's any particularly dangerous hazardous materials on the site. There's two spills, both of which were petroleum-related and relatively small amounts and both of which have been closed; I mean one, I think, was for a gallon of petroleum, so it's not… this isn't… there are… in this neighborhood there are plenty of areas where there is significant hazardous materials, but there's no indication in the records that it's happened on this site and if there were we'd uncover it during the testing process and clean it up. [crosstalk]

COUNCIL MEMBER LEVIN: But you… but you have not… you haven't… [crosstalk]

NICK HAWKINS: We haven't done any tests… as… as far as I know, we haven't done any… [crosstalk]

ED WALLACE: No. No.

COUNCIL MEMBER LEVIN: You haven't done any testing yet?

ED WALLACE: Oh no. I think… as much as we'd like to take credit for all the bells and buzzers that will assure our safety here, the law straps us in so tight that if people have doubts they really have to go to the government and say, we have doubts of the government process or doubts of the government finding; obviously no developer would wanna build on a dangerous site or endanger people who they would rent to, but that logic may not prevail. You have laws… you have the city agency, you have the state agency; you have a federal agency and the laws that you enacted in this body with the heat designation are the insurance policy that I think, you know we all kinda live by, but I wish I could say we're such good guys; we're doing it voluntarily; it's required by law.

NICK HAWKINS: Right.

COUNCIL MEMBER LEVIN: I'm a little confused; how come you haven't done…

ED WALLACE: 'Cause we haven't started any development on this thing.

COUNCIL MEMBER LEVIN: But wouldn't you wanna know before you enter into the… the ULURP process? [crosstalk]

ED WALLACE: Before we acquire the air rights? No, I don't… I mean… [laughter]

NICK HAWKINS: No, the E designation is in place; there's nothing… there's nothing…

ED WALLACE: We know what we have to do.

NICK HAWKINS: There's nothing that's been done in any of the previous analyses that indicates there's any significant hazardous material concern here.

COUNCIL MEMBER LEVIN: Just thinking then about the Federal Superfund site to your north…

NICK HAWKINS: Right.

COUNCIL MEMBER LEVIN: You're in a zone A, right; you're in a… in a… in a flood zone? [crosstalk]

NICK HAWKINS: Yes, part… part of it is, yes.

COUNCIL MEMBER LEVIN: So how do you plan to address those issues that arise from flooding? [interpose]

NICK HAWKINS: Right.

COUNCIL MEMBER LEVIN: I happened to be in that area on the night of Hurricane Sandy and you know, the water came all the way up to Commercial

Street, really and that means that the side of your development that's closest to the creek would've been under a significant amount of water; how are you addressing the potential for another flood of that magnitude, both in terms of how you intend to build the site and how you intend to deal with the building itself, and do you see the need for flood gates or anything like that and if you could just talk to the process that you've gone through so far?

JOHN CETRA: Well during… this is John Cetra… during the design process FEMA published a new flood plain flood elevations; the elevation here is given about… I think it's 12.75; the existing site along the waterfront is about 9, so it's about 3… almost 4 feet below. So in terms of the new design of the waterfront; in terms of the new edge that will be created and repaired, we're gonna be raising that to… we're gonna be raising the building area so that there is no part of the building, except for the garage, and the portion of the commercial space that fronts on Commercial Street, because we have legal grades there at plus 10, so we're working with that grade there; however, we're creating the building so that there are no residential uses below a 13, so

it's actually being elevated and we were in discussion with Parks on the adjacent waterfront esplanade; we're also talking about elevating that so that it comes up to 12.

COUNCIL MEMBER LEVIN: And then, the issue of… I'm sorry, with the buildings themselves, like electrical and all of that; where's your electrical go?

JOHN CETRA: All of the utilities will now be required to be above 12.75, so we have space within the base of the building that will achieve that; additionally… [interpose]

COUNCIL MEMBER LEVIN: Now where did Sandy go up to; 'cause that was… it was higher than 12.75, right?

JOHN CETRA: Well, it may have been; I'm not sure exactly what it was, but this is the… these are the new requirements and that's a 100-year flood, you know condition. You know you have to take into account the possibility… [crosstalk]

COUNCIL MEMBER LEVIN: I'm assuming you would expect to be… [crosstalk]

JOHN CETRA: Yes.

COUNCIL MEMBER LEVIN: still there in a 100 years; no?

JOHN CETRA: Well we will be… those utilities will… nothing will be below 13, so we do have some… we have a pretty significant cushion from what we currently have on the site. Additionally, there will be mechanical space put on top of the towers, so that is clearly well above any flood plain, at least in… for the foreseeable future.

COUNCIL MEMBER LEVIN: There's still the issue of being on what is a designated Federal Superfund site; can you speak to the concerns that the community has about being on top of what is, you know, essentially one of the most polluted sites in the city, as determined by the EPA?

NICK HAWKINS: Right. As you know, the main area of concern for the superfund site is actually further upstream in Newtown Creek; we are on the edge of it, but… and as you can see, our building is set back 60 feet from the water's edge; we're not gonna be building in the water to build this project. So we are on a superfund site; the contaminants in the superfund site tend to be sediments at the bottom

of Newtown Creek and we're not… you know, we're not in the water and we're well beyond the water.

[background comments]

[pause]

COUNCIL MEMBER LEVIN: I wanted to ask; there's a… something that was sent over from… signed by Mr. Bishasur [phonetic] to the Borough President about community preference and it speaks to New York City… it says, "To the extent permitted under applicable law and requirements of applicable Affordable Housing Funding programs we would agree to commit to give preference to 50 percent of the housing units to current residents of the community district as well as individuals who are residing in the community district on the effective date of the 2005 rezoning, New York City police officers and municipal employees and individuals who are mobility or visually impaired." Can you just speak to this issue, police officers and municipal employees and the process by which that was added? [crosstalk]

NICK HAWKINS: I think the… I think those are HPD guidelines.

COUNCIL MEMBER LEVIN: So that was just taken from HPD guidelines?

NICK HAWKINS: Right. I mean to… well, you know, we're more than happy to reserve any affordable units as permitted under HP guidelines and law.

COUNCIL MEMBER LEVIN: One question about amenities in the building; what amenities are being contemplated at this point?

JOHN CETRA: There's a full array of amenities that'll be there, there'll be indoor swimming, there'll be fitness areas, lounges and some additional recreation area; that is, you know, anticipated to be on the top of the six-story building; there's a two-story portion here which will… and where most of those facilities are going to be provided and they'll be accessible to all the residents of the building.

COUNCIL MEMBER LEVIN: So they'll be accessible to the residents in the affordable housing as well?

[background comment]

JOHN CETRA: Yes.

COUNCIL MEMBER LEVIN: Is there gonna be a charge for… contemplated to be a charge for any or everyone?

JOHN CETRA: It's not clear yet.

ED WALLACE: I just think we don't know the specific answer, but obviously our approach is to make it equally available to everybody without stigmatizing anybody or anything like that.

COUNCIL MEMBER LEVIN: Thank you. I think I'm okay on my questions for the time being; I think Council Member Reyna might wanna…

CHAIRPERSON WEPRIN: 'Kay, I'd like to call on Council Member Reyna now, who represents the neighboring district.

COUNCIL MEMBER REYNA: Very far to the south. This is at the tip of what would be the beginning of Brooklyn, at the head and I start representing what would be east of the BQE and so, a lot of the development will affect what would be displaced residents or affect what would be residents, displacing them, further exacerbating that issue. In the 2005 rezoning we had what would be provisions to protect what would be an opportunity to track and follow displaced residents and the impact of residents; how does your particular sale of this property contribute to what would be any mitigation

regarding displaced residents to decrease the impact of that?

ED WALLACE: Well, let me start by saying what may be relatively obvious; our site is an industrial site with nobody in it, so nobody's being [coughing] residentially displaced from that and the site adjacent that we would acquire the air rights… and just for the record, I wanna be clear, the acquisition of the air rights as a technical matter is not before the Council, it's just the height and setback, but you know we wanna be… [coughing] take in the whole picture. So we're not… unlike some projects, there's no… nobody being displaced from a current unit. Now, I full understand what the Council Member's referring to; that when some developments up-price, if you will, in a neighborhood; other neighboring properties become more expensive, so there you could have what's called like a secondary displacement. You know, I don't know if there's a technical answer in the EIS about that, but I think we… you know, there again, that is an issue that we are prepared in the overall scheme of things to have some discussion about; as I… I think I've expressed repeatedly in our meetings,

[background comment] to the degree you create full value for us there is value to be shared with the community to address concerns and I know in another project that I've been on with you, you know there's a direct concern about whether there can be anti-displacement measures here; from the 2005 MOU there were actually funds appropriated by the City to address, you know, anti-displacement and harassment and things like that; now that was spent before we even got to the site. So you know, I think this is… the risks you site are there and we are happy to share finding solutions with the City to minimize that. Obviously, you know, the city grows and you hope that everybody is able to afford how it grows, but you know, those are serious issues; we're happy to talk about them in the overall context of what's being approved.

COUNCIL MEMBER REYNA: Of course. And there was a placement fund that was created with the air rights; as you mentioned, quickly spent; clearly there's a need for what would be the monitoring of a lot of these issues that are directly impacting the community; just this morning I had a family from Franklin Street who is being harassed out of their

home, threatened with their life and it's a rent regulated building of eight units; clearly this is not an area where residents are able to protect their own households even when they have tenant protections, and so we're trying to understand how a project like this in conjunction with recognizing that working with the city of New York there has to be some channels that we can certainly either reinvigorate, such as the displacement fund and/or making sure that there is a recognition of these displaced former residents to come back into the neighborhood. And that leads me to my second question, which is the marketing; who is going to be doing the marketing of these units?

ED WALLACE: So we are in communication with a very local affordable housing sponsor who has track record in this area; I don't think it's appropriate for me to say it, because we don't have… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: a deal with them; if they wanna say it when they testify, that's fine with us… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: Back to your earlier questions, a couple of things to note. Obviously the 200 units, which is a bit more than might be required under the various tax abatement programs, is designed to, you know, minimize the impact of… you know, make it affordable to people; second, if we could, we would make a local preference for everybody; I think the law doesn't allow that I would throw it back to the Council to consider ways to achieve that… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: because it's good for a community and we certainly regard that it's good for a community when the people who have been in that community can move into new project that they can afford, so we'll do the most we can. Third, and just as a footnote, the situation you described, I'm proud to say that in 1982 I sponsored the bill that made it a crime to harass tenants in the way you described and your district attorney can actually take action -- some will, some won't, but… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: that is a crime that you just described… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: and…

COUNCIL MEMBER REYNA: I agree with you and we're working… [interpose]

ED WALLACE: I mean, but it's on the books as a crime, so… [interpose]

COUNCIL MEMBER REYNA: Right. Right. And… [interpose]

ED WALLACE: you can do somethin' about it.

COUNCIL MEMBER REYNA: it becomes challenging to be able to do this without the resources and so…

ED WALLACE: Right.

COUNCIL MEMBER REYNA: I want to understand, you know, as part of the marketing, making sure a project like this needs to recognize what would be displaced former residents. And I say that because we also wanted that and it was part of the Points of Agreement for 2005 and I am not aware of on any of the applications recognizing what would be former residents who have been displaced, as far as the application is concerned, as it's printed…

ED WALLACE: Right.

COUNCIL MEMBER REYNA: by HPD… [interpose]

ED WALLACE: Right.

COUNCIL MEMBER REYNA: with the exception of one perhaps.

ED WALLACE: And so we're hopeful that the community-based organization that would do the tenant selection does actually have a databank historically compiled that would be helpful in that regard; it may not be, you know, perfect and… and… you know, and these are tricky issues, 'cause it has to be fair; it has to be done by lottery; it has to be done, you know with a certain weighting of preference to anybody, but I think within all the issues you've addressed, we are onboard to do as much as we can to make sure that the community that could be displaced has some opportunity here.

COUNCIL MEMBER REYNA: And I appreciate that; you know, our problem is the fact that even with a document spelling out details, there seems to be a failure and points are not reached because the outcomes are poor and trying to review how we got poor outcomes starts and begins with what would be the monitoring or the lack of, and so what… how do

you… how is this project going to memorialize what would be the 50 percent preference and to include what would be the displaced former residents?

CHAIRPERSON WEPRIN: Mr. Wallace, if I could interrupt for one second -- Council Member Reyna is doing me a real solid and I know you're asking great questions, but I have to run out to a quick meeting and be back, so she's gonna chair the hearing for the time when I'm gone and Rob here has all the names… [crosstalk]

COUNCIL MEMBER REYNA: Absolutely.

CHAIRPERSON WEPRIN: when you wanna come over here after you're done questioning.

COUNCIL MEMBER REYNA: Absolutely.

CHAIRPERSON WEPRIN: So I apologize. I apologize, but I'll be back as soon as I can. Okay?

[background comments]

COUNCIL MEMBER REYNA: Thank you Mr. Chair.

COUNCIL MEMBER REYNA: Thank you Council Member Reyna and Council Member Levin.

ED WALLACE: I think… we start with a mantra and we really said it at the first meeting with the council member; anything we agree to we will

make as legally binding and enforceable as is allowed by the City, so as you well know, certain things can wind up in restricted declarations, City Planning, I think… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: correctly, from a lawyering point of view…

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: won't allow off-agenda items to be enshrined that way; there we will either put it on the record of this body or put it in a letter to this body; obviously it might be addressed to the council member, but it's to this entity so that there is some… [interpose]

COUNCIL MEMBER REYNA: Who approves the application, as far as… [crosstalk]

ED WALLACE: Well there is a restricted declaration on some of this, yes.

NICK HAWKINS: Right, [background comment]

COUNCIL MEMBER REYNA: I'm sorry; I didn't catch that.

[background comment]

ED WALLACE: Oh yeah, there's another document that's probably helpful here and different from others; because we have a contracted sale with EDC, things can be put in that contract and made truly legally enforceable, meaning the City can be the plaintiff and we could be the defendants… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: I don't wish that would ever occur…

COUNCIL MEMBER REYNA: Uhm-hm.

ED WALLACE: but that is a sort of enforceability advantage that doesn't always exist when it's not a city sale.

COUNCIL MEMBER REYNA: Well I appreciate that candor and that piece of information, because it's always very difficult to…

ED WALLACE: Always an issue.

COUNCIL MEMBER REYNA: abide by what would be a Points of Agreement with no legal bounding ability. [crosstalk]

NICK HAWKINS: Right.

ED WALLACE: Well can I say… 'cause… 'cause [background comment] we've heard a lot about

the original 2005 Points of Agreement and you know, as you know, everybody who's here wasn't there… [interpose]

COUNCIL MEMBER REYNA: Uhm-hm. Not everybody, right?

ED WALLACE: Well none of us here. We really think that the contract we entered into with the City, from our point of view and it's enlightened self-interest or it's just self-interest; we'll ensure that that park gets built, so all the promises and all the memorandum agreement or all the hopes and aspirations that an administration can enter into with all good faith, this is a little bit different on that very key issue of a parking being built, 'cause the money is sort of escrowed until benchmarks have been made to have the park come online, so I think that… on that front it's distinctive, and I think again, every issue that you've cited, to the degree we [background comment] can come to a negotiated agreement, there is the opportunity to get some of it or all of it into that sale agreement.

COUNCIL MEMBER REYNA: So I wanna make sure… you know I make mention of the memorializing of the 50 percent for community residents in the

lottery, as spelled out… you know, Council Member Levin had read it as it appears, as part of the regulations with HPD, but one of the most important keys factors was the inclusion of displaced former residents and that has not been the case since 2005 and that is a direct opportunity for the developer to push… to remind HPD as well as HPD's responsibility to recognize that they were going to do that and every application coming up is not including that piece of lottery opportunity for displaced residents.

I wanted to just make sure that I was able to go through a lot of the issues that were brought up by the community board on this particular development, starting with the affordable housing breakdown as far as there was… we have this subcommittee briefing attachment that the community board has already spelled out what their recommendations were; I don't want to belabor the point, but I don't know how much of this has been reached as far as an opportunity to check off this list; if you can refer to it… [crosstalk]

ED WALLACE: Yeah, I think I can give you a short and simple and maybe not an entirely satisfying answer. The community board… you know,

and we were, you know, I think very respectful and you know, understanding when one of you recommended that some of the purpose price be used to subsidize lower AMIs. I think from our point of view, you know we would be very happy to entertain that if the City decided that that's what they wanted to do with some of the purchase price, but I think on our own, you know, without that reducing of price to guarantee lower AMIs, it's kind of just economically not a feasible thing to do. So we don't object in principle to lowering the AMIs, finding the resources… and one thing that Carolee Fink said and I think, you know, quite justly and fairly, the City kinda put its money where its mouth was by lowering the price as it related to the affordable square footage; that doesn't lead you however to the lower AMIs that the community board wanted without some further subsidy. To the degree there is further subsidy, and we have you know, some top consultants -- I'm not an expert in it -- trying to find ways to further lower the AMIs, we will do so. You know, getting that done by the vote of this body I think is hard, so you know… but the principle is very easy, and that is, if we can do it economically we will and

that's why I think the hope of senior housing is maybe the easiest way to do it if the money were available, but it's hard money to come by.

COUNCIL MEMBER REYNA: And as far as this project is concerned, this is not going to separate the affordable housing from the luxury housing?

ED WALLACE: Well, I think luxury may be too strong a word, but I said it earlier and I'll say it briefly; this project is kind of different from either the stand-alone affordable building in one sense or the single building in another; there are actually… if you look at the drawing… three buildings in an integrated hall; within the integrated hall everything is the same; you wouldn't know if you walked in the lobby, you know, you went to the elevator; whatever you did, there's no stigma, there's no distinctions, there's no poor door; there's nothing like that. In terms of the array of how people fit into the project, however, the lower building, which has river views and park frontage, is the affordable housing building, so it's like a stand-alone building, which is legal and sort of understood as having the virtue of having kind of the more units and in that sense there could be and we

discussed it with the Council Member when he asked us, we're open to discussion if he thinks it's important to shift things around a little bit, but we don't think we violated the principle that I think underlies your question; I think we tried to make it one project, even though it's three buildings and have the best of both worlds, but we understand some people could say nah, still not good enough… [interpose]

COUNCIL MEMBER REYNA: Is this a rental or is this going to be anticipated for condominium sales? [crosstalk]

ED WALLACE: Rental… no, no, intended to be and expected to be rental.

COUNCIL MEMBER REYNA: And if it's expected to be rentals, then I would expect it to be integrated as far as a footprint is concerned.

ED WALLACE: Well it's integrated as a project and all amenities identical and no stigma, but because it's three buildings, it does give us that opportunity to create an affordable housing building and possibly get some of the, you know, economic benefits that could flow from that. But as I said, you know, if this is the… if the Council

would give us the height and setback, which is all this is about, there's no upzoning, there's no additional FAR, there's no increased density; I know I'm a broken record on that; this is just a clear FAR site that could be a park and you have to find a place to put it. If the only issue is the one you're citing, I think that's easily solved, you know, with the Council Member or the Council or whoever wants to address it; there's no reluctance to solve that problem. We think we have a good solution, but if people want a different… an open mindedness on that.

COUNCIL MEMBER REYNA: And there's concern about the apartments and the unit sizes as far as the need for integrated sizes.

NICK HAWKINS: We're meeting HPD standards completely for the sizes of the apartments.

COUNCIL MEMBER REYNA: Which means it'll only go up to two bedrooms?

NICK HAWKINS: That's what's contemplated right now. Also in the market, it's… we're contemplating studios, one-bedrooms and two-bedrooms.

COUNCIL MEMBER REYNA: And 50 percent of them is…

NICK HAWKINS: Right now it's contemplated as 30, 40, 30.

COUNCIL MEMBER REYNA: 30…

NICK HAWKINS: 30 studio, 40 one, 30 two. And again, in both.

COUNCIL MEMBER LEVIN: Actually, I think you had that the other way around when we… I think you said 40 percent twos and…

NICK HAWKINS: I misspoke then, I'm sorry; it's 30, 40, 30.

JOHN CETRA: Correct.

COUNCIL MEMBER REYNA: 30, 40, 30; 30 percent studios, 40 percent ones and 30 percent…

ED WALLACE: Twos.

COUNCIL MEMBER REYNA: twos.

NICK HAWKINS: Twos.

ED WALLACE: So if the record reflects otherwise earlier, we're correcting it now.

NICK HAWKINS: Right. That's what's contemplated.

COUNCIL MEMBER REYNA: And so 70 percent of the units will be less than two bedrooms?

NICK HAWKINS: Right.

COUNCIL MEMBER REYNA: And that's based on community need?

ED WALLACE: I think the developer's sense of what the market will support as well as to fit it within the guidelines so that we had kind of an identical array for the affordable and the market rate.

COUNCIL MEMBER REYNA: So therefore, 70 percent of the affordable units will be less than two bedrooms?

JOHN CETRA: Right.

COUNCIL MEMBER REYNA: Which contemplates that we won't be able to preserve what would be a family neighborhood and preservation of families in the neighborhood.

ED WALLACE: But again, I don't think we approached it that way, but I think if that issue were, you know, one that the Council wanted to discuss, we're very open-minded on that.

COUNCIL MEMBER REYNA: And again I just… you know, I'm concerned always that we're pushing out families out of Community Board 1, since when did Greenpoint Williamsburg become a singles villa; I'm not too sure. But it is important that as the

remaining Council Member for less than a month, that I say my peace and I express my sentiment as far as making sure that we understand we're in need of providing what would be affordable housing and what would be non-affordable housing to families, because we're providing an influx and engineering what would be a singles neighborhood and that is not who this community is.

ED WALLACE: So first, we hear you; second, we know you'll be missed from your district; as it relates to this particular project, the discussion, as you'll hear when we're out of these chairs, is really focused on the height and the fact that even though we are not increasing density as it relates to what was zoned, we are allowing the intended density to occur on our site, so that focus leaves us in a position of now knowing with any sense of confidence what if anything, and I stress, if anything, we would acquire, because we were kind of reluctant purchasers of the… or prospective purch… of the air rights. If the full value were there and these other issues as you've articulated are the ones that people wanna really focus on, we are more than prepared to have that discussion and I think within

the bounds of economic viability, there's no commitment, there was no intent to make this, as you said, a single… I forgot what you said, but a singles villa… no, that's not our intent, and so I think all problems of this nature could be resolved pretty… to everyone's satisfaction, there's no hard and fast things.

COUNCIL MEMBER REYNA: And the… the open space that is mentioned, as far as the briefing attachment, it refers to all the money donated by the developer for the park will be earmarked for this park and not placed into the City's General Fund; is that a commitment that has already been established or is… is OSA going to be the actual entity that will drive what would be… okay.

ED WALLACE: We have a contract that gives us escrows to hold… I'm gonna say this politely… hold the administration's feet to the fire on getting the park built, but the mechanism by which that money goes there, you're gotta explain it.

CAROLEE FINK: Right, so the money from the…

COUNCIL MEMBER REYNA: If you could just mention your… your name, Carolee. [crosstalk]

CAROLEE FINK: I'm sorry, Carolee Fink from the Mayor's office. The money that is being generated from the development rights is… I'm sorry, I need coffee I think… [laughter] in our view, the park and the build-out of the park is material to the transaction, so we have agreed to escrow the funds from the transaction until the park is built. The City is fronting that capital, OMB has agreed to front that capital, so… [interpose]

COUNCIL MEMBER REYNA: Which is how much? I'm sorry.

CAROLEE FINK: $8.2 million.

COUNCIL MEMBER REYNA: But it was an original amount of 14, correct?

CAROLEE FINK: Uhm-hm.

ED WALLACE: That was kind of a hoped-for number, maybe an intelligent guesstimate; the market didn't support that number. In terms of the sale, the market didn't support that number; [background comments] whether that was a good budget for relocation or building a park [background comment] I leave to the City, but.

COUNCIL MEMBER REYNA: And why not front the original 14 as opposed to 8.2?

CAROLEE FINK: We're actually spending about $10 million right now building the relocation facility in the Bronx.

COUNCIL MEMBER REYNA: The relocation facility for?

CAROLEE FINK: The paratransit.

ED WALLACE: Yeah, put… put the other one up, put that picture up.

COUNCIL MEMBER REYNA: And how much money is being spent on?

CAROLEE FINK: Our budget right now is 10… we're holding $10 million.

COUNCIL MEMBER REYNA: 'Kay. I'm going to defer my line of questioning to Council Member who to chair and act on a vote next door, Council Member Levin.

COUNCIL MEMBER LEVIN: Thank you, Madame Temporary Chair. I just have a couple more questions; so everybody knows that's here, the hearing on Greenpoint Landing is going to be beginning momentarily next door, so I'm gonna be going over there to chair that, but I have staff here to hear the testimony and I now try to be able to

move back and forth; this is the challenge of having two hearings simultaneously.

I just wanted to ask, there's a couple of things that are curious to me that have just been brought to my attention. So the as-of-right development allows for 25,000 square feet of retail and 6200 square feet of community facility space, but under the proposal, while there's an increase of 300 and 3,000 square feet, the retail stays the same, as does the community facility space, so if there was some rubric for what percentage of floor area must be dedicated to community space initially, that is now cut in half… or not cut in half, but… [interpose]

NICK HAWKINS: Right. No, there's no… there's no… under the zoning… under the zoning, you know, different floor area ratios are allowed; it's 2.43 is the base floor area ratio for residential use, it's over 6, I think, for community facility; it's 2 for commercial and any time you have an as-of-right development you're allowed to pick and choose… in most cases and including here, you're allowed to pick and choose among those uses. For purposes of the Environmental Assessment Statement, we assumed that the no-build would have some ground floor

retail; would have the retail use along Commercial Street because that's a good use along Commercial Street and we assumed it would have a community facility space, the same that we were thinking about for the proposed development, but there's no… there is no requirement… [interpose]

COUNCIL MEMBER LEVIN: Right, but… right, right, but it seems as if, if you're gonna be increasing the residential floor area of the development that an analogous increase in community facility space would be appropriate -- 6,000 square feet for community facility space is not much. [background comments]

NICK HAWKINS: Yeah, I mean, one question is where you would be able to locate it; this site is challenging because it's very narrow at the street front and then because of the flood concerns the majority of our buildings, both under the as-of-right and the proposed, you'd wanna have up, so you've got a limited amount of street frontage where you can have entrances to commercial space and community facility space.

ED WALLACE: Are you… can… may I… it's not our place to ask questions, but are we

understanding correctly that the Council Member would prefer more commercial space or more community facility space?

COUNCIL MEMBER LEVIN: Well I think that that would be… I would think that that would be appropriate in the proposal, because it's… the amount of floor area dedicated to that [background comments] to those two uses is not [background comment] changing with… obviously with… while the more lucrative floor area for residential is.

[background comments]

ED WALLACE: So I think we're willing, obviously, to take a second look; I think the commercial particularly would be hard because of the narrow street frontage and I'm not sure where one would… where the community or anybody else would want it; I suppose one sort of counterintuitive, philosophical way to look at it is; instead of getting commercial space you're getting a lot of open space, which… I think the one thing we would all agree on; the open space is the best part of anything here, so we'll take a look on the community facilities; and as you know… [interpose]

NICK HAWKINS: We're also… right, and in all fairness we're also providing an additional 10,000 square feet of publicly-accessible open space as part of the proposed development that's not part of the as-of-right, so I mean, that's 16,000 square feet of community space if you look at it from that perspective.

COUNCIL MEMBER LEVIN: And then just… my last question, and I'm gonna go next door, is… as-of-right, is it contemplated that the developer would be accessing a 421(a) tax abatement or is that not contemplated?

NICK HAWKINS: No, that's not what we've contemplated to date.

COUNCIL MEMBER LEVIN: Okay, because if they were to do that, there would be a requirement for 20 percent of the units to be affordable at 60 percent of AMI, is the requirement under the state law… [interpose]

NICK HAWKINS: 80 percent of AMI in this district.

COUNCIL MEMBER LEVIN: Well it's 80 percent if you do a 100… it's… there's two formulas, there's a… you're required to do… I think it's… this

is under the… 80 percent is for the inclusionary; 60 percent is for the 421(a), but then there's a thing where you… there's a hybrid and you could 25 percent if you do 10 percent at 125 or 15 percent at 80 percent under the inclusionary, but 421(a) has a 60 percent of AMI. Regardless, 20 percent of the as-of-right units would be what; what's the… the as-of-right units is how many?

JOHN CETRA: 500.

NICK HAWKINS: No, I don't think 500; not in the as-of-right.

ED WALLACE: Not as-of-right.

[background comment]

COUNCIL MEMBER LEVIN: Be around 60… 60 or so?

ED WALLACE: Yeah, be around 65.

[background comments]

NICK HAWKINS: Right… [background comments] it's uh…

ED WALLACE: We… we can… I mean, just… 'cause I know people wanna testify, we could submit answers to you on that; I think the only thing… I think you're aware, but for this record, the historic record is that the developer was unaware; did not go

seeking the RFP; was ready to go ahead and develop the site without reference to those tax abatement or other programs or affordable housing or any of it; it has been a steep learning curve over the past, not quite year. So I think… what would he do if he were only going as-of-right? It would be very hard to say. [interpose]

NICK HAWKINS: We… we estimated about 275 units in the as-of-right, so 20 percent would be 55. [crosstalk]

ED WALLACE: That's 54.

COUNCIL MEMBER LEVIN: Would be 55.

ED WALLACE: 55.

COUNCIL MEMBER LEVIN: Okay, so just one… [crosstalk]

NICK HAWKINS: But… but we could do… I mean that was for purposes of the environmental study; there's… you know, what the actual number would be… you… you… you'd have… we'd have to look and see. We… we haven't obviously developed the as-of-right project to the same degree that we've developed the proposed project… [interpose]

COUNCIL MEMBER LEVIN: Of course.

NICK HAWKINS: because it's not what we're proposing.

COUNCIL MEMBER LEVIN: Right. My point just being that there is a mechanism by which affordable housing will come into play… [interpose]

NICK HAWKINS: Could come in.

[background comments]

COUNCIL MEMBER LEVIN: Could come into play, both through inclusionary and through 421(a) [background comments] to provide for… [background comments] a little bit over 50, as compared to 200, so it's… it's… [interpose]

NICK HAWKINS: Right.

COUNCIL MEMBER LEVIN: it's significantly less, but something nonetheless.

ED WALLACE: Well to that point, there's a potential for 200 units of affordable housing and what I would say is it's sort of like a hotel room; if you don't build it now, just as if you don't stay in the hotel tonight, you can't use that room night tomorrow, it's gone and it's gone forever and if you can develop it elsewhere or you can find other sites, then that's just additive to that; it is not substitute for that, so we hope that the Council

understands that what's at stake here is the 200 units, which is above the requirement, which the City imposed on us and I think it's something that we've come very proud of to be able to say 200 units added to the pot of affordable housing is a very, very good thing. The park is really nice and we obviously want it, it's good for value as well as all its useful purposes, but the 200 units I think is the sort of moral imperative behind our doing this deal.

COUNCIL MEMBER LEVIN: Okay. Thank you very much to this panel; thank you, Madame Temporary Chair; I'm gonna be across the hall folks if you wanna come by for the Greenpoint Land presentation.

[background comment]

COUNCIL MEMBER REYNA: Thank you, Council Member Levin. I just wanna remind anyone who's here for Greenpoint Landing next door, you can certainly join them next door; we will proceed with panels afterwards, but I wanna make sure I have clarification on the community facility. You mentioned 6,000 square feet?

NICK HAWKINS: That's… that's what we're estimating; our approval gives us the right to have

up to 6,000 square feet of community facility; that's what we're…

COUNCIL MEMBER REYNA: And I thought I heard you say 16,000 square feet at one point?

NICK HAWKINS: So… so the Council Member was saying why did you make that assumption in both the as-of-right that was studied in the EAS and in the proposed, and I was pointing out that in the proposed, in the one that we're asking for, in addition to the 6,000 square feet of actual community facility interior space we're also providing close to 10,000 square feet more publicly-accessible open space on our site than we're required to provide in this area… [crosstalk]

COUNCIL MEMBER REYNA: The green area?

NICK HAWKINS: The green area, right; we're doing more than we have to and if you take that 10,000 and add it to the 6,000, that's 16,000 square feet of space that's available for the public and community.

COUNCIL MEMBER REYNA: And so as far as the 10,000 square feet of open space, how is that going to be programmed? [crosstalk]

NICK HAWKINS: That's… that's the… it's… [background comment] it's… it's a landscaped walkway on the east side of the site.

COUNCIL MEMBER REYNA: Right, but what type of programming… [interpose]

NICK HAWKINS: It's not… it's for… it's for… [interpose, background comment] it's pedestrian space and a promenade and it provides… instead of dead ending the shore public walkway at the end of our site, where people are gonna have to loop back, it gives them a way to… to walk all the way around the site. So it's passive space, passive open space.

ED WALLACE: As you probably know, this site is very deep, so to have two kind of ways to meander around and move back and forth and have the community kind of integrated into even our site, not just the park next door, we thought was a useful thing to make it not so that that building on the waterfront is like a 100 miles away from the street and how do you get there; who's gonna go there anyway?

NICK HAWKINS: Right.

ED WALLACE: And it also aborted the dead ending into the GMBC industrial building that is at

the end of the esplanade, so it's… it's a lot of open space and I think, given the constraints of the site, probably more beneficial to the community than just trying to build another room somewhere, but you know, people can disagree and again, we said we'd look at it and we will.

COUNCIL MEMBER REYNA: Right. And I appreciate the opportunity to sit down after this particular hearing to understand further the breakdown and understanding that a 70 percent of units dedicated to studio and one-bedrooms is not to me what would be meeting the needs of our community; granted if we weren't going to consider what would be formerly displaced residents, then it wouldn't matter, right, because what has replaced the families that have been displaced are single occupants, right? But if we're truly dedicated to bringing back families, we have to design what would be a model that will take into consideration more two-bedroom apartments and that is not the case here. So I have great reservation regarding what is being presented right now as to meeting the goal of what I want to believe is a commitment to our community's needs. So I hope that you can take that into consideration and

the issue of the integration of this project is of utmost importance; we don't like what is happening on the waterfront and I know that that was not the intent, but clearly those were supposedly sales and so you couldn't integrate; we don't want to start the precedence of rentals are now the new model for separating what would be the affordable from the market rate; I don't see that happening here in Manhattan and it shouldn't happen in Brooklyn, so I just wanna make sure that these models are not the new models for Brooklyn.

ED WALLACE: We hear you.

COUNCIL MEMBER REYNA: Thank you. The next panel… and thank you very much gentlemen.

[background comment]

COUNCIL MEMBER REYNA: I'm going to read off names and if you could just come to the table; I know a majority of the public has already left; we apologize; there's been quite the number of hearings on different developments. Aditi Sen from SEIU 32BJ, Bianca Garcia, Build Up New York City, Carolyn Bednarski, representing herself, Alexis Thomas, Darren Lipman. Fabulous. [background comments] As you are trying to settle, how many copies you're

willing to give us? If you could just begin; I appreciate that. We just need… [background comments] only three copies; one for me and two for him. [background comments] Okay.

[background comments]

ADITI SEN: Okay, uhm… Good afternoon…

COUNCIL MEMBER REYNA: The Sergeant at Arms. Go ahead.

ADITI SEN: Okay, thank you. Good afternoon, thanks for the opportunity to testify today. My name is Aditi Sen and I'm here today from Service Employees International Union Local 32BJ. SEIU 32BJ represents 75,000 member janitors, doormen, security officers and school cleaners who live and work in New York City.

Clipper Equity LLC is looking to almost triple the size of their project through the special permit application; that would be a lucrative benefit for the developers. We want to ensure that Clipper won't get something for nothing from the community. At the very least, Clipper should make sure that the jobs created by this project are high-quality, family-wage jobs with good benefits. Workers at the proposed tower should receive the citywide standard

for doormen, porters and other residential service workers who all across the five boroughs have access to a living wage, affordable full family health care, training opportunities, a pension and a voice on the job.

The Greenpoint community should take the opportunity now to ensure that this project creates good jobs; only with these measures in place can Greenpoint be a multi-dimensional community where all people can continue to advance, earn a living and live in safety and security as the neighborhood continues to involve. Thank you.

BIANCA GARCIA: Good afternoon, my name is Bianca Garcia and here on behalf of Build Up NYC. Build Up NYC is an organization of members representing 200,000 workers in the construction, building operations, maintenance, and hospitality industries that advocates for good jobs and responsible development. When the City Council decides to rezone property to benefit a private developer it's necessary to ensure this rezoning promotes responsible development practices that provide real benefits to our communities. This means ensuring that projects like 77 Commercial Street

create good jobs, promote high safety standards and maintain a level playing field for responsible employers. Unfortunately we have significant concerns about the proposed rezoning of 77 Commercial Street that should be addressed before the City Council votes to authorize this controversial proposal.

77 Commercial Street should create good jobs for construction workers as well as building operations and maintenance workers. Good jobs help create strong communities and stimulate economic development, including supporting many small businesses in the communities where workers live and work. Good jobs grow the economy, they increase the tax base and they reduce the dependence on public services. 77 Commercial Street should promote safe construction practices through life-saving state-approved apprenticeship programs. According to OSHA, 72 percent of NYC construction fatalities in 2012 occurred on projects where workers did not participate in state-approved apprenticeship programs; for this reason it is crucial to ensure that construction workers, as well as building operations and security workers are provided vital

safety training that protects workers and the public. 77 Commercial Street should maintain a level playing field for employers; responsible employers in the construction, building operations and maintenance industries are committed to providing fair wages, benefits and vital safety training. When employers compete without such standards, there is a race to the bottom that undermines all of us, including responsible employers; the City Council should not sign off on this destructive race to the bottom. To date the Chetrit Group and Clipper Equity [bell]… thank you.

CAROLYN BEDNARSKI: Hi, Carolyn Bednarski; I'd like to speak a little bit about affordable housing. I sometimes think that politicians [background comment] must fantasize about their future campaign literature and what it will say -- so and so brought more affordable housing into the community, or so and so brought a school into the community, as if those are the only two topics that residents care about; I'm here to tell you they're not. You will hear a lot of other testimony about toxicity and other things, but right now, affordable housing; let's get on with that. The reality of

these statements… let's take a look at those in the case of Greenpoint. How about -- let's see how this sounds on campaign literature -- so and so worked with developers to build higher residential towers against the desires of their community in the name of affordable housing. Or so and so campaigned and is one of the parties responsible for green-lighting a school next to a superfund site and therefore is now involved in one of the largest lawsuits against the City, brought on by families of hundreds of former students of that school who now have cancer, but that future is not yet written. I quality for affordable housing, so I am well qualified to speak about this issue and well qualified to say I don't want some affordable housing that might be available to us.

I have applied to 23 housing lotteries in the last couple of years in great neighborhoods in New York City, like Chelsea and the Upper West Side; Greenpoint is no Chelsea. I don't make enough money to qualify for one particular housing lottery that might soon be available on the market in the next few years and that is the housing lottery at 77 Commercial Street. Do you wanna know where I live right now; I live at 70 Commercial Street right now;

I live directly across the street and can afford quite well living where I live from a housing lottery that's going to be available that I can't qualify to apply to; that's ridiculous [bell]; you can do something about these AMIs and I encourage that you do; don't approve this ULURP without making sure that those are signed off as lower, 'kay. Thank you.

DARREN LIPMAN: I'd like to summarize the issues: Toxicity -- these buildings are to be built next to a superfund site, the air and land are toxic and will negatively impact the health of the new residents for years to come. Infrastructure -- the increased population will put a strain on infrastructure, not enough hospital beds, a local fire department incapable of high-rise fires, sidewalks that are not wide enough are only some of the issues. Transportation -- over-capacity subway trains will make the commute even worse for the current and future residents. No, a water taxi to nowhere or a bus to the overcrowded subway won't fix the issue; stop building until we can address these issues. Flood zone -- we have to stop building in the flood zones. No set of guidelines is going to protect us; the Fukushima Nuclear Plant was built to

withstand a tsunami -- 18-foot-high concrete walls, four backup systems all failed. New Orleans, the levies were built to withstand a category 5 hurricane and they failed. No amount of planning can ready us for nature's wrath. Sandy hit us as a tropical storm with very little rain, 77 and Greenpoint Landing's lots were completely submerged in toxic water during Sandy; what happens when we get hit by a real category 5 hurricane with 20 inches of rain? And don't forget, sea levels are rising and these buildings will be here for the next 100 years.

You're a legislative body with protecting the people and the prosperity of the city; let's put a stop to these doomed projects; I request you draft a forward-thinking bill that bans the building on flood zones in New York City.

The owners of 77 Commercial Street are documented slumlords; just as you would never give a bottle of alcohol to a drunk driver, you should never allow a slumlord to build more buildings. The affordable residents of these buildings will have what is known as the golden handcuffs; when the living conditions become intolerable, these tenants will be unable to afford to move and forced to deal

with these [bell] adverse living conditions. For the betterment of our community, I request you deny 77 Commercial Street's request to build bigger than as-of-right.

COUNCIL MEMBER REYNA: Have a seat. The affordable units that you were referring to… I apologize, I just wanna make sure that I get your name… you said you applied to 23 different sites for affordable housing applications?

CAROLYN BEDNARSKI: I have, yes.

COUNCIL MEMBER REYNA: In the neighborhood?

CAROLYN BEDNARSKI: All over Lower Man… [crosstalk]

COUNCIL MEMBER REYNA: No, uhm…

CAROLYN BEDNARSKI: Manhattan. I said… [crosstalk]

COUNCIL MEMBER REYNA: Oh, Manhattan…

CAROLYN BEDNARSKI: Chelsea, Upper West Side, neighborhoods like that… [crosstalk]

COUNCIL MEMBER REYNA: So you're not interested in staying in the neighborhood?

CAROLYN BEDNARSKI: I am applying for affordable housing; there's lots of lotteries available… [crosstalk]

COUNCIL MEMBER REYNA: I… no I… I wanted to…

CAROLYN BEDNARSKI: I'm saying that Greenpoint doesn't need these 200 units at the cost of 40 stories.

COUNCIL MEMBER REYNA: So you're saying you don't qualify for this project?

CAROLYN BEDNARSKI: This particular project, because their AMIs are over-inflated.

COUNCIL MEMBER REYNA: Give me the AKI that should… what is your recommendation as far AMIs?

CAROLYN BEDNARSKI: I don't know the exact percentages, I just know what I'm filling out on applications and the ones that I qualify for…

COUNCIL MEMBER REYNA: The ones in Manhattan is what you're… [crosstalk]

CAROLYN BEDNARSKI: In Manhattan are lower than the one in Greenpoint that is being proposed; that's my point. [crosstalk]

COUNCIL MEMBER REYNA: So… so just stay with me… you're very angry and I can't… [crosstalk]

CAROLYN BEDNARSKI: Meaning… meaning if you make…

COUNCIL MEMBER REYNA: have a conversation if you're upset. Uhm…

CAROLYN BEDNARSKI: No, no.

COUNCIL MEMBER REYNA: as far as the AMI that you see as part of this project, what would it need to be in order for what would be your income bracket to be qualified for? I'm trying to understand… [crosstalk]

CAROLYN BEDNARSKI: It uhm… it needs to… well start lower percentage-wise; it needs to qualify people who make between $20 and $30,000 a year.

COUNCIL MEMBER REYNA: So you're… you're… [interpose]

CAROLYN BEDNARSKI: and not just a few of the random studios, a lot of the units, much more of the units need to be available. [crosstalk]

COUNCIL MEMBER REYNA: You're agreeing with what would be the Community Board's position on lower the AMI?

CAROLYN BEDNARSKI: Yes.

COUNCIL MEMBER REYNA: Correct? Which is part of what the briefing paper that I was referring to.

CAROLYN BEDNARSKI: Right, you… you addressed some of that; I'm saying this can't be approved on any level until that's signed, sealed and delivered; nobody's word is good enough and the developers are saying that they have no control over this and yet I'm applying for lotteries all over the City that are significantly lower and I'm not understanding perhaps why this one is insisting that they need to start at such a high AMI… if you can't get to the bottom of that answer… they say they don't know, if they say that's not their numbers; I say that's not good enough.

COUNCIL MEMBER REYNA: Right. I appreciate the clarification; I just wanted… [crosstalk]

CAROLYN BEDNARSKI: Okay. Thank you for asking.

COUNCIL MEMBER REYNA: to understand the recommendation as far as the AMI that you would have to fall into, you being just an example of that representation.

CAROLYN BEDNARSKI: Yes.

[background comment]

COUNCIL MEMBER REYNA: And as far as the jobs are concerned for this particular project, as mentioned by 32BJ, how many… how many jobs have been created from the developments that have occurred as far as Greenpoint Williamsburg is concerned with local residents?

ADITI SEN: I can't answer that immediately, but we can, you know try to send something over to your office; obviously a lot of the land covered by the Greenpoint Williamsburg agreement has yet to be built out, given the market crash, so it's really… [crosstalk]

COUNCIL MEMBER REYNA: But there have been developments that have been built.

ADITI SEN: Absolutely, but a large percentage actually, you know came online much later than was anticipated, given the events of 2007 onward, so I think, you know, one of those large projects covered by that rezoning is having its hearing next door, so we'll get you numbers that we know, but it's also really been shaped by the history of housing market. Thank you.

COUNCIL MEMBER REYNA: Okay. Thank you. So I just wanted to clarify those two points; I appreciate the time and the patience to testify. Thank you. [background comments]

Richard Mazur from North Brooklyn Development Corporation is next. [background comments] Kevin Baxter, Kim Mason, Bess Long. [background comment] Jennifer Charles. Okay, great. Thank you.

[pause]

RICHARD MAZUR: Can you hear me now? Richard Mazur, Executive Director of the North Brooklyn Development Corporation. Madame Chairwoman, it's a pleasure being here today. I'm the guy that the developer spoke about as the local not-for-profit developer who they contacted. I was on your side of the table, I was probably the greatest critic of the project, especially on the issues of AMI and catering to the people that have been dislocated in the community. I am full circle in this process, meaning I am a lifetime resident; I can bring you back to the last time there were 8.3 million people in New York City, which was 1950, which is when I came into Greenpoint and people could move in and there were

immigrants mostly from war-torn Europe and Puerto Rico and you were able to move into the neighborhood, get a minimum wage job at the facility that's GMBC where, my father had his first job, get paid $25 a week and pay $25 a month in rent for a… initially a three-room apartment and then a four-room railroad room apartment for usually a family of four and most people came to America with two children and then grew from there.

Needless to say, 8.3 million people were crossed over the past year and the new immigrants for some reason aren't paying $25 a month rent anymore, the average rent around the corner from our office is $3,000 a month, is beyond comprehension; all of the issues of secondary displacement and everything else have happened because of a fight that we lost eight years ago, which is basically luxury development [bell] on the waterfront. I'm here to create any possible plan for the developer -- and this is the important part -- that will include the proper AMIs; my target is 60 percent to lower, that will include all of the displaced persons that I have listed through a collaborative that we've run with the group called Mad Mobilization Against Displacement, so I

have listed people that were displaced from May of 2005, which is who we're trying to get back in. I am for the project if I can fix the affordable component; if I can't… I have no contract, I have no commitment; I'm doing the investigation for them because I was the loudest critic, so they said put your money where your mouth is and that's why North Brooklyn has jumped in to investigate what we can do to make this work for our affordable housing, because I'm also on the Community Advisory Board with the Mayor's Office, on the post… rezoning file for correction actions; I was there from the beginning, knew about the points of agreement; I've been looking for this 200 units of affordable housing for 10 years and I wanna see it happen, but I wanna see it happen the right way. Thank you.

KIM MASON: 'Kay. Hi, my name is Kim and I'm a Greenpoint resident, native New Yorker. I wish we could go to another map here, because according to their EAS, they have my building and several others listed as industrial when in fact we're residential, so according to the developers, we don't even exist. In terms of toxicity, I'd like just to talk a little bit about that. When Clipper Equities had bought the

Bulova Building for $25 million it was all over the real estate boards and they were all very happy with the price, $25 million; that was because they were having a lot of hard time finding buyers because the land was so contaminated. Over the last eight years the property has gone into default multiple times, public records… I wish you guys could actually pay attention… [interpose]

COUNCIL MEMBER REYNA: Ma'am, I am paying attention.

KIM MASON: I… I uh…

COUNCIL MEMBER REYNA: I'm trying to get the recap on what you said.

KIM MASON: Okay. Okay. I have here the 2005 rezoning that has all of the tanks that have been buried down there; I don't really need to list them, 'cause I have 54 seconds, but I would like to say there are a lot and according to their mortgage it stipulates that if an owner fails to perform a cleanup or remove a toxic substance or conduct a survey, this would be an event of default; perhaps this is why there have been so many defaults; there was supposed to be a hotel, so on and so forth; they have not done an Environmental Site Assessment; this

could be for two reasons: One; Clipper wants to rezone so they can flip the property and leave the cleanup to someone else and then the City can recoup that $14 million or $8 million set aside for the park which they spent on other things. City's selling their air rights for $8 million or $27 per square foot, similar Greenpoint waterfront properties have sold their properties' building square foot for about $200 per buildable square foot. This deal is making a mockery [bell] of the City; no site assessments, no rezoning, cheap deals, and an opportunity to make millions on their investment without even building one building. Please vote no; we can do much better than this. Thank you.

BESS LONG: Hello, my name is… ah… [crosstalk]

COUNCIL MEMBER REYNA: There you go.

BESS LONG: my name is Bess Long; I'm a native New Yorker and resident of Greenpoint. This project raises many concerns; I want to shed light on the natural resource section of the Environmental Assessment Statement. "Any wildlife present in this area is tolerant of urban conditions and low-quality habitat. Newtown Creek is not sensitive the effects

of shadowing cast from the structures, given its degraded condition." This has been designated a national superfund site since the 2005 rezoning of our waterfront. Much money, time and effort is being dedicated to its cleanup, construction along its waterway should not be allowed because buildings on nits southern shores will cast perpetual wide-sweeping shadows. Instead it should be developed as a riparian wetland buffer zone so as to improve local air quality and protect our neighborhood, because I also take issue with the question 10 d. of the Environmental Assessment Statement form: "Would the project involved development on the site that is five acres or larger where the amount of impervious surface would increase?" Rather, the question to address: How much impervious surface would be detracted from this site as a result of the proposed base volume? Thank you.

JENNIFER CHILDS: Chairman, Honorable Counselors, split room and Council; does anyone else here wish they were protozoa? Thanks to those who chose to hear us… and my name's Jennifer Childs; I'm a musician, artist and a long-time New Yorker; I also live in Greenpoint. I'm here now not just for myself

and my Greenpoint community, but also for all New Yorkers because I love this town and I bet my bottom dollar that you do deep down as well and I need to speak out against a giant mistake that's threatening to happen. Clipper Equities is notorious for their slumlord practices, with thousands of open violations; one of their principals even making Bill De Blasio's hot list of top New York slumlords. To quote Andrew Cuomo, "he has a troubling history." We not welcome his plans that come off like a monopoly game to our happy community and so troubling it is that City Planning just rubber stamped this with no care for the outraged community; Clipper wants to build 40 stories; why is this acceptable, this is not Midtown and why for such air rights? The City should know better that your people, those you are here to represent are being ignored. Frankly, 15 stories is sorely inappropriate for this area, where the average building is four to five stories; it's unthinkable, gross practices like these that are letting this great city slip out from under us where everything's for sale, even brownfields, up for the highest bidder or slickest deal maker. The only thing I can appreciate about these developers and their henchmen

is that they too are an endangered species, alongside the old characters who would charge someone in line at a soup kitchen or offer to buy a girl breakfast if she did special favors, are under the guise that they're doing us the big favor. Real people are living here blocks from 77, across from 77; next door to 77, people that have a real community, that love their neighborhood, that fight to stay there. The Community Board ULURP [bell] public hearings had an outpouring from the community where much passion, anger and outrage was expressed, but the long and short of it is that no one is actually listening to the community, from the Board on up and judging from the absence of Council here, this seems to be no different. Such a monstrosity would forever change our landscape and I need to remind you that the 2005 rezoning was predicated on the assumption of a healthy environment and that it was only after this that Newtown Creek was recognized as a superfund site. I implore you, City Counselors, to please say a bold no to the proposal of 77 Commercial Street and as a fellow human, I kindly ask you, Clipper, to withdraw your plans, please take your monopoly game elsewhere.

COUNCIL MEMBER REYNA: Thank you very much. We'll go on to the next panel. Stephanie Eisenberger… Eisenberg, Michelle Burke, Kevin Oregon, Meg McNeill. [background comments] Lily Pichin [phonetic], Peachin. Hassan Shibal [phonetic]. [background comments] Noa Bornstein. [background comment] Okay, great.

MALE VOICE: You can start whenever you're ready.

STEPHANIE EISENBERG: Is this on?

COUNCIL MEMBER REYNA: Press the button.

[background comment]

STEPHANIE EISENBERG: As I've been sitting here for five hours a lot of things came to mind and one of them is that I did grow up in the Bronx and I was absolutely delighted that the Bronx behaved in a manner that Brooklyn should learn from; it's called just say no, but Brooklyn hasn't done that, because Brooklyn has been bought and sold by real estate developers who have not… because the process is not transparent and the City Council has not addressed the lack of transparencies -- no one has ever seen the financial of any real estate developer, that I know of; no one has ever been able

to analyze it to see how much truly affordable housing they could do; they all say, we have to let HPD do that behind closed door, the door of corruption, which is HPD, because they make the deal after the rezoning and nobody understands that, and it's not a clean, good process and it's one that's a detriment to the City and it's caused economic… it's got a disparate impact on socioeconomic, which basically should subject the City Council Members, HPD; DCHR to legal scrutiny by both the state and the federal government. The votes on the City Council have created the problem; the votes in 2005, you had a fund for displacement; the City knew darn well that most of Greenpoint had no protection because they were below six-family units; people are smart enough to understand this, so there was no ability to protect residents, and you also didn't do it for the south side, where you now have it. They deliberately left the south side unzoned so that you can have mid-rise and high-rise construction and it is… the destruction of this neighborhood has really [bell] just been horrible.

COUNCIL MEMBER REYNA: If you could state your name for the record; you did not, so.

STEPHANIE EISENBERG: It's Stephanie Eisenberg.

COUNCIL MEMBER REYNA: Thank you.

[background comments, laughter]

MICHELLE BURKE: Hi, my name is Michelle Burke -- I'll be very quick -- I am a resident of Greenpoint; my husband and I moved there in 2008 and we're preparing to start a family; we currently live in a small one-bedroom apartment and I just wanted to say that we will probably be forced to leave the neighborhood because two bedrooms are out of our price range. We both have been to graduate school; I'm a teacher and he's a copy editor and so what you were saying, Diana, correct, about there being affordable housing for families I think is really important and so I would just ask you to keep pushing that issue. Thank you.

LILY PEACHIN: Hi, my name is Lily Peachin; I moved to Greenpoint 14 years ago and 7 years later I signed a lease on Franklin Street and I opened a wine shop and it's not just a neighborhood wine shop, it's a bit of a community center, if you will. I know the community quite well, at least on Franklin Street and I know their kids' names, their

dogs' names; I know how they feel about a lot of the local issues, whether I want to or not, and I can't think of one person that shops in my store that is in favor of this project; it's not so much that I am against affordable housing or development of the neighborhood, but the scale of this project is outrageous; there's a building that was built across the street from my store; it's only I think eight stories, maybe 12 stories high and it's pretty awful, so I can't imagine 30 or 40 stories being built in Greenpoint, it's just… it's… it's… it's painful for the people who have lived there for so long; it's really terrible, and that's all I have to say.

NOA BORNSTEIN: Thank you. Thank you for the opportunity to speak. [speaking Italian] **05:25:23**. [laughter] In Rome I'm told one cannot move a stone without careful consideration. Greenpoint is not Rome, but has history and character -- I was on the rezoning task force eight years ago -- and it also has a welcoming multi-ethnic community and I understand what was said today from the developers and the very talented architect, John Cetra; it's a beautiful design, about the 200 unites, however, the expectation of the towers, let alone

their execution, has already displaced many tenants that I know and several local businesses due to extreme high rent. 99 Commercial Street is next door to the proposed 77 Commercial Street towers; it's three and four stories high; I'm a 21-year tenant there; the building was built in 1863 and currently is being renovated to its truer original character with cobblestones. As I said to the commissioner hearing on October 9th, Greenpoint Glassworks was there, artists and residents live contemporary lives there; there is mixed use, studios, work spaces and residential units and of course, the Greenpoint Manufacturing Design Center is also there where I have space. [bell] I am asking… I'm just gonna add this; usually I'm before the bell… cannot the existing building be creatively repurposed and although a beautiful design -- I'll say in Spanish -- it's just [speaking Spanish] **05:27:42** [laughter].

CHAIRPERSON WEPRIN: And just for the record; what was your name again?

NOA BORNSTEIN: Oh I'm sorry. I'm not Italian, but if you… if you wait I'll call ABC Language School and I'll say it all again in Italian.

CHAIRPERSON WEPRIN: Okay.

NOA BORNSTEIN: My name is Noa, N o a, Bornstein.

CHAIRPERSON WEPRIN: Oh, that's a very Italian sounding name. [interpose]

NOA BORNSTEIN: Yes.

[laughter]

CHAIRPERSON WEPRIN: Thank you. Grazie. Thank you.

NOA BORNSTEIN: Prego.

CHAIRPERSON WEPRIN: Thank you. Go ahead. [background comment] I wanna thank Council Member Reyna for pitchin' in with me here. So I think this is our last group huh? Alright, so the last two people we have, very patient people, Keith Sirchio and Stephanie Vevers. [background comment] Is there anyone else here who was planning on testifying whose name we didn't call, for the record? Are either of those two people here? [background comments] Oh I… well I can imagine, yeah. Are they next door? [background comment] Oh, alright. Well, we can't use our line, then… you know, ladies… it's always… we always like to say it's good luck whoever gets to go last; it's like good luck; it's kinda what they tell brides when it rains, yeah. [background

comments] What we'll do is, we'll accept the testimony and we'll put it into the record and that is what we'll do. So alright, with that in mind, we're gonna close this hearing; we're not voting on this today, obviously; we will be having discussions over the week, so we thank everybody for their incredible patience; I know you guys have been here since early this morning and I know this is not an easy day; we thank you all for staying this long; for helpin' us out and with that in mind, the meeting of the Zoning and Franchises Subcommittee… I have the gavel… is now adjourned.

[gavel]

[background comments]

C E R T I F I C A T E

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

Date ____ December 24, 2013_____