

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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October 22, 2015
Start: 10:22 a.m.
Recess: 10:52 a.m.

HELD AT: Committee Room - City Hall

B E F O R E:
BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:
Inez E. Dickens
Daniel R. Garodnick
Ydanis A. Rodriguez
Margaret S. Chin
Deborah L. Rose
Jumaane D. Williams
Rafael L. Espinal, Jr.
Mark Levine
The Speaker Melissa Mark-Viverito
Steven Matteo
Andrew Cohen

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

Orlando Marin
Commissioner
City Planning Commission

2 [gavel]

3 CHAIRPERSON LANDER: We good? Alright.

4 [gavel]

5 Good morning and welcome to the New York
6 City Council Committee on Rules, Privileges and
7 Elections. My name's Brad Lander; I chair the
8 committee. We're joined by our Minority Leader Steve
9 Matteo of Staten Island, and other members of the
10 committee will be coming in I'm guess for this
11 hearing. As usual in this committee, we're not going
12 to vote at the same time that we do the hearing; we
13 get the chance to ask questions of the candidates and
14 then follow up on them if there need be and we will
15 reconvene to vote in advance of next week's Stated
16 Meeting.

17 This morning -- and I also want to
18 acknowledge the committee's attorney, Habid [sp?]
19 Hussein, who's in his first, with Jason Otano off on
20 active duty. Habid is our committee counsel, so
21 thank you; nice to have you with us.

22 And as always, we wanna thank and
23 acknowledge Chuck Davis, Director of Investigations
24 and Deandra Johnson and Alesia Vassel [sp?] for their
25 good work in preparing for this hearing. We're

2 joined also by Council Member Debi Rose from Staten
3 Island, welcome.

4 This morning we'll be considering the
5 nomination from the Bronx Borough President, which
6 was submitted to us on October 16th, 2015, when Bronx
7 Borough President Rubin Diaz, Jr. formally submitted
8 the name of Orlando Marin to the Council of the City
9 of New York for its advice and consent regarding his
10 reappointment to the City Planning Commission. And
11 today the Council will consider whether to give its
12 advice and consent to this candidate. If reappointed
13 to the Planning Commission, Mr. Marin will serve the
14 remainder of a five-year term expiring on June 30th,
15 2020. And I will skip all the telling you what the
16 City Planning Commission does, but I will note that
17 these are salaried, even though part-time, salaried
18 positions; CPC members receive an annual salary of
19 \$54,150 for their significant but not full-time work
20 for the Commission. Yeah, and I'm gonna skip all of
21 this excellent language on what it is that the City
22 Planning Commission does, and we're gonna get right
23 to it.

24 So Mr. Marin, thank you so much for
25 joining us this morning; we appreciate the questions

2 and answers that you submitted in advance, your
3 conflicts letter and a range of other things that
4 we'll talk about in your Q&A and we value your
5 service and appreciate your being here.

6 We've been joined as well by Council
7 Member Mark Levine from Manhattan, a member of the
8 committee. And we'll now ask you to be sworn in by
9 Committee Counsel and then give your opening
10 statement.

11 COMMITTEE COUNSEL: Do you swear or
12 affirm that you will tell the truth, the whole truth
13 and nothing but the truth in the testimony that
14 you're about to provide?

15 ORLANDO MARIN: Yes, I do.

16 COMMITTEE COUNSEL: Thank you.

17 CHAIRPERSON LANDER: So I'll just call
18 the attention of members of the committee, both to
19 the background materials prepared by our staff in the
20 red binder and to the draft, the text of the opening
21 statement which you have.

22 ORLANDO MARIN: Thank you. Good morning,
23 Chairman Lander and members of the Committee on
24 Rules, Privileges and Elections. My name is Orlando
25 Marin.

2 Thank you for the opportunity to address
3 the committee regarding my reappointment nomination
4 by the Bronx Borough President to continue serving as
5 a member of the City Planning Commission.

6 When I first came before the committee in
7 August of 2011, I discussed the blackout during the
8 summer of 1977 and the destruction and decimation of
9 various New York City neighborhoods due to the fires
10 and subsequent raising of neighborhoods block by
11 block throughout the City of New York. This was a
12 very dark time for the City of New York. I discussed
13 how I am a product of the public school system and
14 NYCHA housing and that I have lived in the Borough of
15 the Bronx all of my life. I emphasized my
16 enthusiastic and optimistic views at a very young age
17 and how I wondered what would become of me and what
18 my participation and contribution to the city would
19 be in order to realize a more healthy and vibrant
20 city. I also briefly outlined my education,
21 experiences and career to date. I mentioned my
22 participation as a fellow with the National Urban
23 Fellows program, employ with one of the most
24 prestigious architectural firms globally, Perkins and
25 Will, my employ with the New York City Housing

2 Partnership, my involvement securing funding for and
3 developing hundreds of units of affordable housing
4 throughout the five boroughs that are the City of New
5 York.

6 Today I am very pleased to discuss the
7 milestones I have accomplished personally and what we
8 have accomplished as a city since then, my
9 involvement on the Planning Commission to date, and
10 my desire to continue serving on the Planning
11 Commission in an effort to move the city forward in
12 this 21st century and beyond.

13 My desire to continue with the
14 development and management of affordable housing has
15 led to the creation of Tortola Property Management
16 Corp, an S corporation which I own and manage. I
17 provide consulting services relating to the
18 management, maintenance and marketing and homeowner
19 relations in the realm of public housing. Tortola
20 Property Management Corp. also provides guidance with
21 asset management and securing of funding for
22 affordable housing.

23 Being on the Commission is a privilege
24 and I enjoy greatly the work that the City Planning
25 Commission performs, from vetting applications staff

2 presents to hearing testimony, both in the negative
3 and the affirmative for projects that will inevitably
4 shape the city for years to come. My decisions are
5 rendered after thorough, thoughtful and extensive
6 review of relevant and pertinent public records and
7 public testimony that ultimately assist me in doing
8 so.

9 Additionally, I express and communicate
10 any issues, questions or concerns to the Department
11 of City Planning and City Planning Commission staff
12 for elaboration well before any scheduled hearings.

13 Lastly, I am fully prepared to fully
14 participate and ask informed and pertinent questions
15 at all hearings and sessions.

16 The primary mission of the members of the
17 City Planning Commission and the Department of City
18 Planning are to fulfill their charter-mandated
19 functions in a manner that best serves the people of
20 New York by making land use decisions in a holistic
21 and deliberative fashion while, to the best of our
22 ability, improving the quality of life for all New
23 Yorkers. I believe deeply that my participation on
24 the Commission and the decisions that I have rendered
25 have been with this imperative driving my actions.

2 Moreover, my deep and abiding commitment
3 to serving the city in its development efforts has
4 grown greater as a result of the privilege of serving
5 on the City Planning Commission. Our city is
6 evolving and it is imperative that during this change
7 it evolves responsibly, equitably and in a
8 sustainable manner. I believe that I continue to
9 maintain and have developed a considerable level of
10 knowledge and possess the skills in planning matters
11 that will contribute and assist me in doing so.

12 It is for these reasons that I wish to
13 continue to serve on the City Planning Commission.
14 The experiences that I have gained and the
15 professional acumen that I have developed, combined
16 with the skill sets and development expertise that I
17 have honed throughout the years have grounded me and
18 are the basis for my continued desire to serve the
19 city and which I believe will continue to compliment
20 that of those currently serving on the Commission.

21 I am proud to once again have been
22 nominated to serve on the Planning Commission and I
23 look forward to continuing the work with the
24 currently appointed members. Thank you.

2 CHAIRPERSON LANDER: Thank you very much,
3 Mr. Marin and we appreciate your testimony and your
4 past service and your time here today with us. I'm
5 gonna ask you a couple of questions and then Council
6 Member Levine has a questions and other members may
7 as well.

8 First I just wanna ask some, you know,
9 the technical questions about the conflicts of
10 interest letters we have from COIB; I guess there are
11 two COIB letters; one from the first time you came
12 before us... [crosstalk]

13 ORLANDO MARIN: That's correct.

14 CHAIRPERSON LANDER: and one more
15 recently. So on the first one from 2011, it's my
16 understanding that covered your work at the time at
17 the Bluestone Organization and you now don't work for
18 them, but you do some consulting, marketing and sales
19 work in partnership with them; is that.. [crosstalk]

20 ORLANDO MARIN: I believe I consulted
21 [sic], my company Tortola Property Management Corp.
22 actually holds the contract and we provide marketing
23 and homeowner relation services in Staten Island
24 under the Rebuild Resilient Staten Island Program
25 that we've developed in corporation with the City of

2 New York, HPD, Build It Back and the Housing Recovery
3 Office of the Mayor.

4 CHAIRPERSON LANDER: And you've indicated
5 that, in your questions and answers for today, that
6 you will continue to abide by the guidance of that
7 2011 letter in relationship to Bluestone, even though
8 you're no longer directly employed by them...

9 [crosstalk]

10 ORLANDO MARIN: Absolutely. Because you
11 know, it's a perception issue and so even though I'm
12 a consultant, I will abide by the letter; if there
13 are issues that come before the Commission that may
14 be questionable, I always refer to counsel, I get
15 their opinion and whether or not I can vote on the
16 matter and I have not had to recuse myself to date on
17 anything.

18 CHAIRPERSON LANDER: And then now you
19 have a new letter, you're entering into a new
20 business relationship and you sought guidance
21 appropriately from COIB on that and they've indicated
22 that it is not a problematic conflict, but lay out
23 what you would do if, you know, if a matter involving
24 I guess RBR, is that right, yes, Rayann Besser Realty
25 came before the Commission... [crosstalk]

2 ORLANDO MARIN: Correct.

3 CHAIRPERSON LANDER: So can you just sort
4 of summarize that relationship and the COIB letter?

5 ORLANDO MARIN: Well actually, that
6 relationship was terminated last night. She and I
7 had a discussion and we realized that being
8 Commissioners and working together might be a problem
9 and so... it created a problem in that -- for us -- in
10 that if there's an action that we would need to
11 recuse ourselves, we would be doing the Commission an
12 injustice, so as a result, at 5:00 last night we
13 wrote to the state and she's terminated my license
14 with her and I'll be seeking another brokerage house
15 to work with.

16 CHAIRPERSON LANDER: So that makes this
17 even very easy; I don't have to ask you to follow the
18 guidance of this letter, which in any case, COIB had
19 permitted. I guess just for other members of the
20 committee, Rayann Besser is the Staten Island Borough
21 President's appointment to the City Planning
22 Commission and you know, you are allowed to meet
23 people through your work and so long as those things
24 don't present conflicts, engage, and COIB, we have
25 the COIB letter which outlined the guidance that they

2 were asking you to follow if you were doing, but if
3 you're not doing it, then we don't need to... then I
4 don't need to ask you whether you will follow the
5 guidance of this letter, so.

6 ORLANDO MARIN: Thank you. I mean my
7 intention was to follow the guidance of the letter,
8 of course, but you know in reading the letter, it
9 clearly states the subordinate and superior
10 relationship, and so even though in a brokerage house
11 there is no subordinate and superior relationship,
12 there's a fine line there and so we decided that it
13 would be in the best interest of all to terminate
14 that relationship and I can always find another
15 brokerage house to work with.

16 CHAIRPERSON LANDER: Well I think it's
17 admirable to, you know, to be concerned with even the
18 appearance, especially in a case where you have the
19 conflicts letter and have been told it's not a
20 technical conflict, to still nonetheless go beyond
21 that standard and appearance... the appearance..
22 [crosstalk]

23 ORLANDO MARIN: But the appearance... the
24 appearance..
25

2 CHAIRPERSON LANDER: is admirable and I
3 thank you for doing that [sic]... [crosstalk]

4 ORLANDO MARIN: Right; we were concerned
5 with the appearance as well, so we decided it would
6 be in the best interest to terminate the
7 relationship. Thank you.

8 CHAIRPERSON LANDER: Alright. And then
9 I'll just ask one kind of general question; you got
10 to some of this in your answers and there's certainly
11 no right or wrong on this, but obviously, as you
12 know, the moment or in everywhere in the city --
13 there's a really interesting American Prospect
14 article about the Bronx specifically, but we're sure
15 feeling it in Brooklyn, just the challenging dynamics
16 of growth and how that relates to change in people's
17 neighborhoods, how that relates to displacement, how
18 we balance creating and preserving new affordable
19 housing while making sure people don't get displaced,
20 our neighborhoods stay great places to live, they're
21 sustainable and resilient; we are grappling with
22 those issues in every neighborhood and every
23 significant item that comes before the Planning
24 Commission evokes very strong feelings on those
25 grounds and I just wonder; you had some thoughtful

2 things to say I thought in your answer, but if you
3 could just say a little more about how you approach,
4 you know, specifically that set of passionate,
5 sometimes tense disagreements that are presenting
6 themselves today as our neighborhoods are
7 experiencing the challenges of growth and change and
8 gentrification and how you think about those issues
9 and explore them as they come before the Commission..
10 [crosstalk]

11 ORLANDO MARIN: Well of course, you know,
12 I begin with, you know, the examination and perusal
13 of all documents that are given to us so we can get a
14 background from the staff and the applicant on what
15 they intend to develop. What becomes most crucial
16 for us, or for me specifically, is the public hearing
17 sessions where we hear from the public and we
18 actually hear from those communities the desires and
19 wishes of those specific communities, which I believe
20 should be left to each specific community, 'cause
21 they are the ones that are on the ground, are at the
22 point of interest and know their community best. So
23 I don't feel that it is up to the Commission to, or
24 my vote and my action to determine what happens
25 without having first heard the public, understanding

2 what they'd like to see; weighing that against the
3 testimony, of course, of the developer, the testimony
4 of Department of City Planning, to see what's the
5 best balance and what can be done to of course put
6 planned development in the community in a responsible
7 manner.

8 CHAIRPERSON LANDER: Okay, I may push a
9 little more on that, but I'm gonna let my colleagues
10 get in on the action as well.

11 I wanna note we've also been joined by
12 [sneeze, background comment] Council Member Margaret
13 Chin and Council Member Andy Cohen from the Bronx.
14 We have questions from Council Member Levine,
15 followed by Council Member Chin.

16 COUNCIL MEMBER LEVINE: Thank you Chair
17 Lander. Mr. Marin, your background is so impressive;
18 as far as I can tell, your service thus far on the
19 Commission has been exemplary; I think you had a
20 flawless attendance record, so very happy that you
21 are seeking to continue to serve in this capacity.

22 Just following up on Chair Lander's
23 question. You talked about, I believe, that the
24 community should have a voice over the kinds of
25 changes in zoning that are imposed on them, and I'm

2 wondering if you mean that if grassroots groups
3 oppose, for example, one of the Mayor's upzonings,
4 that that plan should be dropped by the Mayor?

5 ORLANDO MARIN: I don't believe that any
6 action presented should be dropped; I truly believe
7 that all ideas should be considered, all discussion
8 should be vetted, and of course, a determination made
9 based on the information gathered from both the
10 stakeholders, from the department staff, from the
11 Mayor's Office considering how that would affect that
12 community.

13 COUNCIL MEMBER LEVINE: Do you have a
14 sense in the Bronx where public sentiment is heading
15 vis-à-vis, for example, the Jerome upzoning?

16 ORLANDO MARIN: I have heard a couple of
17 comments on the upzoning proposed and I know that
18 there are folks in opposition and I know that there
19 are folks that are for the rezoning, and so again, I
20 believe that it is our responsibility to work with
21 the community, hear out their concerns and where
22 possible, adjust the proposal so that the concerns of
23 the community are parallel with the concerns of the
24 redevelopment efforts such that it's an inclusive

2 process, and everyone is heard and their reasoning
3 why is heard.

4 COUNCIL MEMBER LEVINE: Thank you very
5 much.

6 CHAIRPERSON LANDER: Thank you Council
7 Member Levine. Council Member Chin and then we've
8 been joined by Council Member Espinal.

9 COUNCIL MEMBER CHIN: Good morning...

10 ORLANDO MARIN: Good morning.

11 COUNCIL MEMBER CHIN: thank you for your
12 service on the City Planning... I have two questions...
13 [interpose]

14 ORLANDO MARIN: 'Kay.

15 COUNCIL MEMBER CHIN: one is as-of-right
16 development, especially in Lower Manhattan, my
17 district, I see, you know, tall buildings going up
18 and there's nothing we can do about it; they don't
19 come in... the City Council has no role, so I wanna
20 hear some thoughts from you; is there any way that we
21 can modify that process so that development cannot
22 just go on as-of-right; that they do have to come in
23 and see how they can coordinate what's going on in
24 the neighborhood?

2 The second question is that also within
3 my district we have a lot of special permits that
4 come through the Planning Commission and I've been
5 very frustrated with especially the SoHo
6 neighborhood, all these 74-711 coming in and I was
7 like, we've gotta put a moratorium on it and really
8 look at how to take a look at rezoning, because all
9 these special permits that are coming in is really
10 changing the character of the neighborhood, and on
11 top of that we are losing affordable units and we're
12 losing artist housing; the joint work-live quarter.
13 So I just wanna hear your thoughts on those two
14 issues.

15 ORLANDO MARIN: I'm gonna address the
16 second first and then we'll go the as-of-right
17 second, if you allow me.

18 The first is; you know we realize there's
19 a problem on the Commission with the 74-711 and the
20 conversion of some of these buildings, warehouse
21 buildings from manufacturing to retail. We're not at
22 all happy with some of the actions that have come
23 before us and the latest one that came before us were
24 two anal buildings and a Broadway building, which
25 actually rescinded their application. Why? Because

2 we had very pertinent questions concerning how their
3 actions came to be. So before they even came to us
4 there was a retail sign on the window saying let's
5 rent this as retail; we had a problem with that; we
6 really have a problem with that. So we as
7 commissioners have requested of the Department of
8 City Planning to take a look at this district
9 specifically to see if we can somehow come up with a
10 zoning pattern that makes sense, of course in
11 consultation with the community, but the special
12 permit process we realize is flawed and needs to be
13 corrected and we are working towards that now.

14 In reference to the as-of-right
15 development, I share your concerns. I just read the
16 other day that the Extell Tower is going up where the
17 old Pathmark site is..

18 COUNCIL MEMBER CHIN: It's in my
19 district.

20 ORLANDO MARIN: and I realize that, and
21 60 stories next to the projects that are 12 and 13
22 stories, creating shadows throughout the entire
23 community. I don't have an answer for you right now,
24 but I do think that we do need to consider that more
25

2 fully and understand how that affects the community
3 before we can make any decisions.

4 COUNCIL MEMBER CHIN: Yeah, I think
5 that's something that we all have to look at, because
6 we have to have some input and right now we don't..
7 [crosstalk]

8 ORLANDO MARIN: I agree with you. I
9 agree with you, Council Member.

10 COUNCIL MEMBER CHIN: and they're really
11 causing a lot of havoc.

12 And on the second question that you
13 answered, I'm really glad that the Commission is
14 looking at that and we also made a request to the
15 Commission to really look at these special permits,
16 so hopefully going forward we can find a solution to
17 that.

18 ORLANDO MARIN: I'd also like to
19 elaborate a little bit further. On the joint living
20 work quarters for artists, we also have a problem
21 with that, because we are losing affordable units and
22 we at all times always question the Loft Board; DHCR,
23 what the original registrations were, if they were
24 registered as a JLWQA; you know, the fact that it's
25 been empty is not a reasoning to turn it now into

2 market rate housing and quite honestly, we've
3 involved the Loft Board; the Loft Board has come to
4 testify and they cannot do it. Those folks that do
5 have joint living work quarters in their buildings,
6 regardless of the number of years that they have been
7 empty, must go back to joint living work quarters for
8 artists and we're grappling and fighting with them
9 now on this issue.

10 COUNCIL MEMBER CHIN: Great. Thank you.

11 ORLANDO MARIN: My pleasure.

12 COUNCIL MEMBER CHIN: Thank you, Chair.

13 CHAIRPERSON LANDER: Thank you Council
14 Member Chin. We've been joined by The Speaker,
15 welcome.

16 [background comments]

17 ORLANDO MARIN: Hello; how are you? It's
18 a pleasure to see you.

19 SPEAKER MARK-VIVERITO: Yeah, same here.

20 ORLANDO MARIN: Thank you.

21 CHAIRPERSON LANDER: Council Member
22 Espinal, did you have a question?

23 COUNCIL MEMBER ESPINAL: Good morning,
24 Mr. Marin.

25 ORLANDO MARIN: Good morning.

2 COUNCIL MEMBER ESPINAL: First of all, I
3 just want to introduce myself; I'm Councilman Espinal
4 and I represent East New York and Cypress Hills,
5 which I'm sure you're aware is undergoing a huge
6 rezoning... [crosstalk]

7 ORLANDO MARIN: Yeah.

8 COUNCIL MEMBER ESPINAL: and I just kinda
9 wanna bring up some of the issues that the community
10 is facing and things they've been bringing up and you
11 know one is how affordable is the affordable units
12 that come into the neighborhood; the amount of jobs
13 it's gonna create and I guess overall, commitments
14 from the administration of improving local
15 infrastructure to make this a real viable community,
16 and I just kinda wanna make a statement and just hope
17 that when the plan does reach your table that you
18 take a look at it and actually take all these things
19 into account before, you know the Commission decides
20 to approve it when it comes to the City Council. I
21 just wanna see; do you have any thoughts on the plan
22 currently or have you looked at it or any insight you
23 can provide...? [crosstalk]

24 ORLANDO MARIN: We've had some
25 preliminary discussions as well as a site visit out

2 to the East New York area and we realize that there
3 needs to be some cohesive thought about the zoning of
4 that community. Specifically, I forget the name of
5 the street, but it's right behind Arlington Village,
6 where you have a lot of car repair shops mixed in
7 with housing... [crosstalk]

8 COUNCIL MEMBER ESPINAL: Liberty Avenue.
9 Yeah.

10 ORLANDO MARIN: Yes, correct. And so you
11 know, it is a hodgepodge... it reminds me of the Bronx;
12 it is sort of a hodgepodge that needs to be
13 straightened out. What does concern me is some of
14 the infrastructure; we have parcels that are
15 stretching across the conduit at Atlantic and people
16 have to cross that area; there needs to be more
17 thought there -- the idea of putting a school is
18 great; there is a site that's identified for a school
19 -- the concern is; will there be funding when that
20 school is going to be built. So some of these
21 concerns... again, we're still vetting out the
22 proposal, but I do think that we are asking the right
23 questions and with the help of the community we're
24 trying to reach a determination that would work for
25 everyone.

2 COUNCIL MEMBER ESPINAL: It sounds like
3 you're on top of it, so... [crosstalk]

4 ORLANDO MARIN: We are and you know, we
5 do have... we do have the concerns that you have about
6 affordable housing, keeping housing affordable and
7 perpetuity; the issue of preservation, which
8 buildings will be kept in preservation; which are not
9 in preservation. The Arlington Village development
10 that has gone fallow for years and being taken care
11 of; that has been brought [sic] over by the Bluestone
12 Group and what they're gonna do with that. So
13 there's a lot of concerns that we have in the East
14 New York corridor, specifically since the Atlantic
15 Avenue, again, really presents a challenge for
16 pedestrians crossing over, access; we have to
17 continue vetting the proposal.

18 COUNCIL MEMBER ESPINAL: Well again, it
19 sounds like you're on top of it and I appreciate your
20 insight and I look forward to see you continue
21 serving the Commission... [crosstalk]

22 ORLANDO MARIN: Thank you Councilman.

23 COUNCIL MEMBER ESPINAL: Yeah.

24 CHAIRPERSON LANDER: And now that you've
25 mentioned the Bluestone Group, I'll flag this issue

2 that you addressed in your written questions and
3 answers, since we had mentioned before that you do
4 consulting work for the Bluestone Organization, but
5 the Bluestone Group that has a large property in East
6 New York is totally unaffiliated with and is not
7 related in any way to the Bluestone Organization for
8 whom you do consulting, so.. [crosstalk]

9 ORLANDO MARIN: Absolute.. Absolutely.
10 Absolutely. And just to.. I know them intimately,
11 because when I was working at the Bluestone
12 Organization -- I was just having this conversation
13 with Tom a little while ago -- when I first heard of
14 the Bluestone Group, I mentioned, this is a problem
15 because the Bluestone Organization has a stellar
16 reputation in the realm of affordable housing and
17 here the Bluestone Group is coming in and what I'm
18 reading from them is negative, negative, negative; we
19 should talk to the state and do something about it,
20 and they waited too long and when they went to the
21 state, the state said sorry, it's too late, they've
22 been the Bluestone Group for three years now; if you
23 had an objection, you should've done so in year one
24 and not year three. So unfortunately we couldn't
25 work or force the state to have them change their

2 name, so that's been a problem for the Bluestone
3 Organization for a while, but they are two separate
4 entities altogether.

5 CHAIRPERSON LANDER: It doesn't, in any
6 case, present any conflict from your [background
7 comment] point of view, so... [crosstalk]

8 ORLANDO MARIN: It does not. But you
9 know what; I appreciate the question, 'cause that
10 means people are paying attention.

11 CHAIRPERSON LANDER: Yeah, super. Thank
12 you. Thank you Council Member Espinal. Council
13 Member Cohen.

14 COUNCIL MEMBER COHEN: How are you?

15 ORLANDO MARIN: I'm good; how are you?

16 COUNCIL MEMBER COHEN: Good to see you.

17 ORLANDO MARIN: Same here; thank you.

18 COUNCIL MEMBER COHEN: I have some
19 questions. In my district I have been getting a lot
20 of concern from constituents regarding ZQA and MIH,
21 and not... I don't have questions about the specifics,
22 'cause I've been doing my best to try to... but I do
23 have questions about the process and I think that
24 part of the concern of my constituents is that they
25 feel like it's been very top down; that this was a

2 plan, you know, devi... these programs or text
3 amendments were drafted downtown and they've sort of
4 been dictated, and some of my community boards have
5 in the last ten years gone through thoughtful
6 rezoning processes and now they're getting... they feel
7 like out of nowhere, like I said, coming down from on
8 high [sic] and I'm wondering if you think that the
9 Planning Commission is collaborative enough on the
10 local level as it could be or it should be.

11 ORLANDO MARIN: I'm sorry; I didn't hear
12 the question, I uhm...

13 COUNCIL MEMBER COHEN: Yeah, that's uh...
14 no... no problem... [crosstalk]

15 ORLANDO MARIN: Thank you.

16 COUNCIL MEMBER COHEN: I'm wondering if
17 you think that the Commission does enough to sort of
18 have the process be collaborative on the community
19 level with the community boards and that it... in this
20 particular instance, like I said, it feels very top
21 down and that just... even on the merits, I think
22 there's chafing and sort of a resentment about the
23 process.

24 ORLANDO MARIN: I do think that the
25 Department of City Planning has endeavored to

2 communicate and share their opinions and receive
3 responses back from the community. However, I also
4 do agree that the process is being rushed; the
5 magnitude of materials that we've been presented with
6 I haven't been able to get through, and I know
7 communities haven't been able to get through, and it
8 concerns me because I don't think that this mandatory
9 inclusionary housing should be painted with one broad
10 brush stroke throughout the entire city. There are
11 different communities; each community has its own
12 issues specific and endemic to its community, for
13 whatever reason, and I believe that there should be
14 cooperation and interaction and feedback put into
15 text, but not as a global effort; it should be by
16 community, so that this way we can... each community,
17 again, has it's only -- Riverdale, it's a high-income
18 community; South Bronx is not, and we can't try and
19 force to fit in a round peg in a square box, it just
20 doesn't work. So it is imperative that we really
21 take a look deeply at this mandatory inclusionary
22 housing and the zoning for housing and quality
23 amendments, because they're gonna affect the city for
24 years to come, and the idea of not having parking in
25 every instance just doesn't sit well with me. Each

2 community, as I mentioned, is totally different and
3 has different requirements and needs; there are
4 communities that are isolated from bus lines and
5 train lines; in that instance it may be of benefit to
6 include parking and have the income from that parking
7 serve the maintenance costs for the building. So
8 these are things that we still need to vet out on the
9 Commission floor and with the Department of City
10 Planning.

11 [background comment]

12 COUNCIL MEMBER COHEN: I hope you'll
13 convey those concerns to the rest of your people on
14 the Commission... [crosstalk]

15 ORLANDO MARIN: Oh I intend to do so.

16 COUNCIL MEMBER COHEN: I have a second
17 question. I've had a very small rezoning that I've
18 been advocating for and it's gone incredibly slow and
19 I think that part of the reason it's gone slow is
20 that there may be a resource issue at City Planning
21 and maybe in the Bronx office; I know it's not a
22 budget hearing, but do you think that the Commission
23 is adequately resourced or do you think that there is
24 shortcomings there?

2 ORLANDO MARIN: I believe that the
3 Commission could and would be much better if more
4 staff were provided to the Department of City
5 Planning. I think that that is an issue, with the
6 magnitude of work that's coming through; I think
7 there needs to be more eyes on the table.

8 COUNCIL MEMBER COHEN: Well I just
9 encourage you to look out for the best interests of
10 the Bronx as well as the City when you're on the
11 Commission and ... [crosstalk]

12 ORLANDO MARIN: Absolutely.

13 COUNCIL MEMBER COHEN: thank you.

14 ORLANDO MARIN: Thank you.

15 CHAIRPERSON LANDER: Alright, thank you
16 Council Member Cohen and thank you for your time and
17 good answers to all these questions and I... like I
18 said, I just want to especially say thank you again
19 for your, you know, attending to even the appearance
20 of conflict; that certainly makes our... that's
21 something that we try to keep a good close eye on and
22 with... so... and I don't think we have any other...
23 there's no other questions here. It is our custom in
24 this committee not to vote on the day of the hearing,
25 so that is not about... the way we do that in general,

2 so we will recess the committee now. Well thank you...
3 I don't think we will... I doubt there'll be any
4 additional questions for when we reconvene to vote,
5 but we'll hold open that possibility that members may
6 have additional questions and we'll let you know in
7 advance of that... [crosstalk]

8 ORLANDO MARIN: That's fine, absolutely.

9 CHAIRPERSON LANDER: reconvening the
10 hearing, next week in advance of the Stated Meeting.
11 But I have enjoyed meeting and listening to your
12 questions and I will certainly be recommending a vote
13 of aye on your... [crosstalk]

14 ORLANDO MARIN: Thank you, sir; I
15 appreciate that.

16 CHAIRPERSON LANDER: nomination for
17 continued service on the Commission. Thank you very
18 much... [crosstalk]

19 ORLANDO MARIN: Thank you. Have a great
20 day.

21 CHAIRPERSON LANDER: This hearing is in
22 recess.

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24
25

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 October 24, 2015