

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND  
CONCESSIONS

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May 2, 2017

Start: 1:32 p.m.

Recess: 2:35 p.m.

HELD AT: 250 Broadway - Committee Rm.  
16<sup>th</sup> Fl

B E F O R E: RAFAEL SALAMANCA, JR.  
Chairperson

COUNCIL MEMBERS: Darlene Mealy  
Ydanis A. Rodriguez  
Andrew Cohen  
Mark Treyger

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

Jordan Press, Executive Director  
Development and Planning, Government Affairs Unit  
NYC Housing, Preservation and Development, HPD

Gito Subadowski, President  
Asmat Development Group

Kerry LeBotz, Director  
Year 15 Program  
NYC Housing, Preservation and Development, HPD

Samantha Magistro, Principal  
Bronx Pro



1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND  
CONCESSIONS

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2 [sound check, pause] [gavel]

3 CHAIRPERSON SALAMANCA: Alright, good  
4 morning everyone. I am Council Member Rafael  
5 Salamanca. I am the Chair of the Subcommittee on  
6 Planning, Dispositions and Concessions. Welcome,  
7 everyone to today's hearing. We are joined today by  
8 Council Member Mark Treyger. Alright, so today we'll  
9 have nine items on for hearings. For the first four  
10 items are applications for tax exemptions under  
11 Article 11 of the Private Housing Finance Law, and  
12 the last five applications for property tax  
13 exemptions under Article 16 of the General Municipal  
14 Law. The first item is Conquest Village West, LU 604  
15 in my district. This application for a 40-year tax  
16 exemption under Article 11 of the Private Housing  
17 Finance Law is related to a previously approved ULURP  
18 application. The tax exemption will facilitate the  
19 development of three multi-family buildings totaling  
20 265 units of affordable housing rental housing in the  
21 Conquest Village neighborhood of the Bronx. I am now  
22 opening up the public hearing on LU 604, the Conquest  
23 Village West Tax Exemption. So if you could just  
24 introduce yourselves.

25

3 JORDAN PRESS: Good afternoon. My name  
4 is Jordan Press. I'm Executive Director for  
5 Development and Planning I the Government Affairs  
6 Unit at HPD. Land Use—and—and I'm joined today by  
7 Gito Sobataski (sp?) from Asmat Development who will  
8 also provide a summary of the project. Land Use No.  
9 604 consists of proposed Article 11 tax benefits for  
10 an exemption area known as Concourse Village West,  
11 which is presently on land located at 180 East 156<sup>th</sup>  
12 Street. 702 Grand Concourse and 70-741 Concourse  
13 Village West. The sponsor for Concourse Village West  
14 received approval for a zoning text amendment, and  
15 establishment of a mandatory inclusionary housing  
16 area on November 16, 2016, which was Resolution No.  
17 1312. Summarizing the Concourse Village West  
18 project, the con—the sponsor will construct three  
19 buildings under HPD's mix and match program, and  
20 under completion there will be 265 units of mixed-  
21 income housing with 42 studios, 114 one-bedrooms, 80  
22 2-bedrooms, 29 3-bedrooms with affordability ranging  
23 from 30% to 100% of AMI. The development will also  
24 include commercial space, and 176 parking spaces. As  
25 mentioned, HPD is before the Council seeking approval  
of an Article 11 tax exemption for a term of 40 years

2 that will coincide with the Regulatory Agreement in  
3 order to assist with facilitating long-term  
4 affordability. [background comments]

5 GITO SUBADOWSKI: Good afternoon. Gito  
6 Subadowski, President of Asmat Development. We're  
7 the developer for the Concourse Village West project.  
8 Thank you, Council Member Salamanca and staff for all  
9 of your help in getting us to where we are today.  
10 Just a little bit of background. Per our discussion  
11 with respect to the project, as Jordan said, the  
12 project will consist of 265 units of mixed-income  
13 housing. That would include 42 studios, 114 1-  
14 bedrooms, 82 bedrooms, and 29 3-bedrooms. Per our  
15 discussions with respect to affordability, will be  
16 including 23 units at 30% of Area Median Income; 13  
17 units at 40% of Area Median Income; 13 units at 50%  
18 of Median Income; 83 units at 60% of Median income;  
19 20 units at 80% of Median Income; 85 units at 90% of  
20 Median Income; and 26 units at 100% of Median Income.  
21 Among some of the other things were discussed, which  
22 we understand it and agree are a priority, local  
23 hiring, it is a priority for our contractors. We do  
24 intend to hire qualified workers from Community Board  
25 4; from Council District 17 and the entire Bronx will

2 continue to report both to the Council and the  
3 community board with respect to our ongoing hiring  
4 efforts. We're in discussions with respect to  
5 management companies. So we intend to hire a  
6 management company by the name of Cornell Pace. With  
7 respect to security, as building owners and operators  
8 as security is a concern of ours, all of our  
9 buildings are going to be well lit. They all include  
10 surveillance systems, and all of those are to be  
11 monitored full time by on-site staff. Parking is  
12 another important part of this project. We  
13 understand there's great need for parking in this  
14 area. The project is to include approximately 176  
15 accessory parking spaces to be housed along the  
16 Concourse Village West buildings. So, thank you for  
17 your time.

18 CHAIRPERSON SALAMANCA: Alright, well,  
19 thank you gentleman for that brief description of the  
20 project. You know, I just want to put this out on  
21 the public record why this project is going to be  
22 laid over. A few months ago back this--this building,  
23 this particular project went through a ULURP, and in  
24 this ULURP, you know, it took months of negotiating  
25 with my office, the Land Use Office and HPD, and

2 there was an original agreement of 20—of 235 total  
3 units, 20 studio, 95 1-bedroom, 84 2-bedroom, and 36  
4 3-bedroom units. Moving forward so the—the ULURP,  
5 the ULURP project was approved. Just recently my  
6 office was informed that the—in need of an Article  
7 11, and that the original developer sold the project  
8 over to a new developer, and that the proposed—and  
9 that the project has been changed in terms of the—the  
10 ULURP sizes going from now—and there was a reduction,  
11 the was a 50% reduction in 3-bedroom units and 50%  
12 reduction in 2-bedroom units, and I question how can  
13 this happen after there was an agreement from the—my  
14 office and HPD. It came through a—a ULURP process.  
15 This was discussed in committee, and this voted on,  
16 but unfortunately--and I just want my colleagues to  
17 be aware of this—unfortunately when a ULURP is  
18 approved unless those specifics are put in a  
19 resolution in terms of the composition of the unit  
20 sizes, once a ULURP is approved they can turn around  
21 and move the unit sizes around, which I find totally  
22 unacceptable. So I was willing to—to turn this—this  
23 Article 11 down because, you know, my—my community we  
24 need unit sizes of 2 and 3-bedroom units. We need  
25 larger—larger unit sizes, and I find—I found it



2 unacceptable that after HPD and my office made a  
3 negotiation, that they would turn around and just try  
4 to change the project around, and what's most  
5 interesting is that if this project did not require  
6 an Article 11, therefore, if the Article 11 was  
7 approved simultaneously with the ULURP process—the  
8 ULURP application, and then they could have just  
9 changed around the—the apartment sizes without having  
10 to come through Council. So, you know, Jordan, I  
11 know I've expressed this to you off the record. I  
12 need to express this to you on the record. Because  
13 HPD did this, what they just did is that they just  
14 put a barrier in terms of lack of trust from my  
15 office to your office. I'm happy to know that I was  
16 able to sit down with the new developer and we spoke  
17 about it, and we came to an agreement where we  
18 brought back the majority of those 2 and 3-bedroom  
19 units, and we're building a relationship, but it is  
20 important, it's important, Jordan, that HPD keeps its  
21 word and keeps its commitment, you know, if—if—if you  
22 want us to continue to trust, you know this relate—  
23 ore continue to move forward on this relationship  
24 with HPD and the Council.

2 JORDAN PRESS: Thank you for that and I-I  
3 fully agree as I've said privately, and I'm happy to  
4 say publicly, we certainly acknowledge the mistake  
5 here. I believe it was rare. I have spoken to staff  
6 to make every effort to make sure it does not happen  
7 again with this Council. I'm-I'm also glad that we  
8 were able to resolve this, and appreciate working  
9 with you on it. I-I think Gito was wanting to  
10 mention a couple of items, but I am glad that in the  
11 end result and-and I hope we can rebuild that trust.  
12 That-that part of the end result is additional  
13 affordable units for-for your district and for the  
14 city, and so I hope that's on the happy side of what  
15 was an unfortunate mistake on our end, which-which  
16 again, I offer our apologies for, and-and we've had  
17 conversations to make sure it won't happen again.

18 CHAIRPERSON SALAMANCA: And just so the  
19 developer knows, your application will be voted on  
20 today, but because HPD is hesitant on adding what we  
21 agreed to, on the Resolution, it's going to be rolled  
22 back to the next committee meeting that we are going  
23 to have. Alright, with that, any-any questions from  
24 my committee members? It's Council Member Treyger.

2 COUNCIL MEMBER TREYGER: So, I-I just  
3 want to first of all to-to residents and my  
4 colleagues, the Chairman of this committee, you are  
5 really fortunate to have someone who was serving the  
6 role as a District Manager in his-in his community  
7 board, and now, moved on to become the Council Member  
8 because this is where the nuts and bolts of community  
9 work really matter, someone who stays on top of all  
10 these things and makes sure that whatever is promised  
11 to a community has to be kept. And as the-as my  
12 colleagues and the Administration knows, there is  
13 significant distrust in communities particularly when  
14 it comes to develop-developers. In my district,  
15 there was a whole documentary on how the city in the  
16 past rezoned areas of Coney Island, re-zonings  
17 happened and then properties were flipped in the name  
18 of profit rather than in the name of trying to help  
19 really meet the needs of-of my constituents. So-but  
20 when you have the agency itself involved in this, it  
21 really does not speak well, but I acknowledge and I  
22 appreciate the fact that HPD came here today, and  
23 acknowledged that they are owning this mistake, but  
24 we have to fix it, and whatever was promised the  
25 people has to be kept. This was-ULURP is a very

2 sacred process where we engaged the public, as you  
3 know, from the community board to Borough Hall to  
4 City Planning, you know, to here. So, it's important  
5 that's we—that we—we keep—we keep our word. I also  
6 want to note as my—as the Chairman mentioned that I  
7 know the city is in desperate need of affordable  
8 housing, but as I said before in previous other types  
9 of hearings, people are not sardines. They need  
10 quality affordable housing, and they're not robots.  
11 They are human, they have families and they have  
12 needs. So, we need to do all that we can to not just  
13 box them into a small little space, but to give them  
14 livable space, to place—you know, the same room  
15 should not be the same room where they shower, eat  
16 and sleep. They should have some rooms for kids and  
17 family. So, I—I really commend the Chair for really  
18 speaking up for his district this way, and also  
19 educating us about what could happen when people  
20 circumvent the rules and—and here we are telling our  
21 residents to trust the process when the process  
22 itself has been circumvented here. So, I—I commend  
23 you, Chair, for your leadership for your district,  
24 but also educating the entire city of New York about

2 what-what happened to you. So, I just want to just  
3 publicly say that.

4 CHAIRPERSON SALAMANCA: Thank you,  
5 Council Member. I just want to recognize that we've  
6 been joined by Council Member Darlene Mealy. Thank  
7 you. Do you want to say a statement? Yes, go ahead.

8 COUNCIL MEMBER MEALY: Yes, I just would  
9 like to concur with my colleague here also, and thank  
10 you Salamanca for your leadership knowing that we do  
11 need affordable housing. The trend now is get-  
12 getting studio apartments, but our families who still  
13 live here and hadn't been gentrified still have two  
14 and three children. So, we do need the 2 and 3-  
15 bedroom apartments, and some 4-bedrooms apartments.  
16 So, I'm glad that you're taking a leadership in this,  
17 and just some-put it on hold, and get what was  
18 promised to the-your district, and I appreciate your  
19 leadership. Thank you.

20 CHAIRPERSON SALAMANCA: Thank you,  
21 Council Member, and with that, are there any members-  
22 --? [background comments]

23 JORDAN PRESS: Yeah, I just wanted to add  
24 one thing and, you know, I-I hear and I echo your  
25 concerns, Council Member and--and other Council

3 Members and, you know, I just want to speak to-to  
4 this project's credit. You know, we—we certainly  
5 acknowledge and realize that this was kind of a  
6 unique situation when you have a change of  
7 development. The one thing that I can say with 100%  
8 certainly is that everybody in this room, you know,  
9 did act in good faith and did ask with best  
10 intentions. I think everybody clearly sees, you  
11 know, it's unfortunate you had a situation where you  
12 had a change of some members of the development team  
13 and not in others, and we took everything that we  
14 were aware of, and that we could be made aware of,  
15 and wanted to continue the action because we  
16 appreciate that ULURP is a sacred process. In this  
17 particular case, obviously we went ahead, and we did  
18 a technical amendment with City Planning. You know,  
19 obviously we make sure—you know, we value the-the  
20 fact that there is a significant amount of affordable  
21 housing being built in this district and in this  
22 project. We understand it needs to be quality  
23 affordable housing, you know, but again, I—I think  
24 we're just glad that we were able to get to a  
25 resolution here today, and we look forward to

2 continuing to work with your office, Council Member  
3 Salamanca and continuing to build that relationship.

4 CHAIRPERSON SALAMANCA: Thank you, thank  
5 you. Now, with that said, are there any more members  
6 of the public who wish to testify? Alright, seeing  
7 none, I will close the public hearing on LU 604. The  
8 second and fourth items on the calendar are the Dream  
9 Yards and the NEP Application, LU 617 and 619, and  
10 these applications are both in the Morrisania  
11 neighborhood in the Bronx. Article 11 Tax Exemptions  
12 for a period of 40 years will facilitate the  
13 preservation of a six multi-family building totaling  
14 127 units of affordable rental housing on 168<sup>th</sup>  
15 Street, and a six multi-family building totaling 174  
16 units of affordable rental housing on University  
17 Avenue. These applications are in Council Member  
18 Gibson's district and in Council Member Cabreara's  
19 district. I am now opening up the public hearing on  
20 LU 617 and 619, the Dreams—the Dreams Yards NEP  
21 Application.

22 JORDAN PRESS: Thank you, Mr. Chairman.  
23 Again, my name is Jordan Press, Executive Director  
24 for Development and Planning in HPD's Government  
25 Affairs Unit. I am joined by staff from HPD's Year

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3 15 Program and from the—~~from~~ the developer. Land Use  
4 No. 617 and 619 consists of two six-building  
5 portfolios located in two exemption areas. The  
6 buildings were originally approved for disposition by  
7 the City Council in 1998 and 2002 under HPD's  
8 Neighborhood Entrepreneur Program or NEP. Land Use  
9 No. 617 is currently owned by 168<sup>th</sup> Street  
10 Development, LP, and the locations are 380 East 166<sup>th</sup>  
11 Street; 391 and 393 East 168<sup>th</sup> Street; 1109 Clay  
12 Avenue; 320 East 166<sup>th</sup> Street; 274 East 168<sup>th</sup> Street  
13 in Bronx Council District 16. These properties  
14 received UDAAP approval from the City Council in  
15 2002. Land Use No. 619 is currently owned by  
16 University Avenue, LP, and the locations are 1668  
17 Davidson Avenue; 1691 Davidson Avenue; 1978  
18 University Avenue; 1696 Nelson Avenue; 30 Buchanan  
19 Place; and 201 University Avenue in Bronx Council  
20 District 14. These properties received UDAAP Council  
21 approval from the City Council in 1998. Currently,  
22 the two portfolios will be combined and conveyed to a  
23 single entity known as Dream Yard NEP Housing  
24 Development Fund Corporation. The sponsor proposes  
25 to refinance and rehabilitate the buildings under  
HPD's Year 15 Preservation Program. In total, there



1 are 301 units of rental housing with very few  
2 vacancies. There is a mixture of unit types  
3 including studios 1, 2, 3 and 4-bedroom apartments.  
4 Rents range from \$672 for a studio to \$1,044 for a 4-  
5 bedroom unit plus a superintendent units. The  
6 current land restrictions and income restrictions are  
7 at 50%, 60% and 165% of AMI, and will remain in place  
8 until January 1, 2035, which is when the existing tax  
9 credit extended use period expires. After January 1,  
10 2035, the AMIs for the entire 12-building portfolio  
11 will be restricted to 40%, 50%, 60%, 80% and 165% of  
12 AMI. Additionally, 10% of the units will be set  
13 aside for homeless households. The anticipated scope  
14 of work includes additional protective membranes on  
15 top of all existing roofs, window replacements, door  
16 replacements, façade repair, kitchen and bathroom  
17 fixture replacements where necessary, common area  
18 energy efficient lighting upgrades and replacement of  
19 exceeding-existing heating systems. Currently, HPD  
20 is before the Council seeking an Article 11 tax  
21 exemption that will coincide with the new 40-year  
22 Regulatory Agreement. The tax benefit will help  
23 maintain the affordability of the units, and I'd like  
24 to add that Council Members Cabrera and Gibson have  
25

1 both indicated their support for the project. At  
2 this time, if the Council has any questions, I'd like  
3 to invite my-my colleagues to join.

4 CHAIRPERSON SALAMANCA: Okay.

5 JORDAN PRESS: For the purposes of  
6 helping to answer any questions. So, do they have a  
7 statement?

8 JORDAN PRESS: No.

9 CHAIRPERSON SALAMANCA: No. Alright,  
10 thank you. So, Jordan, my-in talking to Land-the  
11 Land Use Division and in talking to my colleagues,  
12 Council Member Cabrera and Council Member Gibson,  
13 there's concerns about the AMIs. You have 32 units  
14 at 50% AMI; 64 units at 60% AMI and 31 units at 165%  
15 AMIs. I know that in your first proposal it was  
16 pretty high, 165, which I think is at market value,  
17 and your second proposal again that HPD is proposing  
18 you have these units at 165% AMI. So that's for  
19 Dream Yards on 168<sup>th</sup> Street, and so the question is  
20 why? Why-why are you going so high on the AMI if  
21 there is really no market for it?

22 KERRY LEBOTZ: Hello, my name is Kerry  
23 LeBotz. I'm the Director of the Year 15 Program at  
24 HD-HPD. Just to respond to your questions, if I'm  
25

3 able to pitch in after that. So, these two  
4 portfolios were originally financed under the NEP  
5 program. That project—these were proposed 15 years  
6 ago with HPD financing the place and with the tax  
7 credits at that time. The structure of the NEP  
8 program allowed a 25% tier at 165% AMI. In part,  
9 this was put into place to sort of allow the maximum  
10 flexibility across multiple boroughs through multiple  
11 rounds of NEP, and the 165 tier was put in place in  
12 order not to cap any specific project at that time,  
13 and help cross-subsidize the lower tier units. I  
14 will say in this project going forward, and as it  
15 exists right now. Well, excuse me. I will say on  
16 this project as it exists right now that no tenants  
17 currently pay 165% AMI. The highest AMI in place is  
18 approximately 80% AMI and all the units are fully  
19 occupied. So, tenants receive preferential rents,  
20 and upon turnover, there preferential rents and the  
21 legal rents will be—the increases will be restricted  
22 by RGB increases. In addition, 90% of the units are  
23 further restricted by home.(sic) So really at the  
24 end of the day, right now all we have is kind of 10%  
25 tier that may go up to 165, but the rents are in  
place and the tenants that are in place the project

2 is not reaching that 165 tier. We've also kind of  
3 going forward and in negotiations with Bronx Pro  
4 added an additional tier of 40% AMI, and you—and this  
5 is to speak not only wanting to preserve a lower tier  
6 going forward, but I also do want to point out that  
7 almost 40% of the tenants in place have a 40% rent.  
8 The bulk of the—the tenants in place do receive and  
9 do have very low preferential rents.

10 CHAIRPERSON SALAMANCA: Alright, well,  
11 we've been in conversations with Council Member  
12 Cabrera and Council Member Gibson, and they are  
13 expressing concerns about the high—the-- high amount  
14 of units that can go up to 165% especially with the  
15 conversations of the Jerome Avenue rezoning there,  
16 and the—and the resistance from community members in  
17 terms of wanting deeper affordability. So, it is my  
18 understanding that this project, too, is going to be  
19 laid over for another date. Is there any—my—my  
20 colleagues, do you guys have any questions.

21 COUNCIL MEMBER MEALY: I concur with you.

22 CHAIRPERSON SALAMANCA: Well, that—

23 COUNCIL MEMBER MEALY: Could I ask a  
24 question?

25 CHAIRPERSON SALAMANCA: Yes.

2 COUNCIL MEMBER MEALY: You said that they  
3 put the cap there of 165 of AMI. They just put it  
4 there that since it go across all state and city,  
5 that doesn't mean that you have to now put this cap  
6 on your project. Is it not true?

7 KERRY LEBOTZ: [interposing] Well-

8 COUNCIL MEMBER MEALY: You go to 165 AMI  
9 out.

10 KERRY LEBOTZ: I-I think that there is a  
11 couple of points to clarify. First that the 165% of  
12 AMI will stay in place for the next 15 years. This  
13 is a Year 15 project, which would--

14 COUNCIL MEMBER MEALY: [interposing] Yes,  
15 and that's just a-a place to start justifying and all  
16 of a sudden people's rents or they start harassing  
17 them. Not saying it's you, but just for the city out  
18 here, and that's how you start doing certain things  
19 to tenants, and then you, they get out, and once that  
20 apartment is available, the rents go up. But, I'm  
21 just asking you as a developer or doing this project,  
22 you really don't have to put this AMI. If you work  
23 with the Council Member, that 165 AMI need not to  
24 even be here. It was only a standpoint to put there  
25 like a stopper across the whole state AMI. You said

2 that. So, therefore, it's not necessary that you  
3 have that, and in the Bronx, I know it shouldn't be  
4 that expensive. That's one place I know it shouldn't  
5 be that expensive the AMI. So correct me if I'm  
6 wrong, Chair Salamanca. I feel like the Bronx, the  
7 AMIs is that a good price—a good AMI at least 60 and  
8 no more than 80% or 90.

9 JORDAN PRESS: [interposing] So, yeah—

10 COUNCIL MEMBER MEALY: 165 is really  
11 high.

12 SAMANTHA MAGISTRO: Sorry, I—I just want  
13 to speak. My name is Samantha Magistro. I'm a  
14 Principal at Bronx Pro. I'm been involved with these  
15 properties during—even when they were originally  
16 created as affordable housing. You know, where we  
17 were with the 165% if AMI, they do actually serve the  
18 market. The rents are at moderate income, and to  
19 your point, we don't—we can't have moderate, at 165%  
20 of AMI rent supported here. Folks can't pay that,  
21 but what I find that these units do provide is the  
22 flexibility for folks who don't fit into a bucket.  
23 We work with many, many individuals who come into our  
24 doors in the Bronx. We have close—we have 900 units  
25 in this Community Board 5. We know it very well. We

2 have 2,500 mostly Overture (sic) financing in the  
3 Bronx and those are folks who don't fall into very a  
4 very specific AMI bucket, and so when I have this  
5 flexibility, and I have a place--a family that I  
6 can't place because their income doesn't meet a  
7 certain threshold, these 165% AMI units have been  
8 able to house them, and we don't charge market-rents  
9 that are outside of the market, and that's been our  
10 experience for the last 15 years, and I imagine  
11 that's what they will provide for this community.

12 COUNCIL MEMBER MEALY: [off mic] It's  
13 been on those. (sic)

14 CHAIRPERSON SALAMANCA: Alright, okay.  
15 Well thank you very much. I guess we will--this-this  
16 item application, too, will be labeled for--for a vote  
17 when we meet again. With that said, are there any  
18 more members of the public who wish to testify?  
19 Alright, seeing none, I will close the public hearing  
20 on LU 617 and 619. The third item on the calendar  
21 for hearing is LU 618 regarding a 40-year property  
22 tax exemption on Article 11 for property located at  
23 287 West 150<sup>th</sup> Street in Manhattan. This would  
24 facilitate the preservation of a multi-family  
25 building with 20 units of affordable rental housing

2 in Hamilton Heights. This project is in Council  
3 Member Perkins District, and I am now opening up the  
4 public hearing on LU 618, the 287 West 150<sup>th</sup> Street  
5 Application.

6 JORDAN PRESS: Good afternoon. Again, my  
7 name is Jordan Press, Executive Director for  
8 Development and Planning in HPD's Government Affairs  
9 Unit. I'm joined for the purposes of answering any  
10 questions by Nelson Chan, who's the Director of our  
11 third-party transfer program. Land Use No. 618  
12 consists of the propose approval of extended Article  
13 11 tax benefits for a Third Party Transfer Program  
14 located at 287 West 150<sup>th</sup> Street. The building  
15 consists of five stories with 20 rental units in  
16 Manhattan Council District 9. Under Round 2 of the  
17 Third Party Transfer Program, the Commissioner of  
18 Finance included this parcel in an in rem foreclosure  
19 action No. 41, which was approved in 2001 by the City  
20 Council and transferred to Neighborhood Restore,  
21 HDFC. After title transfer of this largely occupied  
22 walk-up building, the tenants association informed  
23 HPD that the occupants were too ill and/or too  
24 disabled to be checker boarded in the building and  
25 live through an in-place renovation. Therefore,



1 after much consideration, it was determined that the  
2 tenants will be permanently relocated into the  
3 adjacent building at 285 West 150<sup>th</sup> Street, which was  
4 to be conveyed to the same sponsor that owns 287 West  
5 150–West 150<sup>th</sup> Street. For making that determination  
6 a number of delays occurred. First the  
7 rehabilitation of the adjacent building was delayed  
8 because of title issues. Specifically, it was  
9 brought to HPD's attention that the adjacent property  
10 along with two additional buildings shared the same  
11 tax lot, requiring a subdivision. Therefore, title  
12 transfer of the adjacent property did not occur until  
13 December 2007, and the rehabilitation did not  
14 complete until 2009. Subsequently, the tenants began  
15 to move into the adjacent property allowing for the  
16 rehabilitation of this property to begin. 287 West  
17 150<sup>th</sup> has now undergone substantial rehabilitation.  
18 The work included replacement of all the operating  
19 systems including heating, plumbing, electric and  
20 water as well as a new roof. The construction loan  
21 closing occurred on June, 2013. At this time, the  
22 building is partially occupied with 13 units  
23 currently rented. The balance is being marketed and  
24 all units are rent stabilized. It's anticipated that  
25

2 rents will be between 50% and 90% of AMI. Currently,  
3 the sponsor is converting to their permanent loan,  
4 and it is necessary to seek a new Article 11 Tax  
5 Exemption that will coincide with the new 40-year  
6 Regulatory Agreement. Council Member Perkins has  
7 been briefed and has indicated his support for the  
8 project.

9 CHAIRPERSON SALAMANCA: Okay. Also, I  
10 just want to acknowledge that I did, yeah, last night  
11 I received a letter from Council Member Perkins in  
12 support of the project. I don't—I don't have any  
13 questions. Any questions from the committee? No.  
14 Alright, so are there—is there anyone from the public  
15 who wishes to testify on this application. No.  
16 Alright, seeing none, I will now close the public  
17 hearing on LU 618. Items 5 through 9 on today's  
18 calendar are known as the South Eastern Queens Vacant  
19 Homes, NYCHA Cluster 1 through 5. These items LU 620  
20 through 624 were reviewed and approved by the Council  
21 in September of last year. However, a technical  
22 correction is required. Originally, the commencement  
23 date of the tax exemption was supposed to run from  
24 the later of a specific date or the date that the  
25 sponsor signed an enforcement mortgage. Rather than

2 an enforcement mortgage, the sponsor will sign  
3 financial documents. The language of our resolution  
4 will be updated to reflect these changes. Cluster 1  
5 is in Council Member Ferreras-Copeland's district.  
6 Cluster 2 is in Council Member Garodnick's district.  
7 Cluster 3 is in Council Member Lancman's district.  
8 Cluster 4 is in Council Member Miller's district, and  
9 Cluster 5 is in Council Member Richard's district. I  
10 am now opening up the public hearing on LUs 620  
11 through 624, Southern-Southern Eastern Queens Vacant  
12 Homes NYCHA clusters 1 through 5.

13 JORDAN PRESS: Good afternoon. My name is  
14 Jordan Press, Executive Director for Planning and  
15 Development in HPD's Government Affairs Unit. I'm  
16 joined for the purposes of answering any questions  
17 you might have by Naja Radcliff from our Small Homes  
18 Program and by Sal Davola from Neighborhood Restored.  
19 Land Use Nos. 620, 621, 622, 623 and 624 consists of  
20 technical corrections to resolutions approved by the  
21 City Council on September 28, 2016, which were  
22 Resolutions No. 1236, 1237, 1238, 1258 and 1239.  
23 HPD's original submission incorrectly indicated tax  
24 benefits would commence either on January 1<sup>st</sup> or July  
25 1<sup>st</sup> after the sponsor acquires the exemption area or

1 enter into an enforcement mortgage with our—with HPD.  
2  
3 However, the sponsor purchased the properties from  
4 the New York City Housing Authority, NYCHA, and not  
5 HPD. It was not HPD's intention to include language  
6 regarding enforcement mortgages. At this time HPD is  
7 seeking a technical correction to each item approved  
8 on September 28, 2016 that deletes such language from  
9 the resolutions. All other terms of the original  
10 resolutions remain unchanged. Council Members  
11 Miller, Ferreras-Copeland, Lancman, Grodenchik and  
12 Richards have been advised of the need for the  
13 correction and my understanding is they are  
14 supportive.

15 CHAIRPERSON SALAMANCA: Thank you, Mr.  
16 Press. I don't have any questions. Any questions  
17 from the members of the committee? Just want to  
18 recognize that we've been joined by Council Member  
19 Ydanis Rodriguez. Are there any members of the  
20 public who wish to testify? Alright, seeing now, I  
21 will now close the public hearing on LUs 620 through  
22 624. We will not move onto a vote to approve 618,  
23 287 West 150<sup>th</sup> Street, and LU 620 through 624, NYCHA  
24 Clusters which are supported by the Council Members  
25 in whose district the sites are located. LU 604, 617

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3 and 619 are being laid over, and with that said,  
4 Counsel, please call the vote to approve.

5 LEGAL COUNSEL: Chair Salamanca.

6 CHAIRPERSON SALAMANCA: Aye on all.

7 LEGAL COUNSEL: Council Member Mealy.

8 COUNCIL MEMBER MEALY: I vote aye.

9 LEGAL COUNSEL: Council Member Rodriguez.

10 COUNCIL MEMBER RODRIGUEZ: Aye.

11 LEGAL COUNSEL: Council Member Treyger.

12 COUNCIL MEMBER TREYGER: Aye.

13 LEGAL COUNSEL: By a vote of 4 in the  
14 affirmative, 0 in the negative and 0 abstentions,  
15 Land Use Items 618 and 620 through 624 are approved  
16 and referred to the full Land Use Committee.

17 CHAIRPERSON SALAMANCA: Thank you. I  
18 would like to recognize that we've been joined by  
19 Chair Greenfield. Mr. Chair, do—would you like to  
20 say a statement.

21 COUNCIL MEMBER GREENFIELD: No, I  
22 wouldn't.

23 CHAIRPERSON SALAMANCA: Good, alright.  
24 [background comments] Okay, so we are going to keep  
25 the vote open for ten minutes. With that, thank you.

[pause]

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3 LEGAL COUNSEL: Continued vote on  
4 Planning Subcommittee, approval of Item-Land Use  
5 Items 618 and 620 through 624. Council Member Cohen.

6 COUNCIL MEMBER COHEN: I vote aye.

7 LEGAL COUNSEL: The final vote stands are  
8 5 in the affirmative, 0 in the negative and 0  
9 abstentions and all items are referred to the full  
10 Land Use Committee. [gavel]

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C E R T I F I C A T E

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



Date May 30, 2017