

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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April 5, 2011
Start: 10:23 am
Recess: 10:38 am

HELD AT: Committee Room
250 Broadway - 16th Fl.

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

COUNCIL MEMBERS:
Leroy G. Comrie, Jr.
Daniel R. Garodnick
Robert Jackson
Diana Reyna
Joel Rivera
Larry B. Seabrook
James Vacca
Albert Vann
Vincent M. Ignizio
Ydanis Rodriguez

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2 CHAIRPERSON WEPRIN: Good morning.
3 Good morning, everyone. This is the continuation
4 of a recessed Subcommittee on Zoning and
5 Franchises of the Land Use Committee. I'm Mark
6 Weprin. I'm the Chair of that Subcommittee. We
7 have two items on today to be voted on. The
8 hearings have already been closed. One is Land
9 Use No. 333, known as the Boathouse Marsh, the
10 Campbell Sports Center at Columbia University and
11 before we go on to voting, I do want—I know a
12 couple of my colleagues who represent the area and
13 the area adjacent to it would like to speak, so
14 I'm going to call on the Council Member who
15 represents the area of the project specifically,
16 Council Member Robert Jackson to make a statement.

17 COUNCIL MEMBER JACKSON: Thank you,
18 Mr. Chair and my colleagues, I say good morning to
19 you. I apologize for the delay in the meeting.
20 Concerning the Columbia University's item on the
21 agenda regarding their looking to build the
22 Campbell's Sports Center and also in addressing
23 all of the issues and concerns under the law with
24 regards to water access. My understanding based
25 on all of the documentation and what has been said

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2 that Columbia plans on building the Boathouse
3 Marsh in order to address to the issues and
4 concerns of not having the community have access
5 to 15% of water access and also, Columbia has
6 agreed to do other things in working with the
7 community to be a better neighbor. And I say to
8 you that in looking at this entire process which
9 started in 2009 and here were are in 2011, the
10 community board has looked at this particular
11 matter in the process that we're in along with the
12 City Planning Commission and also the Borough
13 President has weighed in on this with a letter
14 basically saying the requirements under the
15 obligations under the law have been met. And
16 knowing that that is the situation, and knowing
17 that Columbia plans on being a good neighbor, I
18 have no problem in saying that as a member of the
19 City Council that represents the area that I ask
20 my colleagues to approve this particular matter.

21 CHAIRPERSON WEPRIN: Thank you,
22 Council Member Jackson. I'd like to now call on
23 Council Member Ydanis Rodriguez, who represents
24 the district directly across Broadway.

25 COUNCIL MEMBER RODRIGUEZ: I just

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2 want to say that from the last time when we had
3 the hearing related to Baker's Field [phonetic] to
4 today, a lot of progress has been made. Two town
5 hall meetings has taken place. Hundreds of
6 people, residents of Inwood, Marble Hill and
7 Washington Heights has been able to put the
8 feedback. I think that it has been a good
9 process. I think that we have been able to open
10 the process much more and the residents have had
11 the opportunity to sit down with Columbia,
12 especially one of the top persons, Maseen
13 [phonetic], has been very open on playing a major
14 role facilitating working with all the players in
15 the community from Congressman Rangel to Senator
16 Espaillat to Assemblyman Gianaris has been part of
17 this process. I think that we have made a lot of
18 progress. There is still some areas where we
19 expect that we will be able to also get more
20 commitment from Columbia University as we have
21 said, Columbia is an important institution. We
22 have no doubt that this process will allow
23 Columbia to build a five-story building to expand
24 the Baker's Field, but also the community would
25 like to see other things included. In the

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2 language - - has been a commitment and we hope to
3 continue working with Columbia. We will include
4 in the language of the documents-

5 [background conversation]

6 CHAIRPERSON WEPRIN: Just give us
7 one minute please.

8 COUNCIL MEMBER RODRIGUEZ: As I was
9 saying, Columbia made a commitment--we cancelled
10 the Land Use that the modification that will be
11 approved in this process, will be used basically
12 to build a five-story building in the Baker's
13 Field and they're working to include the language
14 saying that no major construction will take place
15 in that area based on this modification. That is
16 very important. And for me, that's one of the
17 most important things that I think that the
18 residents of Inwood would like to hear from
19 Columbia--that commitment that by approving by
20 voting in this Committee and also going to the
21 stated Council that we will be giving the Columbia
22 the approval to expand the Baker's Field to
23 develop the waterfront, but that's not going to
24 be--this will not bring any major stadium built in
25 the future or any major construction. So for me,

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2 that's one of the most important thing that we
3 would like to see. I also got to say that the
4 residents of Inwood also expect that they will be
5 able to testify in this hearing today. For one
6 reason or another after we ended the last hearing,
7 this issue was not voted then the understanding
8 that the resident has is when this issue would be
9 taken to the floor, even yesterday or the hearing
10 today that they will have the opportunity, and I
11 think that that's been a miscommunication that is
12 something that—as you can see, there is a number
13 of residents that came here to testify on that
14 issue. Thank you.

15 CHAIRPERSON WEPRIN: Thank you,
16 Council Member Rodriguez. I apologize that there
17 was a misunderstanding—the hearing was closed at
18 the last meeting, but I'm glad you're here as
19 their representative to be able to speak on this
20 issue. Last time we had the hearing, we did close
21 the hearing before the vote, so we were unable to
22 open it. Yeah, we would be happy to accept the
23 testimony to the Committee and to have counsel
24 look at it and to analyze it afterwards, but we're
25 going to be moving to a vote today.

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2 So the other issue that is on for
3 today is Land Use 357 C100232ZMK. That's
4 Kingswood Office and Retail Center in Council
5 Member Nelson's district. There were a couple of
6 concerns raised yesterday, which after discussions
7 were addressed.

8 [background conversation]

9 CHAIRPERSON WEPRIN: Right. I can
10 appreciate your passion. Unfortunately, the
11 hearing was closed already. I apologize, but
12 we're happy to take that testimony and listen to
13 it anyway. Well, unfortunately, it's closed, but
14 thank you. I understand your desire to speak and
15 Council Member Rodriguez has certainly expressed
16 that and we will look at the testimony, but
17 unfortunately the hearing is already closed, so
18 thank you very much. Council Member Jackson?

19 COUNCIL MEMBER JACKSON: So as you
20 indicated, Mr. Chair, concerning the issue of
21 whether or not residents believe that this was a
22 hearing where they could testify, obviously where
23 they got that information from, they were
24 mistaken. They didn't get it from me. That's for
25 sure, but I say to you, I appreciate the fact that

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2 any testimony in writing that they have that this
3 Committee will accept. I appreciate that offer.

4 CHAIRPERSON WEPRIN: Absolutely.

5 COUNCIL MEMBER JACKSON: Is it
6 possible that even—should they do that before we
7 close this hearing or can they submit it
8 immediately after? That's what my question to you
9 is.

10 CHAIRPERSON WEPRIN: We will take
11 it right now, if they want to give it to us. I'll
12 ask Counsel or Sergeant at Arms to please take it.

13 COUNCIL MEMBER JACKSON: Okay, very
14 good and it would be part of the record?

15 CHAIRPERSON WEPRIN: Absolutely.

16 COUNCIL MEMBER JACKSON: Okay,
17 thank you.

18 CHAIRPERSON WEPRIN: Okay, Nick,
19 would you please accept that testimony? Mr.
20 Rivera, Joel Rivera, just walked in.

21 [background conversation]

22 CHAIRPERSON WEPRIN: Please, we
23 need—it's okay. Okay. Nick, you got it all?
24 Thank you.

25 [long pause]

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CHAIRPERSON WEPRIN: Alright.

Thank you. Thank you, Sergeant at Arms. I am now going to—the two items, repeat once again, the two items on today's agenda are Land Use No. 333, Boathouse Marsh at Columbia and Land Use No. 357 Kingswood Office and Retail Center. The motion will be to couple these two items. I am going to be coupling these two items. And the Chair will recommend an aye vote. I will call on Christian Hilton, the counsel to the Committee, to call the roll at this time.

COUNSEL: Chair Weprin?

CHAIRPERSON WEPRIN: Aye on both.

COUNSEL: Council Member Rivera?

COUNCIL MEMBER RIVERA: I vote aye on both.

COUNSEL: And previous items?

COUNCIL MEMBER RIVERA: I vote aye on all.

COUNSEL: Council Member Comrie?

COUNCIL MEMBER COMRIE: Aye on all.

COUNSEL: Council Member Jackson?

COUNCIL MEMBER JACKSON: Aye on all.

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COUNSEL: Council Member Seabrook?

COUNCIL MEMBER SEABROOK: I vote
aye.

COUNSEL: Council Member Vann?

COUNCIL MEMBER VANN: Aye on all.

COUNSEL: Council Member Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

COUNSEL: Council Member Vacca?

COUNCIL MEMBER VACCA: I would like
to vote aye, and I ask to vote aye on all items
from yesterday's hearing as well.

COUNSEL: Council Member Ignizio?

COUNCIL MEMBER IGNIZIO: If I just
may explain my vote temporarily? Mr. Chairman,
yesterday there was an issue in regards to a
project, the Seabreeze, I think it was, project?
Am I wrong with that?

CHAIRPERSON WEPRIN: [off mic]

COUNCIL MEMBER IGNIZIO: Yeah. Oh,
Kingswood. I'm sorry. I just wanted to explain
my vote for the record. After reviewing the plan
and looking at the shadow plan, it seemed the
gentleman here, who had come and gave a passionate
speech regarding his property—it really was more

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2 about and more in regards to the development of
3 the house next door and the desire for it to be
4 developed by that owner, which would potentially
5 negatively impact the building next door to him -
6 - gentleman who came up for those of you who were
7 here, you understand what I'm referring to. For
8 those who weren't, probably do not. The current
9 plan actually is somewhat better in terms of the
10 shadow and what you could build as the space
11 between the buildings. Currently, he could build
12 it directly to the lot line, which would create an
13 extremely dark alleyway if you will. I think the-
14 while I appreciate and understand the concern of
15 the owner, I think that it is really about concern
16 for the development of the house next door, not so
17 much for the overall project, so I want to tell
18 that gentleman that I did give it lots of thought.
19 I did review it very carefully with my colleague,
20 Mr. Garodnick, and was prepared to vote no, if I
21 thought his rights were being impinged upon. In
22 fact, I don't believe that to be the case. I
23 believe that it was really more about him not
24 wanting the house next door to be developed and I
25 understand that from his monetary perspective, but

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2 that's just not the way we do things here, and I
3 totally disagree that the City should not have
4 culpability. The fact that they allowed this to
5 occur is really a blight in the Department of
6 Buildings and they - - to be taken in City
7 Planning and - - be taken the task as well. With
8 that, I wanted to explain my vote, and I vote aye.

9 COUNSEL: Council Member Reyna?

10 COUNCIL MEMBER REYNA: I vote aye
11 on all.

12 COUNSEL: And previous items?
13 Council Member Reyna? And on previous items?

14 COUNCIL MEMBER REYNA: I apologize.
15 I vote aye on all and all previous calendar items,
16 thank you.

17 COUNSEL: By vote of nine in the
18 affirmative, none in the negative, no abstentions,
19 L.U. 333, 357 as well as L.U. 354, 358, 356, 355,
20 359 and 362 are approved and referred to the full
21 Land Use Committee.


22 CHAIRPERSON WEPRIN: Thank you very
23 much, Counsel. Since there's no further business,
24 the meeting is now adjourned.

25 [gavel]

C E R T I F I C A T E

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

Signature



Date

April 20, 2011