

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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January 26, 2012
Start: 10:25 a.m.
Recess: 11:11 a.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
LEROY G. COMRIE, JR.
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Charles Barron
Inez E. Dickens
Daniel R. Garodnick
Sara M. Gonzalez
Robert Jackson
Jessica S. Lappin
Rosie Mendez
Annabel Palma
Diana Reyna
Joel Rivera
James Sanders, Jr.
Larry B. Seabrook

A P P E A R A N C E S

COUNCIL MEMBERS:

James Vacca
Albert Vann
Brad S. Lander
Stephen T. Levin
Mark S. Weprin
Jumaane D. Williams
Daniel J. Halloran III
Vincent M. Ignizio
Peter A. Koo

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2 CHAIRPERSON COMRIE: Okay. Good
3 morning everyone. I'm Leroy Comrie. We are
4 holding a Land Use Committee meeting--full Land
5 Use Committee for Thursday, January 20th. We are
6 joined by council members Larry Seabrook, Brad
7 Lander, Peter Koo, Jimmy Vacca, Inez Dickins, Joel
8 Rivera, Sara Gonzalez, Jessica Lappin, Steve
9 Levin, Diana Reyna, and Charles Barron. Council
10 Member Garodnick is on his way up. We have about
11 nine items on the agenda today--seven items.
12 First is an item that has had a little bit of
13 controversy. Land Use 536 Council Member Levin's
14 district Brooklyn Community Board 2, 20125020 HKK.
15 It's to landmark the Brooklyn Borough Hall
16 skyscraper historic district as a historic
17 district. Land Use item 547 in Speaker Quinn's
18 district in Manhattan Community Board 6. It's the
19 landmarking of the Union League Club located at 38
20 East 27th Street. Item number 20125188 HKM. The
21 next item is in Council Member Tish James'
22 district known as St. Casimir's Roman Catholic
23 Church, Land Use item 548 in Brooklyn Community
24 Board 2. Item number 2025189 HKK. It's to
25 designate the landmark designation of St. Casimir

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2 Casimir's Roman Catholic Church, aka the Paul
3 Robeson Theater located at 40 Green Avenue as a
4 historic landmark. The next district is the Grand
5 Concourse Historic District bounding both Council
6 Member Arroyo's and Foster's districts. Land Use
7 549 within Bronx Community Board 4. Item number
8 20125190 HKX. It's to designate the grand
9 concourse area as a historic district and the
10 boundaries can be noted. The boundaries were
11 vetted in the subcommittee meeting. The next one
12 is a single item in Council Member Rose's
13 district. Land Use 550 known as 29 Cottage Place
14 as a historic landmark in Staten Island Community
15 Board 1. Item number 20125191 HKR. The next one
16 is back in Speaker Quinn's district. It is Land
17 Use 551 known as the Bell Laboratory Complex in
18 Manhattan Community Board 2. Item number 20125192
19 HKM. It's to designate as a land mark the Western
20 Electric Company buildings, aka, Bell Telephone
21 Laboratories located at 445-465 West Street, 137-
22 169 Bank Street, 51-77 - - Street, and 734-754
23 Washington Street. The last one is an amendment
24 to a previous approved regulatory agreement to
25 change the rent structure for a property located

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2 in Council Member Foster's known as the Riverview
3 House with HPD. Land Use 556 in Bronx Community
4 Board 5. Item number 20125304 HAX and it's
5 located at block 2880, lot 29 in council district
6 16. Would any member like on any of the items?
7 We've been joined by Council Member Mark Weprin
8 and Council Member James Sanders, Jr. Council
9 Member Steve Levin would like to comment.

10 COUNCIL MEMBER LEVIN: Thank you
11 very much Mr. Chairman. First I want to
12 acknowledge your leadership. I'm going to speak
13 on the Borough Hall Skyscraper District. I want
14 to thank you for your leadership throughout this
15 entire process and for your willingness to be
16 objective and fair and meet with all sides and
17 talk through all the issues. And I very much have
18 appreciated your support as well as the support of
19 subcommittee chair Brad Lander and obviously
20 Speaker Quinn and the entire land use staff. My
21 colleagues I am asking you today to vote in the
22 affirmative on the Borough Hall Skyscraper
23 Landmark District. This district which includes
24 21 buildings along Court Street and including
25 Borough Hall represent the history of downtown

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2 Brooklyn through its distinct architectural
3 character. The fact is the contributing buildings
4 to this historic district are beautiful and
5 significant architectural contributions to the New
6 York City. In recent years, as much of downtown
7 Brooklyn has gotten a major facelift due to
8 downtown Brooklyn re-zoning and with development
9 continuing at a rapid pace and the skyline
10 changing with each successive year, this committee
11 today will be acting to preserve a significant
12 piece of that skyline as it has existed for the
13 last 80 years. That skyline is part of the DNA of
14 Brooklyn and it ought to be and will be preserved
15 for future generations. I know that there are
16 those that have expressed opposition to this
17 designation and expressed concern that landmarking
18 will cause significant burdens to the owners, both
19 commercial and residential, as well as prospective
20 retail business--businesses who seek to invest in
21 Court Street. After much deliberation and much
22 inquiry and after hearing from many professionals
23 in the field, I am convinced at this time that the
24 additional cost that any owner will have to bear
25 due to a landmark designation will be minimal.

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2 I'm committed to working with all the owners in
3 the district to advocate for them at the Landmarks
4 Commission and I'm confident that LPC will make
5 every reasonable effort to ensure that there are
6 no unwarranted delays or burdens, which would
7 befall the owners in this district. In addition,
8 I am happy to report that as a result of the
9 advocacy of Chairs Lander and Comrie, the Speaker
10 and myself, LPC has agreed to promptly put forth
11 citywide retail guidelines in order to ensure that
12 most businesses are able to obtain staff level
13 approval for exterior work much of which currently
14 requires a commission level hearing. I would like
15 to thank the advocates in support of the
16 designation, the Brooklyn Heights Association, the
17 Historic Districts Council Municipal Arts Society,
18 and the Landmarks Conservancy as well as those
19 that were opposed to this designation, the Real
20 Estate Board of New York, SL Green, Joseph P. Day,
21 and particularly the cooperators at 75 Livingston
22 Street. Not only have they been good stewards of
23 their building, but their strong advocacy has
24 raised many important issues that we will be
25 looking at here in the council and I know that

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2 Chairman Comrie and Chairman Lander and this
3 committee will be looking at through oversight
4 hearings and I hope to work close with them and
5 Landmarks Commission as we move forward. I want
6 to thank also the Landmarks Commission Chair
7 Tierney as well as Jenny Fernandez and Kate Daily
8 and most importantly the council staff, Gale
9 Benjamin, Amy Levitan, Christian Hylton, Carol
10 Shine, Ramon Martinez, Chuck Meara, Michael
11 Freemanshnef (phonetic), and Ashley Thompson.
12 Thank you very much to my colleagues.

13 CHAIRPERSON COMRIE: Any other
14 members would like to comment on anything on
15 today's agenda. Council Member Lander.

16 COUNCIL MEMBER LANDER: I spoke at
17 more length yesterday at the subcommittee so I
18 will be brief here today. Mostly I just want to
19 say--give credit to Council Member Levin for a
20 very thorough process here. This was a tough
21 issue. There were strong voices on both sides and
22 I saw him give very close and careful
23 consideration to this matter and be really
24 thoughtful about it and approach it with
25 integrity. So I think members who are--like me

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2 who are supportive of him and who vote here can
3 feel confident that he has spent a lot of time
4 grappling with the issues here. And I do want to
5 reaffirm that we have already started talking.
6 I've been talking with Gale Benjamin and the staff
7 about oversight hearings and potentially some
8 other research that comes out of the bigger
9 picture questions that were raised by the owners
10 of 75 Livingston, 186 Remson, 16 Court Street in
11 this process that I think bear looking at. We did
12 make progress on this one issue of the retail
13 storefront guidelines, but there are a lot of
14 important questions to look at both research and
15 oversight. We are committed to doing that. I
16 guess I will note we are also landmarking many
17 non-contentious issues today, the Grand Concourse
18 Historic District is dynamite. Westbeth we're
19 landmarking today so I just will call attention to
20 that as well. Thank you very much Mr. Chairman.
21 Anyone else? Okay, I just want to make some
22 statements also. I want to congratulate Council
23 Member Levin and Lander for all of their work and
24 to come up with the decisions that they are asking
25 us to support today. I do, however, have some

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2 serious concerns about the process. Some serious
3 issues were raised. I think that there were
4 reasonable people that were not given the
5 opportunity to be heard in the early parts of the
6 process. And there is some real questions that I
7 have on the specifications on how the retail
8 corridor and the retail guidelines will be
9 forthcoming. That is something that should happen
10 quickly. If we will be continuing to press to see
11 if there is an ability to create legislation to
12 make sure that happens quickly. There shouldn't
13 be a problem with making sure that people can
14 maintain their ability to do landmarking, which is
15 something I have said all along, especially the
16 folks at 75 Livingston have really worked hard to
17 maintain a historic building and they should be
18 given an opportunity to do everything they need to
19 do to get the support they need to do everything
20 they can to maintain that building. I also am
21 concerned about when people are trying to be
22 reasonable to negotiate that they don't feel that
23 they don't have reasonable responses. So I think
24 that we definitely need to have these oversight
25 hearings. We definitely need to look at the

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2 larger issues that came up. We definitely need to
3 hear and understand in more detail some of the
4 things that we had run into some unnecessary
5 roadblocks about. But in deference to Council
6 Member Levin who put in a lot of time, a lot of
7 hours, walked through every building, visited
8 every floor almost of every building. Council
9 Member Lander and I would encourage all members to
10 support their decision today and also support the
11 need to make sure that we have oversight hearing
12 on these issues. With that I would recommend an
13 aye vote on everything on today's agenda.

14 WILLIAM MARTIN: William Martin,
15 Committee clerk, roll call vote Committee on Land
16 Use. Council Member Comrie.

17 CHAIRMAN COMRIE: Aye on all.

18 WILLIAM MARTIN: Rivera.

19 COUNCIL MEMBER RIVERA: I vote aye

20 WILLIAM MARTIN: Reyna.

21 COUNCIL MEMBER REYNA: Aye on all

22 WILLIAM MARTIN: Barron.

23 COUNCIL MEMBER BARRON: You know I
24 was just briefed about some of the landmarking in
25 Brooklyn and since no vote comes here that is not

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2 done already and is probably going to pass, I am
3 going to support those in the 75 Livingston
4 because they are residents and they have serious
5 concerns. I'm going to vote no on the Brooklyn
6 landmark and aye on all the rest.

7 WILLIAM MARTIN: Sanders.

8 COUNCIL MEMBER SANDERS: Permission
9 to explain my vote. I share many of the concerns
10 that my colleague Council Member Comrie has raised
11 especially over the issue of 75 Livingston Street.
12 The issue of working class people in New York City
13 and the ability to make sure that we maintain a
14 working class city is very, very important to me
15 and I have grave concerns here. I have been
16 assured by Council Member Levin. I am have been
17 assured by right now by Council Member Comrie that
18 these issues are being addressed. So with that
19 reservation and urging all of us to remember that
20 if we don't do something for the working class, we
21 won't have a New York City as we know it. I vote
22 yes. I vote aye on all.

23 WILLIAM MARTIN: Seabrook.

24 COUNCIL MEMBER SEABROOK: Aye on
25 all.

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WILLIAM MARTIN: Gonzalez.

COUNCIL MEMBER GONZALEZ: Aye on
all.

WILLIAM MARTIN: Palma.

COUNCIL MEMBER PALMA: Aye on all.

WILLIAM MARTIN: Dickens.

COUNCIL MEMBER DICKENS: Aye on
all.

WILLIAM MARTIN: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

WILLIAM MARTIN: Lappin.

COUNCIL MEMBER LAPPIN: I'm not 100
percent clear why we didn't look at just
individual buildings and designate individual
landmarks, but in deference to Council Member
Levin because I haven't walked the district and I
know how much time he has spent on this. I'm
going to vote aye.

WILLIAM MARTIN: Vacca.

COUNCIL MEMBER VACCA: Aye.

WILLIAM MARTIN: Lander.

COUNCIL MEMBER LANDER: Aye.

WILLIAM MARTIN: Levin.

COUNCIL MEMBER LEVIN: I vote Aye.

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WILLIAM MARTIN: Weprin.

COUNCIL MEMBER WEPRIN: Aye.

WILLIAM MARTIN: Koo.

COUNCIL MEMBER KOO: Aye.

WILLIAM MARTIN: By a vote of 16 in the affirmative, zero in the negative and no abstentions, all items have been adopted with the exception of Land Use item 536, which is adopted by a vote of 15 in the affirmative, one in the negative, and no abstentions. Council members please sign committee reports.

CHAIRPERSON COMRIE: The next subcommittee meetings will be February 8 and please look at your calendar. We'll hold the roll open for 20 minutes until 11:00 because Council Member Williams and Council Member Jackson told me that they are on their way.

WILLIAM MARTIN: Council Member Williams.

COUNCIL MEMBER WILLIAMS: Voting aye on all with the exception of Land Use 526 in which I abstain.

WILLIAM MARTIN: Council Member Halloran.

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2 COUNCIL MEMBER HALLORAN: With the
3 exception of 526, which I abstain, I vote aye on
4 all.

5 WILLIAM MARTIN: Council Member
6 Jackson.

7 COUNCIL MEMBER JACKSON: I vote aye
8 on all.

9 WILLIAM MARTIN: Final vote on
10 Committee on Land Use now stands. All items have
11 been adopted by a vote of 19 in the affirmative,
12 zero in the negative and no abstentions with the
13 exception of land use item 536, which has now been
14 adopted by a vote of 16 in the affirmative, one in
15 the negative and two abstentions. Thank you.

16 CHAIRPERSON COMRIE: This Land Use
17 Committee of January 26, 2012 is now hereby
18 adjourned. Closed at 11:11 a.m.

C E R T I F I C A T E

I, Matt Williams, 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 2/8/12