

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING & FRANCHISES

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March 6, 2012
Start: 9:54 a.m.
Recess: 3:10 p.m.

HELD AT: Committee Room - 16th Floor
250 Broadway

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

COUNCIL MEMBERS:
Leroy G. Comrie, Jr.
Daniel R. Garodnick
Vincent M. Ignizio
Robert Jackson
Jessica S. Lappin
Diana Reyna
Larry B. Seabrook
James Vacca
Albert Vann

A P P E A R A N C E S

Matthew Viragh
Proprietor
Nitehawk Café & Cinema

Fritz Johnson
Architect & Representative
Khim's Café

John Colasanti
Resident
Devoe Street Brooklyn

Robert Callahan
Spokesperson
Le Pain Quotidien and Pastis

Rustam Schoenholt
Owner
Spring Street Natural Café

William Rudin
Managing Partner
Rudin West Village Associates

Dan Kaplan
Senior Partner
FXFowle Architects

Rick Parisi
Managing Partner
Paul Friedberg & Partners Landscape Architects

Melanie Meyers
Partner and Land Use Attorney
Fried Frank, Harris, Shriver & Jacobson LLP

Jeffrey A. Kraut
SVP Strategic Planning & Marketing
North Shore-LIJ

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

Dr. David Kaufman
Former Resident Physician
St. Vincent's Hospital

Eileen Dunn
Former Nurse
St. Vincent's Hospital

Yetta Kurland
Member
Coalition for the New Village Hospital

William Baccaglioni
Chief Executive Officer
New York Foundling Hospital

Cora Cahan
President
The New 42nd Street

Michael Slattery
Representative
Real Estate Board of New York

Mary Margaret Amato
Resident
Greenwich Village

Sarah Malloy-Good
Representative
New York State Assembly Member Deborah Glick

Brad Hoylman
Chairman
Manhattan Community Board #2

Katie Smith
Representative
U.S. Congressman Jerrold Nadler

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

Robert Atterbury
Representative
State Senator Thomas Duane

Mike McGuire
Representative
Mason Tenders' District Council of Greater NY and LI

Jim Conway
Representative
Operating Engineers' Local 14

Jeronimo Saldana
Representative for Nicole Tanis
Member, SEIU 32BJ

John Skinner
Representative
Metal Lathers' Local 46

Devon Lomax
Representative
District Council 9, Painters & Allied Trades

Paul Newell
Member
Coalition for a New Village Hospital

George Capsis
Resident
Greenwich Village

Diane Nichols
Resident
Greenwich Village

Andrew Berman
Executive Director
Greenwich Village Society for Historic Preservation

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

Christopher Tepper
Co-founder
AIDS Memorial Park Coalition

Michael Seltzer
Member
AIDS Memorial Park Steering Committee

Eric Sawyer
Co-founder
Housing Works

Naomi Usher
Resident
Greenwich Village

Carol Greitzer
Co-Chair
West 12th Street Block Association

Rosemary Paparo
President
West 12th Street Block Association

Dr. Gil Horowitz
Executive Director
Washington Square Lower 5th Avenue Community Assn.

Dan Point
Representative
Greenwich Village Chelsea Chamber of Commerce

Donna Zaccaro Ullman
Resident
Greenwich Village

Corey Johnson
Chairman
Manhattan Community Board #4

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

Cynthia Crane Story
Former Resident
Greenwich Village

Christopher Hayes
Resident
Greenwich Village

Mary Ezell
Resident
Greenwich Village

Maurice Zucker
Resident
Greenwich Village

Irene Vinzetti
Resident
Greenwich Village

Emily Lyon
Representative
Lower Chelsea Alliance

Richard Davis
Resident
Greenwich Village

Caroline Benveniste
Member
Concerned Residents of West Village

Pamela LaBonne
Social Worker
West Village

Elizabeth Ryan
Resident
Greenwich Village

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

Evette Stark-Katz
Resident
Greenwich Village

Carol Demech
Resident
Greenwich Village

Trevor Stewart
Chairperson
Protect the Village Historic District

Jayne Hertko
Resident
Greenwich Village

Samuel Keglian
Resident
Chelsea

Roslyn Kramer
Resident
Greenwich Village

Elizabeth Adam
Resident
Greenwich Village

James Fouratt
Representative
Seniors Take Action

Elizabeth Szabo
Resident
Greenwich Village

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2 CHAIRPERSON WEPRIN: Okay, thank
3 you. Good morning everyone, my name is Mark
4 Weprin, I'm the Chair of the Zoning & Franchises
5 Subcommittee of the Land Use Committee. I am
6 joined today by the following members of the
7 Committee, Council Member Al Vann, Council Member
8 Jimmy Vacca, the Chair of the Land Use Committee,
9 Leroy Comrie, Council Member Diana Reyna, and
10 Council Member Larry Seabrook. I know some other
11 members are in the building and roaming around,
12 Christian Hylton is sitting to my right, counsel
13 to the Committee. Just to give some background,
14 we have a number of cafes that we have to take
15 care of first, before we get to the main event.
16 Those boxing fans in the room will know this is
17 the under-card and we're going to do those first.
18 And what we're going to do, we're going to have a
19 lot of people in the building later on, there's an
20 overflow room next door, we're going to try to get
21 through this as quickly as possible, we're going
22 to be here a long time on the second item, on the
23 big item, but we're going to have everybody speak,
24 we're going to try to keep everybody as orderly as
25 possible. I know there are a lot of people who

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2 want to speak and have their voices heard, and
3 we're going to do everything we can to accommodate
4 that, and to make sure it's run as smoothly as
5 possible, and I only ask for as much cooperation
6 as possible. So without further ado, we're going
7 to do the cafes as quickly as possible. The first
8 café, thank you sir, and the winner is, no, the
9 first café is Nitehawk, and I'll just pull up the
10 number here, Nitehawk is Land Use #566 in Council
11 Member Reyna's district, Nitehawk Cinema, and I'd
12 like to ask Matthew Viragh, is he here? Please
13 come on up, sit at the microphone, discuss your
14 application. And Council Member Reyna, who is
15 here also, will have some comments as well. Just
16 put the microphone on, make sure to state your
17 name, and that's true for everybody in the room,
18 when you get to the mic, because this is all going
19 to be transcribed, we need to know your name, and
20 if there's more than one person there and you jump
21 in, you need to say your name before you jump in
22 so the record will show who's speaking. Go ahead,
23 sir.

24 MR. VIRAGH: Good morning, my name
25 is Matthew Viragh, owner of Nitehawk Cinema in

1
2 Williamsburg, Brooklyn, and we have applied for a
3 20-seat sidewalk café. We're a three-screen movie
4 theater, but we're also, we have a street-level
5 restaurant that serves the neighborhood
6 separately, and we've applied for a sidewalk café
7 related to that street-level restaurant.

8 CHAIRPERSON WEPRIN: Thank you very
9 much. Is the mic on? It's on, right?

10 MR. VIRAGH: Yeah, it's on.

11 CHAIRPERSON WEPRIN: Okay. Ms.
12 Reyna, did you want to make some comments on this?

13 COUNCIL MEMBER REYNA: Mr. Viragh,
14 my name is Diana Reyna, I'm your City Council
15 member representing this establishment. I just
16 wanted to congratulate you, I understand that the
17 community board has been in support of this
18 application, is that not right?

19 MR. VIRAGH: That's correct.

20 COUNCIL MEMBER REYNA: And there
21 were no issues that were raised of concerns as a
22 good neighbor and your practice as an
23 establishment in the neighborhood.

24 MR. VIRAGH: That's correct.

25 COUNCIL MEMBER REYNA: And I do

1 support this application, and I want to
2 congratulate you on the good work and the
3 nightlife that you have brought to our community
4 in a safe and enjoyable manner, and we want to
5 continue to have more establishments like this.
6 If there is anything my office can be of service
7 to you, just contact us, my chief of staff's name
8 is Antonio Reynoso. Thank you.

10 MR. VIRAGH: Thank you very much.

11 COUNCIL MEMBER REYNA: Absolutely.

12 CHAIRPERSON WEPRIN: Lest you think
13 this is all a kumbaya here, the one issue that I
14 heard was raised is there is a tree with a metal
15 gate, a little fencing around it.

16 MR. VIRAGH: Yes.

17 CHAIRPERSON WEPRIN: Supposedly the
18 fencing is illegal, and we need to have you take
19 that down.

20 MR. VIRAGH: We will take- -

21 CHAIRPERSON WEPRIN: (Interposing)
22 You will take care of that?

23 MR. VIRAGH: Yes.

24 CHAIRPERSON WEPRIN: Okay.

25 COUNCIL MEMBER REYNA: I'm sorry,

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Chair.

CHAIRPERSON WEPRIN: Yes, Council

Member Reyna.

COUNCIL MEMBER REYNA: The issue as far as the gate is concerned, it's not that ... you can have a gate, but you have to modify your plans, so just so that the applicant is aware, this comes up all the time and it's quite cumbersome.

MR. VIRAGH: Yes.

COUNCIL MEMBER REYNA: But the issue as far as the plans are concerned, the gates are illegal and you could have a flush esthetic look.

MR. VIRAGH: Yes.

COUNCIL MEMBER REYNA: And we don't want to take away from the esthetics of the neighborhood.

MR. VIRAGH: Right.

COUNCIL MEMBER REYNA: And so we're trying to beautify our neighborhood, and so we encourage you not just to take away what would be the fencing and the beautification behind the fencing, but make sure that you have the option of

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2 replacing that with what would be a flush esthetic
3 look. Thank you.

4 CHAIRPERSON WEPRIN: Good, that's
5 great, thank you. Anyone else on the panel have
6 any comments or questions? Seeing none ... oh, Mr.
7 Comrie, okay, you jumped on me.

8 COUNCIL MEMBER COMRIE, JR.: I'm
9 curious to know where on Metropolitan Avenue this
10 is.

11 MR. VIRAGH: We're between Wythe
12 and Berry.

13 COUNCIL MEMBER COMRIE, JR.: Was
14 this an existing theater before, or did you just-
15 -

16 MR. VIRAGH: (Interposing) No, it
17 was a warehouse previously that's been converted
18 to a three-screen movie theater and a restaurant.

19 COUNCIL MEMBER COMRIE, JR.: And
20 you're affiliated with ... you're affiliated with
21 the major movies? How do you get your movies?

22 MR. VIRAGH: We ... yes, we have a
23 film booker who books both major films as well as
24 independent films.

25 CHAIRPERSON WEPRIN: Are you

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looking for something to do with your wife?

COUNCIL MEMBER COMRIE, JR.: No,
I'm just- -

MR. VIRAGH: (Interposing) We were
just voted best first date in New York Magazine.

COUNCIL MEMBER COMRIE, JR.: Oh,
all right. Congratulations.

CHAIRPERSON WEPRIN: You're beyond
that, Chairman Comrie.

COUNCIL MEMBER COMRIE, JR.: Way,
way, way beyond that. All right, since the
Subcommittee Chair is in a hurry, I'm not going to
... but congratulations, and good luck to you.

MR. VIRAGH: Thank you.

CHAIRPERSON WEPRIN: Thank you very
much, sir. All right, I'd like to now call on
Land Use #567, that's Khim's Café. I'd like to
call on Fritz Johnson, now that that first hearing
is closed, and on behalf of Khim's Café. And I
know we have one other person testifying in
opposition to Khim's Café afterwards. Sir, I
repeat, if you could please state your name for
the record and describe the application you're
asking for.

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2 MR. JOHNSON: My name is Fritz
3 Johnson, I'm an architect, I'm here representing
4 the owner, Sung Bu Khim (phonetic). This is an
5 application for a sidewalk café, in addition to an
6 existing commercial establishment. Everything
7 that we're proposing is as of right, and I'd like
8 to address a couple of the issues that were in
9 opposition to the café. The café is actually
10 being run by Mr. and Mrs. Khim, the property
11 owners. There was a tenant who had a café prior
12 to this, who was somewhat of a nuisance in the
13 neighborhood, I understand. I'd like to make it
14 very clear that the property owner is upgrading
15 this café to full compliance with the Department
16 of Buildings, handicap-accessible, it's been
17 approved by City Planning as not having any
18 obstacles to being there. Again, to address the
19 concerns of the neighborhood, it's new ownership,
20 it's the person who owns the property who's going
21 to be operating the café, and he has a greater
22 sense of propriety and what the neighborhood
23 needs.

24 CHAIRPERSON WEPRIN: Okay, Mr.
25 Johnson, I appreciate that, I just want to make

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2 clear that unfortunately you need our approval of
3 an application, you can't do anything as of right
4 when it comes to sidewalk cafes. I know Council
5 Member Reyna had some issues she wanted to raise,
6 do you want to do that at this time?

7 COUNCIL MEMBER REYNA: Yes.

8 CHAIRPERSON WEPRIN: Okay. Council
9 Member Reyna.

10 COUNCIL MEMBER REYNA: Thank you
11 very much, Mr. Chair. I just wanted to have the
12 record reflect the fact that the community board,
13 Community Board #1 in Williamsburg Green Point,
14 has voted to disapprove this application. There
15 are certain requirements or omissions or non-
16 compliance that have been raised. I will read
17 them for the record. Fire rating details,
18 structural requirements for enclosed sidewalk
19 café, the ceiling was made of wood, and this is
20 combustible. Number two, fire exit door
21 compliance, there is one door set for the sidewalk
22 portion, and it must have a panic bar and cannot
23 be opened from the outside, a customer must enter
24 the sidewalk portion of the café by first going
25 into the store. Number three, it's not ADA-

1 compliant, Americans with Disabilities Act.

2 Number four, a commitment to close the windows

3 after 10:00 p.m. to prevent noise from going into

4 nearby apartments. Number five, limitation of

5 hours to no more than 20 hours per day. Because

6 the particular establishment has been filed as a

7 24 hour/seven days a week operation, the community

8 is concerned with the noise level and the quality

9 of life. I just want to go on record with

10 pictures that have been made available to us as a

11 Committee, and I'll start to my right to share

12 some of what has been demonstrated through these

13 pictures. On December 22nd of 2011 the fence that

14 surrounded the development of this site fell down

15 and damaged a vehicle which was parked in front of

16 the building. Afterwards a full stop work order

17 was issued by DOB. There are also concerns where

18 the owner has refused to address the garbage

19 issues and nuisance, this was re-occurring

20 throughout the past, and the issue has been

21 addressed with my office, putting pressure on what

22 would be the issues of the garbage, by working

23 with the Department of Sanitation and trying to

24 get in touch with the property owners. To just

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2 address the issue of construction, I want to
3 understand, what were the permits issued for, for
4 this establishment?

5 MR. JOHNSON: Okay, it's ... there's
6 an alteration type one from the Department of
7 Buildings for the use of ... for the fence. There
8 is actually a separate alteration type two that's
9 approved for the structure. I have more recent
10 photographs of the rebuilt fence, and a correction
11 to all the structural issues, showing that it's
12 all basically being done in masonry now. So all
13 of the issues that you listed are being addressed
14 and through amended and subsequent filings of the
15 Department of Buildings, we are aware of those. I
16 have a diagram that's been submitted that shows
17 that it is fully handicapped-accessible and in
18 compliance with ADA. So- -

19 COUNCIL MEMBER REYNA:

20 (Interposing) And the original permits were issued
21 for interior work only?

22 MR. JOHNSON: We have a fixed
23 permit which allows us to do the storefront,
24 that's under the alteration type one.

25 COUNCIL MEMBER REYNA: Okay.

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2 MR. JOHNSON: It was actually a DOT
3 permit for a fence also, which allows us to go
4 beyond the 36-inch limit of the DOB permit.

5 COUNCIL MEMBER REYNA: And the
6 façade is what you're working on, according to the
7 ordination fence type one permit?

8 MR. JOHNSON: Right, and I have a
9 photograph of it here, it was just taken recently,
10 showing masonry work here.

11 CHAIRPERSON WEPRIN: Hold on one
12 second, okay.

13 COUNCIL MEMBER REYNA: Thank you
14 very much. Thank you, Gail. And as far as this
15 particular structure, this is not to try to extend
16 what would be the storefront parameters so that
17 there is a more permanent structure that extends
18 outside of the lot area that would be allowable
19 under the permit?

20 MR. JOHNSON: That's the building
21 façade proper, you know, with or without ... that
22 would remain with or without the sidewalk café.

23 COUNCIL MEMBER REYNA: Okay. And
24 the sidewalk café would run along what street?
25 All around the corner?

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2 MR. JOHNSON: it runs along Devoe
3 and just, I don't want to make a mistake here,
4 only on Devoe Street, 73 feet long, 7 feet wide.

5 COUNCIL MEMBER REYNA: Repeat that
6 again, I'm sorry.

7 MR. JOHNSON: Only on Devoe Street,
8 7 feet wide, 73 feet long.

9 COUNCIL MEMBER REYNA: And without
10 the sidewalk café, the establishment was supposed
11 to be a restaurant?

12 MR. JOHNSON: It was my
13 understanding that it was actually a delicatessen.

14 COUNCIL MEMBER REYNA: And so what
15 is it being proposed as?

16 MR. JOHNSON: Eating and drinking
17 establishment, beer and wine license only.

18 COUNCIL MEMBER REYNA: And they
19 have been the owners since when?

20 MR. JOHNSON: Property ownership, I
21 don't know when it began, but- -

22 COUNCIL MEMBER REYNA:
23 (Interposing) Where's the permit?

24 MR. JOHNSON: Yeah, I don't have
25 that information.

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2 COUNCIL MEMBER REYNA: Mr. Chair, I
3 just want to make sure that we reflect, and that
4 members of the Committee understand, that there is
5 a petition that has been submitted against this
6 café, and I just wanted to make sure that it is
7 part of the record, from neighbors that have made
8 sure that their complaints are heard and their
9 opposition to this particular establishment has a
10 long history. The issues of what have seemed to
11 be corrected do not take away from what has been a
12 nuisance in the neighboring properties as well as
13 a safety hazard. And so we want to, I would like
14 to request for this to be laid over for further
15 consideration.

16 CHAIRPERSON WEPRIN: Okay, thank
17 you, Council Member Reyna. Does anyone else have
18 any comments for this particular witness?

19 MR. JOHNSON: I would like to make
20 one further comment in response.

21 CHAIRPERSON WEPRIN: Okay, just
22 briefly, if you can, please.

23 MR. JOHNSON: Okay. The complaints
24 were all lodged against a tenant who formerly
25 occupied this space, as I said in my introduction.

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2 The new establishment is being operated by the
3 property owners themselves who only had a limited
4 ability to control what the tenant did last time,
5 and the tenant was a nuisance, that's the tenant's
6 reputation, it's the reputation of the property,
7 but the owners hope to correct that.

8 CHAIRPERSON WEPRIN: Okay. All
9 right, if we do decide to lay it over, which we
10 probably will end up doing, we will have time to
11 talk about this in more detail and figure out the
12 best way. I'd like to thank you, and I'm going to
13 call now on one person who is here in opposition
14 to this matter, a John Colasanti, from the
15 residents of Devoe. John, how are you? Please
16 come up to the mic and state your name and explain
17 why you were in opposition to this sidewalk café.

18 MR. COLASANTI: Good morning,
19 ladies and gentlemen. No, no, this is ... Ms. Reyna
20 has everything here. My name is John Colasanti, I
21 live on Devoe Street, I've been living there for
22 59 years. I know Anna and Mr. Khim for 20 years
23 that they have been owning this property. The
24 worst tenants were them as the owners, not the
25 people that were there before them that he's

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2 complaining about, they were the best. The people
3 that were in that deli, they opened up another
4 deli two blocks down, the most beautiful place you
5 ever want to see, and they were driven out by the
6 current owners, Mr. and Mrs. Khim, and they have
7 been the worst owners that anyone has ever seen,
8 dirty, noisy, no consideration for anybody in the
9 neighborhood or on the block, just plain filthy.
10 I don't think they had ... they are responsible that
11 they will be able to run a restaurant and put 22
12 tables down on a block that used to be a
13 typewriter store. Now there's going to be 22
14 tables there, with drinking and eating, it's not
15 necessary. And these people are the last people
16 that should be allowed to run an establishment
17 like this.

18 CHAIRPERSON WEPRIN: Okay.

19 MR. COLASANTI: I just wanted to
20 clear that up about the last tenant, that they
21 blame everything on.

22 CHAIRPERSON WEPRIN: Okay, thank
23 you, Mr. Colasanti.

24 MR. COLASANTI: You're welcome,
25 sir.

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2 CHAIRPERSON WEPRIN: Ms. Reyna, did
3 you want to make a comment?

4 COUNCIL MEMBER REYNA: I just
5 wanted to thank Mr. Colasanti for his due
6 diligence in bringing this to our attention and
7 working with the community board to address what
8 seemed to be a very challenging process, where,
9 you know, as much as Mr. Colasanti tried to work
10 with Mr. and Mrs. Khim, to no avail, and now that
11 there is an establishment that they are in need of
12 certain permits to be required to be approved, all
13 of a sudden they're being good neighbors, and I
14 cannot see any reason why we would be able to
15 trust in the efforts that Mr. and Mrs. Khim want
16 to run a good establishment, a safe establishment
17 within the neighborhood that they've been residing
18 in or working in for the last 20 years, and so I
19 wanted to just express to Mr. Colasanti my
20 appreciation for addressing these matters and
21 being a good citizen.

22 MR. COLASANTI: Thank you.

23 CHAIRPERSON WEPRIN: Okay, thank
24 you very much, Council Member Reyna, anybody else
25 on the panel have a comment? All right, thank you

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2 very much, sir, we're going to close Khim's Café
3 here, I mean, the hearing on Khim's Café, excuse
4 me. No such luck. What we're going to do is
5 we're going to lay this matter over for two weeks
6 from today, that's the first day of spring, March
7 20th, and we'll be handling, we'll have time to
8 talk about that in between Council Member Reyna
9 and others. So thank you very much, sir.

10 MR. COLASANTI: Thank you.

11 CHAIRPERSON WEPRIN: I would like
12 to now, we have three other cafes, they hopefully
13 will move fairly quickly. The first one is 568,
14 Spring Street Natural in Council Member Chin's
15 district, which we're going to hold off on until
16 two more, and I've just been informed, so we're
17 going to skip to 569, Le Pain Quotidien, from
18 Speaker Quinn's office, Robert Callahan. Are you
19 here, Mr. Callahan?

20 MR. CALLAHAN: Yes.

21 CHAIRPERSON WEPRIN: All right Mr.
22 Callahan, please, you know the drill.

23 MR. CALLAHAN: Yes, good morning,
24 my name is Robert Callahan and I'm representing Le
25 Pain Quotidien. I would just like to read a

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2 letter of agreement that was submitted to the
3 Council. "Dear Council Member Quinn, this letter
4 serves as our agreement with the Chair, Council
5 Member Mark Weprin, and the encompassing members
6 of the Subcommittee on Zoning & Franchises that we
7 will commit to the following: number one, we will
8 set up the café according to plans approved by the
9 New York City Department of Consumer Affairs;
10 number two, we will insure that we have a
11 representative from our restaurant at any future
12 meeting of Manhattan Community Board #5 at which
13 an application pertaining to our restaurant will
14 be heard; number three, we will remove the bicycle
15 that is currently on display by the sidewalk curb
16 in front of our restaurant. If there are any
17 questions, please call my office. Sincerely,
18 Thomas Halloran, Secretary."

19 CHAIRPERSON WEPRIN: All right,
20 well thank you very much, I understand from
21 Speaker Quinn's office in this matter that they
22 are good with this café application, I'm just
23 trying to get eye contact from someone from her
24 staff. I don't see them, but that's what I
25 understand. We're good with this? So this issue

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2 has been negotiated and discussed. Does anyone
3 else have any comments or questions on this?

4 Okay, well thank you very much, sir. We're now
5 going to move to close this hearing. We are now
6 going to go to the last café on the agenda, which
7 is Land Use #571, Pastis, also in Speaker Quinn's
8 district, and you are also doing that one as well,
9 I understand, Mr. Callahan.

10 MR. CALLAHAN: I am.

11 CHAIRPERSON WEPRIN: Okay, thank
12 you. Could you please?

13 MR. CALLAHAN: Yes.

14 CHAIRPERSON WEPRIN: State your
15 name once again for the record. Go ahead.

16 MR. CALLAHAN: My name is Robert
17 Callahan, and I am representing Pastis, I will
18 also read from a letter of agreement to Council
19 Member Quinn's office. "This letter serves as our
20 agreement with the Chair, Council Member Mark
21 Weprin, and the encompassing members of the
22 Subcommittee on Zoning & Franchises that we will
23 commit to the following: The café will be set up
24 according to the plans approved by the New York
25 City Department of Consumer Affairs; number two,

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2 the café will not be in operation prior to noon on
3 Sundays, and not prior to 8:00 a.m. Monday through
4 Saturday; number three, we will remove the four
5 benches that are currently located in the sidewalk
6 café zone, as they are not indicated on the DCA-
7 approved plans; number four, we will remove the
8 three waiter service stations located in the
9 sidewalk café zone, in accordance with DCA
10 regulations; number five, we will remove the 13
11 planters from the sidewalk café zone, as they have
12 not been indicated on the DCA-approved plans;
13 number six, we will remove the cash register that
14 is located in the sidewalk café zone, as per DCA
15 regulations; number seven, all street furniture
16 will be brought up against the façade daily when
17 the café is not in operation, in accordance with
18 DCA regulations; and number eight, the sidewalk
19 café license will be posted in a conspicuous
20 location. If there are any questions, please call
21 my office. Sincerely, Keith McNally, LLC
22 manager."

23 CHAIRPERSON WEPRIN: Thank you very
24 much. Now we need to get copies of the plans and
25 the permits, you know that already, right?

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MR. CALLAHAN: Yes.

CHAIRPERSON WEPRIN: Okay. Anyone have any comments or questions? I understand that Speaker Quinn is good, they talked about this and it's okay with her now. So we thank you for coming, and we're going to move to close this hearing as well.

MR. CALLAHAN: Thank you very much.

CHAIRPERSON WEPRIN: So thank you. And then the last café we have on the agenda is Land Use #568, now Spring Street Natural, excuse me. And Rustam Schoenholt, Rustam. Sorry for making you wait there, but I guess we wanted to put Mr. Callahan altogether there. Okay, whenever you're ready, state your name and just start.

MR. SCHOENHOLT: My name is Russ Schoenholt, I'm the owner of Spring Street Natural. On February 22nd I met with City Council Member Margaret S. Chin and her staff, they outlined concerns raised by Community Board #2 to my application for renewal of our sidewalk café, that's Spring Street Natural, which is located at 226 Lafayette Street. Specifically the Board noted that the application is not approvable as

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2 filed, as only small sidewalk cafes are allowed on
3 Lafayette Street between Canal Street and Houston
4 Street. The Board also noted that there have been
5 existing violations in the café, including no
6 separation between smoking and non-smoking areas,
7 a food service cart, a beverage cooler and a
8 sandwich board. In response, after consultation
9 with my attorney, I agree to make the sidewalk
10 café entirely non-smoking, furthermore I've
11 instructed our management and staff that under no
12 circumstances can a cart, a beverage cooler or
13 sandwich board ever be placed on the sidewalk.
14 You have my assurances that I will take these
15 matters very seriously, and that these things will
16 not occur again. My attorney confirmed that in
17 his professional judgment our plans completely met
18 the requirements of a small sidewalk café. Spring
19 Street Natural is a family business, has been
20 owned and operated for more than 39 years. We
21 have been operating a sidewalk café at this
22 location since regulations have allowed sidewalk
23 cafes in this area, and have successfully renewed
24 our license without objection several times. Our
25 sidewalk café consists of seven tables in a single

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2 row entirely within the building line. We take up
3 no more than four feet from the front of the
4 restaurant proper. We therefore respectfully ask
5 the Committee to allow us to continue to operate
6 our sidewalk café and promise in good faith to do
7 so under all applicable regulations and laws.

8 CHAIRPERSON WEPRIN: And I'm
9 informed by counsel that because it's a small café
10 they're only allowed to have tables and chairs out
11 there, and these two planters that are supposedly
12 in front will have to be removed. Were you
13 informed of that? Four planters? Okay. I only
14 see two in that picture.

15 MR. SCHOENHOLT: If that is the
16 only way that I can renew the license, then sure.

17 CHAIRPERSON WEPRIN: Okay,
18 unfortunately the law does state it's just tables
19 and chairs out there, and so we've got to move
20 these two trees and the planters inside of them.
21 The other way around. The planters with the trees
22 inside of them.

23 MR. SCHOENHOLT: Okay, if that's
24 the only way forward, then I agree to that.

25 CHAIRPERSON WEPRIN: Okay, thank

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2 you. Thank you very much. Okay. Does anybody
3 want to make comments or questions? Seeing none,
4 thank you very much, sir, this hearing is now
5 closed. And what I would like to ask is that
6 everyone who is here for a café, as much fun as it
7 is here, if you can please head out as soon as
8 possible, because we need some extra chairs, we
9 have a lot of people who want to get into the
10 hearing, and the next item has a lot of people
11 waiting outside, who are unable to get into the
12 building at the moment and we would like to let
13 everybody in, they will get in eventually, as
14 chairs open. And we're going to keep trying to
15 open up seats, so everyone can be inside and speak
16 when they want to speak. Okay, actually, all
17 right. What we're going to do briefly, right
18 before we get started, is actually vote on the
19 cafes now and get that out of the way, members can
20 come back later who have stepped out and are going
21 to come back, can vote then. Because we probably
22 will not be voting on the main item today, and we
23 would like to get the cafes out of the way, that's
24 a good idea. So what I'd like to do now is couple
25 the following cafes, Land Use #566, Nitehawk

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2 Cinema, Land Use #568, Spring Street Natural, Land
3 Use #569, Le Pain Quotidien, Land Use #571,
4 Pastis. One reminder, Land Use #567, Khim's Café,
5 is going to be laid over until our next meeting,
6 which is two weeks from today. Those items being
7 coupled, I'd like to call on Christian Hylton to
8 please call the roll on these items.

9 MR. HYLTON: Chair Weprin.

10 CHAIRPERSON WEPRIN: Aye.

11 MR. HYLTON: Council Member Reyna.

12 COUNCIL MEMBER REYNA: I vote aye.

13 MR. HYLTON: Council Member Council
14 Member Comrie.

15 COUNCIL MEMBER COMRIE, JR.: I vote
16 aye.

17 MR. HYLTON: Council Member
18 Seabrook.

19 COUNCIL MEMBER SEABROOK: I vote
20 aye.

21 MR. HYLTON: Council Member Vann.

22 COUNCIL MEMBER VANN: Aye.

23 MR. HYLTON: Council Member
24 Garodnick.

25 COUNCIL MEMBER GARODNICK: Aye.

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2 MR. HYLTON: By a vote of six in
3 the affirmative, none in the negative, no
4 abstentions, the aforementioned items are approved
5 and referred to the full Land Use Committee.

6 CHAIRPERSON WEPRIN: Great, and
7 some members of the Committee who had to step out
8 or are on their way can vote later on when they
9 come in. So thank you very much on that. All
10 right, now we're going to move on to the Rudin
11 West Village Development, Land Use numbers 563,
12 559, 560, 561, and 562. And the panel is already
13 up here, so I guess I'll just have you guys
14 introduce yourselves as you speak. Let me just
15 reiterate, people are going to be coming into the
16 building, we have another room, which is the
17 overflow room, behind me, they can hear what is
18 being said here. Unfortunately, they're not in
19 the room. We, as people testify, as items, if you
20 could please leave the room, so we can open up
21 seats for other people. We will get to everybody
22 today who wants to testify. And Nick's going to
23 yell "Quiet please" every time someone gets noisy.
24 And we, you know, we want to try to keep this as
25 orderly as possible, I understand there are a lot

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2 of people who feel very strongly on this issue who
3 want to be heard, we want to make sure they're
4 heard. That's why we're here today. We ask you
5 to please try to keep it in an orderly fashion,
6 that's the only thing that can mess us up, is if
7 people get out of hand, or people, you know, don't
8 conduct themselves in a proper manner. We want to
9 make sure everyone is heard, so we're going to do
10 that to the best of our ability, and we're going
11 to have everyone testify who wants to testify.
12 But the first panel is, on behalf of Rudin
13 Management, on behalf of the project, and we're
14 going to let you go. Once the panels start, we're
15 going to have ... bring up panels in opposition and
16 in favor, alternating between the two. People
17 will be limited in how long they can speak, I'm
18 not sure how many we have in the end, I'm going to
19 say three minutes now, I may amend that to less
20 than that if we have that many speakers. But, so
21 anyone who is planning on speaking, please start
22 thinking in your mind how quickly you can make
23 your points. You'll see your points will have
24 been made by other people as well, so you may want
25 to focus on new points if you can. So I apologize

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2 for the delay, but whenever you're ready, Mr.
3 Rudin and your panel, if you could please start
4 your presentation, and state your name.

5 MR. RUDIN: Good morning, Chairman
6 Weprin, my name is William Rudin, and I'm here as
7 a managing partner of Rudin West Village
8 Associates, my cousin Eric is here, my daughter
9 Samantha is here. Thank you, Chairs Weprin and
10 Comrie for allowing us to testify this morning.
11 I'm here to provide an overview and history of our
12 plans to develop a new mixed-use project on the
13 former St. Vincent's campus, and to share the
14 efforts we have undertaken over the last five
15 years, first as a partner with St. Vincent's, and
16 then as the owner of the campus. Following the
17 Rudin way of development, our goal has been to
18 create a sustainable, comprehensive redevelopment
19 plan that was responsive to the community. We are
20 going to present today, and what we are asking for
21 approval of, is the product of over 70 public
22 hearings and over 200 public meetings. This is
23 the realization of a successful collaboration
24 between my family, the West Village community and
25 its elected leadership. We have always prided

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2 ourselves on our commitment to this city, and in
3 particular in collaborating with the communities
4 where we have developed our buildings. It is with
5 this same sense of responsibility and
6 collaboration that we have worked with the West
7 Village community for nearly five years, its
8 elected leadership, numerous regulatory agencies,
9 labor unions and many other stakeholders to create
10 a very unique and dynamic development, which, if
11 approved, will result in the re-activation of a
12 site that has laid dormant for nearly two years,
13 with primary residential project, and will reduce
14 the current bulk on the East Campus by
15 approximately 86,000 square feet, will preserve
16 five historic buildings through our Landmark
17 Preservation Commission-approved design, and will
18 be the first lead neighborhood development-
19 designed project in New York City, if approved by
20 the U.S. Green Building Council. at the triangle
21 site across the street we will build and maintain
22 a new \$10 million, 16,500 square foot neighborhood
23 park designed in concert with Community Board 2.
24 From an economic development perspective, the
25 project will create nearly 1,200 new construction

1 union jobs, and over 400 permanent new jobs,
2 generating millions in new taxes for the city and
3 state, and create a customer base to boost the
4 local small businesses, over 30 of them who have
5 shuttered since St. Vincent's closed. But that's
6 not all the project has or will catalyze. At the
7 O'Toole Bldg., which we have donated to North
8 Shore-Long Island Jewish Health Care System, they
9 will open in 2014 a new state-of-the-art health
10 facility featuring 19,000 square feet of an
11 emergency department, almost twice as large as the
12 emergency department at St. Vincent's. This
13 project was endorsed from everyone from Steven
14 Burger to Mayor Koch to the Local 1199, and has
15 secured Landmark Preservation Commission and State
16 Department of Health approvals to move forward.
17 At the Foundling Hospital Bldg., located at 16th
18 and 6th Avenue, a new public 560-seat elementary
19 school will open in the fall of 2014. The
20 Foundling School, which resulted through a
21 financial backstop by the Rudin family, also gave
22 the Foundling the capital to retain much of its
23 services in the community and in addition build a
24 new charter school in the Mott-Haven section of
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2 the Bronx. Over the last five years a lot has
3 happened, and I'd like to take a minute to give
4 you a brief overview of our involvement. In 2007,
5 when St. Vincent's realized that they would no
6 longer sustain their operation and provide the
7 highest level of quality health care due to the
8 antiquated hospital facility, they embarked on a
9 master plan that would create a new state-of-the-
10 art health care facility. Following a competitive
11 bidding process, St. Vincent's selected my family
12 to develop the East Campus, while they pursued
13 their plans to build their new facility on the
14 O'Toole site, across the street from the main
15 campus. For two years we worked around the clock
16 with St. Vincent's and the community to secure
17 approvals necessary to build a new hospital and
18 redevelop the East Campus into a mixed-use
19 residential project. After significant input from
20 all stakeholders and many redesigns of both the
21 hospital and the East Campus due to their
22 suggestions, the Landmark Preservation Commission
23 approved the demolition of O'Toole under a
24 hardship, and approved a new hospital design. Six
25 months later, LPC approved our design for the East

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2 Campus, which preserves four of the historic
3 buildings. You will see a presentation by our
4 architect, Dan Kaplan, in a minute. After a
5 confluence of events, including the global
6 economic meltdown of 2008, and despite the
7 extraordinary efforts of many to find a hospital
8 or a partner to help St. Vincent's, the hospital
9 filed for bankruptcy on April 2010, and closed
10 shortly thereafter, shuttering after 160 years of
11 historic service to the West Side of New York. It
12 was a sad and painful day for all New Yorkers. We
13 understood from the very start of our involvement
14 with this project that providing appropriate
15 health care to the community was a key component
16 of our redevelopment plan. Immediately after St.
17 Vincent closed, we went to work to find a
18 financially-stable health care partner that could
19 revitalize as much as possible the services that
20 St. Vincent's offered. Through our efforts we
21 were able to attract one of the region's
22 preeminent health care providers, North Shore-LIJ.
23 Despite its many complexities and construction
24 challenges to adaptively reuse O'Toole for health
25 care, North Shore committed \$100 million, in

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2 addition to our \$10 million contribution from my
3 family, and our significant donation of the
4 O'Toole Building, valued at approximately \$30
5 million. The Center for Comprehensive Care will
6 be state-of-the-art 150,000 square foot center, 24
7 hour-seven day a week emergency department,
8 including an imaging center, ambulatory surgery
9 facility and other services. Working together
10 with North Shore-LIJ, we were able to negotiate a
11 new contract with the estate of St. Vincent's to
12 purchase the entire campus and obtain bankruptcy
13 court approval, in addition to the support of the
14 creditors' committee, which included the Pension
15 Guarantee Trust and medical malpractice. In the
16 next few years, working in conjunction with North
17 Shore, a number of public benefits will be
18 realized as a result of this development, and I
19 want to just take a minute to highlight them. As
20 I mentioned, health care, anchored by this new
21 free-standing emergency department, it will
22 include an imaging center and ambulatory
23 facilities. This is not an urgent care center, as
24 some have tried to characterize it, but is a full-
25 scale 24/7 emergency department, complete with

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2 ambulance bays for patients' movement, single
3 patient rooms and many other modern health care
4 features. The Center for Comprehensive Care in
5 the historic adaptively-reused O'Toole Bldg., is
6 slated to open in 2014. More details of the
7 center's comprehensive offerings are in your
8 briefing book, and there is also a representative
9 from North Shore who is here to answer any
10 questions. To appreciate how significant this
11 commitment is, it is my understanding in the last
12 decade 14 hospitals have closed throughout the
13 city, many more consolidations are being planned,
14 yet only Greenwich Village can claim this level of
15 resolution to address the health care loss. It is
16 also important to note that the closure of St.
17 Vincent's resulted in the creation of two new
18 modern HIV-AIDS clinics in the neighborhood,
19 including St. Luke's-Roosevelt Hospital Clinic,
20 which is located on 17th Street, and is the largest
21 in New York State at approximately 19,000 square
22 feet, and Mt. Sinai's Comprehensive Health Program
23 downtown, located on 7th Avenue. Excuse me.
24 Historic preservation: as I mentioned before, our
25 design was approved by the Landmarks Preservation

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2 Commission in July of 2009, after five redesigns
3 and over a year and a half of hearings and
4 meetings. As a result, we are preserving five
5 historic buildings on the campus and will deliver
6 a project that is 17% less bulky than what
7 currently exists on the site today. A new \$10
8 million green neighborhood park: working with the
9 community board and local stakeholders, we have
10 formulated a design for a new 16,500 square foot
11 neighborhood park at the triangle site, and have
12 committed to its building and its maintenance.
13 The design has received unanimous approval from
14 the community board, the Manhattan Borough
15 President's Office, City Planning, and LPC. From
16 the outset of the design of this new park, we have
17 committed to the community and the elected
18 officials our desire to incorporate appropriate
19 memorialization of the history of St. Vincent's
20 and its 160-year service to our city, which
21 includes its roles in the Titanic, the Triangle
22 Shirtwaist Factory fire, 9/11 and HIV-AIDS crisis.
23 Today I reinforce our commitment to work with the
24 stakeholders on the final components of this
25 design. Education: responding to the needs of the

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2 community and the desires to create more public
3 seats, we undertook an extraordinary effort to
4 help create a new 563-seat pre-K through grade
5 five elementary school, which is scheduled to open
6 at the site of the Foundling Hospital for the 2014
7 school year. We provided a significant financial
8 backstop to help the School Construction Authority
9 gain control of the site. In addition, the
10 Foundling Hospital's services remain in the
11 community and we also note the Foundling has
12 created a new charter school in the Bronx with
13 some of the proceeds of the sale. Environmental
14 sustainability: we will be applying to be
15 certified by the U.S. Green Building Council under
16 its lead neighborhood development category, and if
17 approved by the city, it will be the city's first
18 development to achieve lead neighborhood
19 development status. Economic development: if you
20 look at the site today, you will see a void in the
21 fabric of Greenwich Village, empty buildings,
22 boarded-up windows, and the loss of more than 30
23 small businesses in an area that had relied on the
24 activity of St. Vincent's. Our project will
25 generate new customer base for the small

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2 businesses, create almost 1,200 union construction
3 jobs, and over 400 permanent jobs. In addition,
4 badly-needed new tax revenues for the city and the
5 state will be generated with the re-activation of
6 this abandoned site. In addition, we are in the
7 middle of negotiating a restrictive declaration
8 that will address many of the local community's
9 concerns regarding construction mitigation, hours
10 of operation, signage and things like that.

11 Finally, I would like to, it would be remiss not
12 to acknowledge the important fact that this
13 package of benefits could never have been achieved
14 without the efforts and hard work of the Manhattan
15 Community Board 2, its local elected officials,
16 including local Council Member and Speaker Chris
17 Quinn, the Landmarks Preservation Commission,
18 Manhattan Borough President, Scott Stringer, who
19 recommended approval of our project, the City
20 Planning Commission, the Rudin team, and the
21 thousands of residents who have worked and weighed
22 in on this project. It is also important to note,
23 this project has been approved and reviewed by
24 numerous Federal, state and local government
25 bodies, including the United States Bankruptcy

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2 Court, the New York State Attorney General's
3 Office, the New York State Supreme Court, the New
4 York State Department of Health, the New York City
5 Landmarks Preservation Commission, Manhattan
6 Borough President's Office, and City Planning
7 Commission. There were also several lawsuits that
8 were filed against this plan that have either been
9 dismissed or dropped. Following the Rudin way of
10 commitment to our city, my uncle Jack, my cousins,
11 Eric, Madeline and Kathy, my sister Beth and my
12 daughter Samantha, and son Michael, we are all
13 proud of what we have accomplished and what we are
14 presenting to you today. We have faced many
15 hurdles and complexities, but we have persevered,
16 as we believe that what we are creating will have
17 a positive long-term impact, not only for the West
18 Village, but for the entire city. We hope you
19 agree with us, and I'm happy to take any
20 questions, or hand the mic over to Dan Kaplan, who
21 will give you an architectural perspective.

22 CHAIRPERSON WEPRIN: Sure, go
23 ahead. Mr. Kaplan, just state your name.

24 MR. KAPLAN: Good morning, yes.
25 Dan Kaplan, thank you, good morning, Chair Weprin,

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2 Chair Comrie and honorable Council Members. Thank
3 you for this opportunity to present our design for
4 the reuse and transformation of the historic St.
5 Vincent campus into a contextual and sustainable
6 residential mixed-use complex. The design crafter
7 over many years reflects a robust dialogue, as
8 Bill said, with many stakeholders, including the
9 community, City Planning, and of course, the LPC,
10 which approved it over two years ago. The subject
11 of this dialogue really centers around four
12 fundamental issues. Number one, which of the
13 eight buildings on the campus contributes to the
14 special quality of the neighborhood and needed to
15 be preserved and adaptively-reused, and which of
16 them detracts and should be torn? Two, of those
17 being preserved, what is the most appropriate way
18 to adopt them, with additions, subtractions,
19 modifications? The third item of discussion, for
20 the new buildings, what are the appropriate
21 heights, setbacks, character, fenestration and
22 materials? And finally, the issues surrounding
23 the ground floor, store fronts, building
24 entrances, egress, vehicular access, and so forth.
25 I'm confident that the resulting design, which I'm

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2 about to present to you, will make for a very
3 positive contribution to the fabric of the
4 Village, one that is far more carefully-scaled,
5 more in keeping with the historic neighborhood,
6 and more green and open than the current
7 condition. I'll get up and take you on a brief
8 walking tour, if you will, around the project, and
9 then I will turn it over to Rick Parisi, who will
10 talk about the triangular open space.

11 CHAIRPERSON WEPRIN: That's great,
12 just make sure to keep the mic as close to you as
13 possible.

14 MR. KAPLAN: Perfect, thank you.
15 The two portions of the site, one is what we call
16 the East Site, east of 7th Avenue, between 12th and
17 11th, the second is the triangular portion, which
18 again, the triangular open space, which Rick will
19 talk about in a moment. This is aerial
20 photograph, 11th Street, 7th Avenue, 12th Street,
21 the triangular open space, and the O'Toole
22 Building, which Bill testified about the reuse as
23 the health care center. There are a mixture of
24 adaptively-reused and new buildings, I'm going to
25 take you first on 12th, then on 7th, and then on

11th, to describe them. What you see here in this next board is current conditions below, and proposed conditions above, on 12th Street. 7th Avenue is to your right, the first two buildings, the Smith and Raskob buildings will be adaptively-reused, modified and turned into residential use, with a small component of retail at the base, which I'll show you in a moment. The nurses' residence also was deemed by the Commission to be contributing to the historic fabric, that will be adaptively-reused, turned into residential use, and generally upgraded and taken care of, and then finally, the Reiss Bldg. on 12th Street, on the eastern edge, was formerly the psych ward for the hospital, built in 1955, the Preservation Commission deemed it non-contributing and our replacement building was deemed appropriate because it has multiple setbacks and better fenestration. So this is a more-detailed board of what I just went through, showing the ultimate condition, Smith-Raskob renovated, Nurses' renovated, and the new contextual building at the Reiss site. Then this is a before and after, this is before, this is looking ... on 12th Street looking

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2 west, Reiss, Nurses', Smith-Raskob today, this
3 building will come down, these buildings will be
4 renovated and adaptively-reused. This shows the
5 Reiss Bldg. replacement, set back a little from
6 the street, an entry recess, multiple setbacks
7 relating to adjacent historic buildings, and in
8 general much more residential in character. I'm
9 now going to move to 7th Avenue. I'll go through
10 the same on 7th, above is proposed, below is
11 existing, our site is here, this is 12th, 11th, and
12 looking east, the neighboring taller building,
13 Greenwich Avenue to the right. These two
14 buildings will come down and be ... the Colman and
15 Link buildings will be replaced by a 16-story
16 building that has been approved by Landmarks, and
17 then this is the renovated west end of the Raskob
18 Building. A little bit closer in view, 12th, 11th,
19 the renovated Raskob Bldg., and our replacement
20 building that faces 7th Avenue, red brick,
21 individual windows, in context with the
22 neighborhood. Two before and afters, this is 7th
23 Avenue looking south today, 12th Street, Raskob in
24 its current condition, Coleman and Link, these two
25 will come down, in its replacement will be

1 something, a renovated Raskob Bldg. and the
2 building on 7th Avenue is about the same height but
3 it has multiple setbacks set back from the street,
4 the base is lower to the south and the whole
5 building is set back, giving more light and air to
6 the context. This is looking north on 7th Avenue,
7 you see 11th Street in the foreground, 12th Street
8 further back and looking up, a little of the
9 O'Toole Bldg. today, these two buildings will come
10 down. This building you'll see in a moment is the
11 Spellman Bldg., which we renovated, and this
12 building which will come down, along 11th Street.
13 And this is the proposed, again, new building
14 here, set back, much less deep in terms of its
15 east/west dimension, sets lower on the side
16 street, a renovated Spellman and new light and air
17 on 11th Street. One last street frontage, and then
18 we'll be done. This is the same thing on 11th
19 Street, existing conditions, proposed conditions,
20 the existing hospital goes up to my hand, this
21 building, the Coleman and Link, will come down.
22 You can see how long it is in its east-west
23 dimensions. The Spellman will be renovated, and
24 this Cronin Bldg., which is 150 feet high, will
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2 come down and will be replaced by 62-foot-high
3 townhouses, five of them. this is the proposed
4 proposal, the narrow 16-story building on 7th
5 Avenue, a low ... mid-rise wing down 11th Street, a
6 renovated Spellman, and then the five townhouses,
7 which really replace that tall building that's
8 there today. Just a before and after, this is
9 looking west on 11th Street, existing townhouses.
10 This building, the Cronin Bldg., will come down,
11 this building will be renovated and Link will come
12 down and be replaced. And this is the proposal
13 for five townhouses, where once stood a 150-foot-
14 high building, contextual brick relating to the
15 neighborhood, a renovated Spellman Bldg., and our
16 new building towards 7th Avenue. Finally, thank
17 you, just a few points on the plan and I'll turn
18 it over to Rick. This is a ground floor plan, 12th
19 Street, 7th Avenue, 11th Street, just going around,
20 the five townhouses, the individual buildings with
21 their own entrances, there are two retail spaces,
22 one on 11th Street that really faces this open
23 space that's made by the five-corner intersection,
24 an entrance to a medical lobby, a medical office
25 space above, service entrance, a second retail

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2 space that goes down a portion of 12th Street,
3 lobby, renovated, this is all renovated building,
4 the renovated Nurses' Residence, the new building
5 at 140 West 12th, the Reiss replacement building,
6 there's an access to a below-grade garage of 152
7 spaces, there are two doors, so it's not one big
8 entrance, and there's reservoir space for ten
9 parking spaces. Below grade, this is the below-
10 grade plan showing the reservoir spaces and the
11 152, all below-grade, all capped with a green
12 roof, and then finally, I just wanted to touch
13 briefly on the discussions about the 12th Street
14 storefronts in terms of how far down the retail
15 goes down. This is the existing condition, there
16 are eight windows originally in this area, in the
17 Raskob Bldg., with eight over eight divided
18 lights. In our proposal to Landmarks, we had four
19 of them open up larger, and four of them replaced
20 with clear glass. We have pulled back the retail
21 in subsequent meetings after City Planning and
22 discussions with the Borough President, to 70 feet
23 back, replaced two windows with divided lights,
24 taken these two and put frosted glass in them and
25 generally agreed to lighting and signage

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2 restrictions. So with that I'll turn it over to
3 Rick, and I'll be happy to answer any questions
4 later. Thank you.

5 MR. RUDIN: Rick will be brief.

6 MR. PARISI: I'll be very brief.

7 The park before you today ... I'm Rick Parisi,
8 Managing Partner of Paul Friedberg & Partners
9 Landscape Architects.

10 CHAIRPERSON WEPRIN: One second,
11 Rick. If everybody could try to be a little
12 quiet, there's a lot of mumbling going on in the
13 room. Thanks.

14 MR. PARISI: The park before you
15 today is a 16,667 square foot park. As Bill
16 mentioned, this park went through a lot of design
17 work, and mostly, you know, with the agencies and
18 Community Board 2. The park before you right now
19 is really a result of all those long sessions of
20 meetings and actually a whole study of all the
21 parks within about a half hour walking distance of
22 this area, and a study of other Village parks to
23 turn this park into part of that family. So with
24 that, I'll just go through some very quick
25 amenities, and I'll show you some views and walk

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2 around the park, and then we'll just open it for
3 questions. Basically, 16,000 square feet, 45% of
4 that approximately is green, which was the desire
5 of the community board. Within that green area we
6 do have a long mound area, not an area that is
7 something that you can play soccer on, but
8 something you can lay on, you can sit in, little
9 rolling hills in it. There's a significant amount
10 of vegetation, a lot of shade, 37 trees,
11 significant-sized trees will go in on the day of
12 installation. There's over 900 linear feet of
13 seating, a lot of that with backs, there's
14 moveable tables and chairs to create a number of
15 social opportunities within the park. A lot of
16 the seating, these brown elements right there, are
17 concave, so they can create really interesting
18 social arrangements by moving tables and chairs
19 around, and make it very flexible. There's a
20 climbing sculpture, which is yet to be designed,
21 maybe part of what Bill spoke about in terms of
22 memorialization of the hospital and many events
23 that St. Vincent's was involved in. There is a
24 water feature that is a flush interactive water
25 feature, which doubles as a play feature for

1
2 children. And, you know, throughout the park and
3 the street trees, it's again 16,000 square feet
4 within this property line, which is here, there's
5 a significant sidewalk, new street trees on the
6 sidewalk, we're retaining some of the street trees
7 here. I'll take you through a quick walk around
8 the park. Okay, this is a view on the corner of
9 7th and Greenwich, looking into the park, the main
10 gateway. This is a view on Greenwich, looking
11 west, and a view on 12th, looking west. This is a
12 view from Bank Street looking into the park. Now
13 this is a view within the park, next to the
14 climbing sculpture, looking at the interactive
15 water feature and the stepped lawn area with the
16 small amphitheatre area there. These are sections
17 through the park of various locations. The park
18 raises up to about an elevation of 29 here to give
19 you a little bit more separation from 7th Avenue,
20 and it's all handicap-accessible throughout. This
21 is the last one I'll trouble you with. This is
22 the planting plan, to show some of the diversity
23 of what we're putting in into the park. This
24 park, as Bill mentioned, will be maintained by the
25 Rudin family forever. There's a significant

1
2 amount of evergreens and perennials and annuals
3 within the park, and flowering trees. And I will
4 end there. I'll turn it over to Melanie.

5 MR. KAPLAN: Melanie Meyers, who is
6 our land use attorney, will now speak.

7 MS. MEYERS: Good morning, my name
8 is Melanie Meyers, I'm a partner with Fried Frank,
9 Harris, Schriver and Jacobson, representing the
10 applicant before you. You have a series of land
11 use applications, there are five, and what I'd
12 like to do is briefly run through them. I think
13 what's important sort of as an outset is that the
14 applications as a whole work together to make sure
15 that the project that Rick and Dan and Bill have
16 just described to you is the project that in fact
17 will be built on the campus. But there's two
18 principal zoning controls that will be applied to
19 the site, the first is called a general large-
20 scale development, and what that will do is make
21 sure that the east site project that Dan described
22 and the triangle park that Rick will described
23 will work in concert, and that will be the
24 project. The other mechanism that we'll be using
25 from a zoning standpoint is a restrictive

1
2 declaration that will assure a number of
3 requirements attached to the project. So if you
4 don't mind, okay, so it's right here. So the
5 first action that you are looking at is a zoning
6 map amendment. The current zoning of the east
7 site is C26 along the avenue, the mid-block is
8 zoned R6, the proposal, which is on the next
9 board, will amend the zoning so that the avenue
10 portion will be zoned C62, the mid-block will be
11 zoned R8, the effect of that is to allow for a
12 community facility, a density FAR (floor area
13 ratio) of 6.5, and a residential density of 6
14 across the site, 6.02, that's about the size of
15 the density of the historic buildings that are on
16 the site, and what we're proposing is a rezoning
17 to make that a consistent zone for the
18 neighborhood, for the site. The second action is
19 a zoning text amendment. What that would do, it's
20 an amendment to the large scale text which ...
21 that's currently available in Community Board 7,
22 it allows for modification of floor area ratios
23 and open space requirements in large scale
24 projects for purposes of creating a superior site
25 plan, a superior landscaping. Because we have the

1 historic buildings on the site that we want to
2 retain, we are proposing to make that zoning
3 applicable, or that text applicable in Community
4 Board 2 for large scales, in order to allow for
5 those buildings to be retained, and to allow for
6 the great park that Rick described. The third
7 series of approvals are large scale approvals that
8 are specific to areas like ours which involve more
9 than ... that involve a couple of blocks of land, or
10 a couple of parcels that will be developed as a
11 unit, and we are seeking a series of bulk
12 modifications that will allow for height and
13 setback modifications in both some of the existing
14 historic buildings as well as the new buildings,
15 to create a contextual site plan, and also to have
16 modifications to open space. And the open space
17 approvals will allow for open space to be located
18 on the triangle and made publicly-accessible,
19 rather than on the east site itself, where it
20 would only be available to the occupants of the
21 project itself. There is also another ... and just
22 this is a plan just so that you can see it, that
23 shows the areas where there would be some level of
24 modification of height and setback controls. The
25

1
2 next special permit is also available only to
3 large-scale projects, and what it allows is for
4 commercial uses to be located on the floor of a
5 building higher than residential uses. The one
6 place where we're asking for this waiver, or this
7 approval, is on the 7th Avenue frontage, there is a
8 plan to have doctors' offices located on the third
9 floor, and since the residential starts on the
10 first floor in other places, we need this waiver.
11 So it's a limited waiver for the third floor of
12 the 7th Avenue frontage of the building. The final
13 special permit that we are requesting is under
14 zoning resolution 13-531 ... 561, excuse me, to
15 allow for 152-space accessory parking garage.
16 What that special permit will do is allow for ...
17 zoning as of right allows for parking on the range
18 of one parking space for 20% of the residential
19 units, under our current proposal of 450 units,
20 that would be about 98 spaces. The special permit
21 would allow that one space for 20% of the units to
22 be increased about one for every 33% of the units,
23 which is about consistent with the EIS's
24 projections in terms of parking demand for the
25 site. So those are the special permits before

1
2 you, the document that will make sure that the
3 restrictions that you've seen in the plan, that
4 you've seen as the restrictive declaration, and
5 among other things, the restrictive declaration
6 will require that the project be developed in
7 accordance with the plans approved as part of the
8 land use application. It will limit the overall
9 floor area on the site, it will limit the number
10 of dwelling units, it will limit the amount and
11 type of commercial space, it will prohibit any
12 floor area attributable to the triangle's parcel
13 to be used on the site, it will require the
14 construction and maintenance for the public of the
15 open space, and it will include a number of
16 restrictions on the ... and environmental controls
17 on the construction and ongoing operations of the
18 project. All in all, the project will be about
19 17% smaller, as Bill said, as what's there today,
20 it will preserve historic buildings, it will
21 create open space, it will re-activate a vacant
22 site that's currently vacant, and it's something
23 that we hope will receive your support. Thank
24 you.

25 CHAIRPERSON WEPRIN: Thank you very

1
2 much. Before we get to the questions, I want to
3 acknowledge we had voted on cafes earlier and
4 we've been joined by Council Member Robert
5 Jackson, Council Member Vincent Ignizio and
6 Council Member Jessica Lappin. What I'm going to
7 ask is Christian Hylton to call those names for a
8 vote on the cafes that we passed before
9 unanimously.

10 MR. HYLTON: Council Member
11 Jackson.

12 COUNCIL MEMBER JACKSON: I vote aye
13 on all.

14 MR. HYLTON: Council Member Lappin.

15 COUNCIL MEMBER LAPPIN: Aye.

16 MR. HYLTON: Council Member
17 Ignizio.

18 COUNCIL MEMBER IGNIZIO: Yes.

19 MR. HYLTON: The vote now stands at
20 nine in the affirmative, none in the negative and
21 no abstentions.

22 CHAIRPERSON WEPRIN: Great, thank
23 you very much, Mr. Hylton. All right, we're going
24 to start in with questions, I'm going to start out
25 with a couple of issues myself. So Mr. Rudin, I

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2 know that there's been a lot of discussion about
3 the hospital, there have been a lot of protests
4 and a lot of ... we've gotten a lot of petitions and
5 letters, but I know you talked about the hospital
6 and your desire to put a hospital there initially
7 and then, and now putting in this project with
8 North Shore-LIJ, can you describe why you weren't
9 able to make the O'Toole Building more of a
10 hospital, and possibly build on top of what is
11 there now, and what your discussions with
12 Landmarks were, and whether any discussion was
13 made about trying to build that into a hospital,
14 more like a regular hospital?

15 MR. RUDIN: Well, as I mentioned
16 before, the original idea was to tear down O'Toole
17 and build a full-scale hospital there, and when
18 those discussions were taking place, particularly
19 at Landmarks, there was a huge outcry against the
20 idea of tearing down O'Toole and the only way that
21 we could have gotten ... or the hospital have gotten
22 approval was based on this hardship application to
23 tear it down, and once the hospital went bankrupt,
24 there was no hardship any more. In addition,
25 Landmarks Preservation Commission made it very

1
2 clear that they would not consider, from our
3 perspective, any addition of adding to the floors,
4 plus there, you just can't add to ... and Jeff Kraut
5 is here from the hospital, he can explain it
6 better than I can, but just adding a couple of
7 floors does not solve ... make the difference
8 between what we're creating and a full-scale
9 hospital. You had ... the full-scale hospital,
10 based on all the Department of Health
11 requirements, needed to be about 600,000 square
12 feet, so it was not just adding two floors, it was
13 adding many, many floors, and that was just not
14 possible.

15 CHAIRPERSON WEPRIN: And just to be
16 clear, it was not possible because Landmarks said
17 it's not possible, or because you didn't think it
18 was feasible either financially or what?

19 MR. RUDIN: I think both,
20 financially there was no hospital that was
21 prepared to take on the additional cost, or was it
22 the sense that the Department of Health would not
23 approve a larger hospital, so there were a whole
24 confluence of reasons why that did not happen. I
25 would say mostly the financial viability of it,

1
2 the cost of creating it, and also the Landmarks
3 issues. There was actually a lawsuit placed
4 against the approved plans by several
5 organizations and neighborhood residents, so that
6 was also hanging out there.

7 CHAIRPERSON WEPRIN: Could you
8 describe in a little more detail, I know you
9 mentioned it before, how the establishment that's
10 going to be there with North Shore-LIJ is going to
11 work, what they can handle, what they can
12 accommodate for the community?

13 MR. RUDIN: I think it's better if
14 I let Jeff Kraut answer that question.

15 CHAIRPERSON WEPRIN: Okay.

16 MR. RUDIN: He will be- -

17 CHAIRPERSON WEPRIN: (Interposing)
18 Mr. Kraut, would you come up, state your name for
19 the record, and squeeze into one of those
20 microphones.

21 MR. KRAUT: Hi, I'm Jeff Kraut from
22 North Shore LIJ Health System. Essentially what
23 we're trying to create is a new hybrid kind of
24 medical facility that essentially combines the
25 emergency access of a community hospital with that

1
2 of a diagnostic and treatment center. At its
3 core, the institution, as you heard it described
4 before, will contain a 20,000 square foot
5 emergency department, containing 24 treatment
6 bays, CT scanner, X-ray, all the imaging that you
7 need, and I'll explain what goes on in that. On
8 the upper floors, there's going to be a more
9 broader-based ambulatory imaging facility that has
10 the full spectrum of diagnostic modalities, plus
11 an ambulatory surgery center to replace what is
12 increasingly becoming, you know, 60% of all
13 surgery is done on an ambulatory basis now. And
14 then there's going to be as part of that facility
15 two beds that will allow us to stabilize
16 individuals, I'll describe in a moment how that
17 works, plus observational beds to decide on a
18 clinical disposition. Essentially, with the
19 closure of the hospital, the emergency room in
20 many respects in many communities serves as a
21 front door to all community services. One of the
22 unique aspects that we're trying to do is, as
23 individuals come into this facility, this facility
24 by the time it opens will be digitally-linked with
25 all the health providers, not only in the

1
2 community, but throughout New York City, through
3 another program that we're working on to
4 essentially provide meaningful use of electronic
5 medical record. That means the information
6 that's, when you're coming available here and we
7 see you, we have your information from all your
8 providers available to those people to treat you,
9 and consequently, when you leave the facility and
10 we discharge you, the information moves with the
11 patient to their provider, be it private office,
12 community health center, another hospital.

13 Essentially what the center is going to be focused
14 as a division of Lenox Hill Hospital, it will have
15 to operate as all the community-based emergency
16 rooms do, to all the state health code, the
17 Federal codes that govern the use of these
18 facilities. People are going to be able to come
19 into the facility and be treated for a host of ...
20 I'll come back to, I'll illuminate on that in a
21 minute, but essentially, about 90% of all people
22 using an emergency room in New York City
23 essentially go there to be treated and released.
24 And there's about 8% to 10% or so of people who
25 require follow-up care. The facility is going to

1
2 have the capability to treat a full range of
3 illnesses and injuries. This include people who
4 present with chest pains, cardiac symptoms,
5 shortness of breath, respiratory illnesses,
6 including asthma, pneumonia, chronic bronchitis,
7 concussions, simple fractures and joints, severe
8 cuts, minor burns, abdominal pains, allergic
9 reactions, occupational injuries, behavioral
10 health issues. There are certain ... so it's
11 essentially you have the ability to provide a lot
12 of what people are using emergency rooms for today
13 and into the future. There are certain things
14 that the facility will not be able to provide, and
15 that has to deal with people that are coming in
16 for trauma and multiple injuries, moderate or
17 severe burns, high-risk maternity patients, neo-
18 natal patients, or pediatrics in need of intensive
19 care, people who have re-plantation and require
20 micro-surgery. The way that it works essentially
21 is we're going to be plugged into the 911 system,
22 we're going to maintain an ambulance under our
23 control at the facility, to be able to stabilize
24 and move people to higher levels of care. But in
25 essence, if someone in this room, for example,

1
2 suffered chest pains today, and you call 911, they
3 come in here, they probably take a strip, and then
4 they would take a look and they would say, well,
5 yes, you may be having a cardiac incident. When
6 you're picked up by 911, you wouldn't necessarily
7 be brought to our facility if there's evidence
8 that you're having a cardiac or other incident.
9 You would be moved to a hospital that has higher
10 levels of care, such as cardiac catheterization,
11 laboratory, or surgery. However, if you walk into
12 our facility, not necessarily knowing what you
13 have, but let's say you have some chest pain or
14 tightness, we would do the same exact thing. we
15 would do a strip, see if we can, you know, if you
16 need anything. If you need to be stabilized, we
17 can stabilize you, we have our ambulance there,
18 and we would move you to another facility. So we
19 have similar capability, but you wouldn't
20 knowingly have a 911 under medical control would
21 come into this facility, just knowingly know
22 you're in an acute episode of care. But we would
23 be able to basically provide the same range of
24 activities that at most community hospitals, so if
25 you go into some of the community hospitals now,

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2 and you're found to require cardiac intervention
3 care, not every hospital in New York has that
4 capability, they stabilize you, put you into an
5 ambulance and move you to a higher level of care.
6 And in essence, this is a relatively new concept
7 in New York, but it's not ... it's been around for
8 40 years across the country. It's in 16 states,
9 there's over 200 facilities, 190 of them very
10 similar to what we're describing being operated as
11 a division of a hospital. So let me just stop
12 there for a moment.

13 CHAIRPERSON WEPRIN: The 90, you
14 mentioned the 90% of the people come in to an
15 emergency room, you know, are treated and
16 released, those 90%, the treatment they get at
17 what you're setting up, how does that differ than
18 a different hospital, let's say Lenox Hill, for
19 instance?

20 MR. KRAUT: It would be no
21 different. It's staffed by board-certified
22 emergency physicians, well-trained nursing, EMT
23 personnel, it would be ... it has to meet the
24 identical standard of what we're operating at
25 Lenox Hill, or any community hospital, because

1
2 we're being held to the same standards from the
3 Department of Health and from Medicare, and the
4 Joint Commission on Accreditation.

5 CHAIRPERSON WEPRIN: And if I lived
6 there in the area with my family, you know,
7 obviously, you know, you never know what's going
8 to happen, severe trauma, you mentioned the neo-
9 natal incident. How do you make those families
10 feel more secure about the fact that they may not
11 be able to be served at that location?

12 MR. KRAUT: Well, I think there's a
13 lot of educational activities that have to go on
14 here. But first of all, remember, when you have
15 the sudden and serious onset of symptoms and you
16 happen to be in your home, if it's not serious,
17 you might bring somebody into the facility. But
18 if they are serious, you're going to call 911, and
19 then we will have worked out with medical control
20 for the EMS system about the protocols that are
21 needed to move people, whether they come to this
22 facility, because 911 could definitely come to
23 this facility for certain instances. Let's say
24 there was a fall in the house and broken arm,
25 that's something we could absolutely take care of.

1
2 But if it's something very serious, a baby turns
3 blue, they're not going to take you to an
4 emergency room, they're going to take you to the
5 closest neo-natal intensive care unit, as they
6 would today.

7 (Sound of an alarm)

8 CHAIRPERSON WEPRIN: Well, that's
9 always fun. There's going to be an announcement,
10 so let's hold off one second.

11 MALE VOICE: May I have your
12 attention please, may I have your attention
13 please. This is your building fire safety
14 director. At this time the building will be
15 conducting tests of the class E system. Please
16 disregard any and all alarms that you receive or
17 hear, unless otherwise instructed until such time
18 as the testing is completed.

19 CHAIRPERSON WEPRIN: Thank you, and
20 hopefully the building fire safety director won't
21 cause us too much disruption along the way. Now I
22 lost my train of thought. You know, you
23 mentioned, where is the closest, I want to ask?
24 You said that, you know, a baby turns blue, neo-
25 natal trauma center, where's the closest one?

1
2 MR. KRAUT: There would be two, to
3 the south there's a neo-natal unit down at New
4 York downtown, the closest one would be to the
5 east would be Beth Israel. And to the north would
6 be St. Luke's-Roosevelt, Roosevelt Hospital.

7 CHAIRPERSON WEPRIN: Where's Beth
8 Israel, exactly?

9 MR. KRAUT: Beth Israel is on 14th
10 and 2nd Avenue ... I'm sorry, 16th and 7th.

11 CHAIRPERSON WEPRIN: 2nd.

12 MR. KRAUT: Between 1st and 2nd.

13 CHAIRPERSON WEPRIN: Okay. I know
14 my other colleagues have questions. Let me get a
15 couple of other issues I just want to bring up. A
16 couple of issues that have come up, a number of
17 the residents from 12th Street in particular have
18 raised the issue of two things, first, the parking
19 garage that you're putting into the Reiss
20 Building, you're tearing down the Reiss Building,
21 you're putting these two lanes to go into the
22 parking garage. Has there been any discussion
23 about putting them in a less-residential street,
24 because a lot of those people on 12th Street say
25 this will hurt the character of our neighborhood?

1
2 MR. RUDIN: We studied a
3 significant amount of alternatives, and
4 unfortunately, based on a number of facts, 12th
5 Street turns out to be the best spot for the
6 garage. Just to clarify, we're having ten spots
7 on the ramp, so there will not be any queuing on
8 the street. Also just a reminder to everybody
9 that this parking is for the residents of the
10 property, it's not for commercial use, so, you
11 know, our sense on any given day there will not be
12 that significant an amount of traffic. We looked
13 at 11th Street, there were a lot of issues related
14 to 11th Street and in particular our concern,
15 because of PS 41 that's on the corner of 6th Avenue
16 and 11th Street and adding some traffic there,
17 there were some structural issues that impacted,
18 you know, the design. And then on 7th Avenue, we
19 looked at it, but you may want to say, add on
20 this, but we were told that this was an issue that
21 City Planning Commission had serious issues with,
22 of having the curb cut and adding parking coming
23 through on 7th Avenue. But we did, we had many
24 discussions with the community about the parking,
25 and we tried to address their concerns. I think

1
2 the borough president asked us to have appropriate
3 warning signals and signs that we've agreed, and
4 again, we think that the parking will, you know,
5 be of minimum impact on 12th Street.

6 CHAIRPERSON WEPRIN: Okay. Did you
7 want to say something as well? Thank you, Mr.
8 Rudin, just state your name again before you
9 speak.

10 MS. MEYERS: Sure Melanie Meyers
11 from Freid Frank. Just two things, there is a
12 longstanding policy against curb cuts on wide
13 streets, and it actually requires another action
14 before City Planning, we were not encouraged to
15 seek that, it's an authorization that would have
16 been required, and we were not encouraged in any
17 way to seek an authorization for 7th Avenue curb
18 cuts.

19 CHAIRPERSON WEPRIN: Not encouraged
20 by whom?

21 MS. MEYERS: By City Planning, they
22 would not accept it. The other thing, just one of
23 the things we looked at in the environmental
24 review that was done for the project is capacity
25 in nearby parking garages, and you know, what this

1
2 project was expected to require for purposes of
3 parking. And what we proposed is something that
4 we think is very targeted to the amount of parking
5 that would be generated by the project and the
6 adjoining area garages are near capacity and there
7 would be a concern about congestion at those
8 garages without the parking being proposed.

9 CHAIRPERSON WEPRIN: Okay, one
10 other question, the retail space that's going to
11 be put in the building. Currently there's no
12 retail space, but now with the new development
13 there's going to be retail along 7th Avenue, it
14 also comes around 11th and 12th, are there any
15 entrances on 12th? And how much of an intrusion
16 are those retail spaces going to be on the
17 residents of 11th and 12th Streets?

18 MR. RUDIN: I'm going to let Dan ...
19 sorry, I'll let Dan talk about the architecture,
20 but there will not be any entrances on 11th and
21 12th, we've already agreed to that. I'm sorry?

22 MS. MEYERS: On 12th.

23 MR. RUDIN: There won't be any
24 entrances on 12th Street, I'm sorry. And it's
25 actually only about 10,000 square feet of retail,

1
2 so, you know, it's not a significant amount of
3 retail space, and we've already been in
4 discussions regarding signage issues on 12th Street
5 that, you know, we are confident we'll work those
6 out.

7 CHAIRPERSON WEPRIN: Okay, thank
8 you. Mr. Kaplan, you putting that up to say
9 something, or just to show us?

10 MR. KAPLAN: Just to show you.

11 CHAIRPERSON WEPRIN: Use the mic
12 and state your name.

13 MR. KAPLAN: Dan Kaplan, unless you
14 have any further questions on that.

15 CHAIRPERSON WEPRIN: Okay.

16 MR. KAPLAN: I can review it.

17 CHAIRPERSON WEPRIN: All right,
18 well, just keep the boards around, because I'm
19 sure some of my colleagues will have questions.
20 And the last question, Reiss is the building that
21 was picked to come down and build a garage because
22 it wasn't landmarked while the others were, or
23 were there other factors involved in that?

24 MR. RUDIN: Dan, you want to?

25 MR. KAPLAN: Dan Kaplan, first of

1
2 all, I just want to say that it's a landmarked
3 district. The Commission basically looks at the
4 buildings and says which are contributing to the
5 specific historic nature of this district and
6 which are not. The ones that we are preserving,
7 the Commission deemed were contributing, and the
8 ones that we are taking, proposing to take down,
9 Reiss, Link, Coleman and Cronin, are ... were deemed
10 not to be contributing, and really, it's evidenced
11 by their lack of relationship to the historic
12 context. Reiss in particular is a very ... has no
13 break in the building, it's very horizontal, the
14 windows are very small, it was designed as a
15 psychiatric ward in 1955, it lacks real character,
16 and we can show you before and after, and really
17 Landmarks deemed that it was not contributing and
18 basically we then proposed a design, which they
19 approved as appropriate, and the reason I believe
20 they approved it as appropriate is one, we used
21 contextual materials, and two, setbacks were
22 related to the adjacent historic buildings, and
23 three, we set the buildings back in a particular
24 way to allow green spaces at the front. The fact
25 that the parking is in the base of that building

1
2 is, you know, part of it. We could have, if Reiss
3 was deemed to be contributing and we had to keep
4 it, we could have put the parking entrance in the
5 existing building, but the fact of the matter is,
6 it's a better building with it being rebuilt, and
7 the parking entrance happens to be there.

8 MR. RUDIN: There was also, I
9 think, some concern that, you know, in terms of
10 the construction and the demolition, and as a
11 matter of fact, to save Reiss we would have to, as
12 Dan mentioned, we'd have to still do a significant
13 amount of façade work to get the windows to the
14 same, you know, standard in terms of requirements
15 for housing. We would also have to add on top of
16 the building, and the construction time would ... we
17 would add several months of construction, and
18 there were also some other issues relating to, on
19 the foundation work, so, you know, we think that
20 in the end this design for the replacement will be
21 contributory to the whole project.

22 CHAIRPERSON WEPRIN: Okay, thank
23 you. I know my colleagues have a lot of
24 questions, so I'm going to ask the Chair of the
25 Land Use Committee, Council Member Comrie, to

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start.

MR. RUDIN: Can I just, on a file point?

CHAIRPERSON WEPRIN: Yes sir.

MR. RUDIN: And also, in terms of construction, the plan as of now, based on our construction manager's suggestion, is to tear down Reiss and Cronin at the same time, and that would be used as portals for construction for trucks to come in and out of the site. If you don't tear down Reiss, you will put an extra burden on 11th Street, in terms of additional truck traffic, and also one of the reasons of extending the time of construction. So I thought that was important for us to work out.

CHAIRPERSON WEPRIN: Okay, thank you. Chair Comrie?

COUNCIL MEMBER COMRIE, JR.: Thank you, Chair Weprin, and good morning, Mr. Rudin and your team. Where's the school? Where's the school?

MR. RUDIN: The school is on 16th Street and 6th Avenue in the existing Foundling Hospital and Building.

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2 COUNCIL MEMBER COMRIE, JR.: Oh,
3 the existing Founding Hospital.

4 MR. RUDIN: Correct.

5 COUNCIL MEMBER COMRIE, JR.:
6 Because you talked about it, but you didn't show
7 it, I just wanted to make sure that I understood
8 it's off-site. And that's already in
9 construction?

10 MR. KAPLAN: I believe they are in
11 the process of closing on it and getting their
12 final approvals of their plans.

13 COUNCIL MEMBER COMRIE, JR.: But
14 it's already been approved by SCA?

15 MR. KAPLAN: It's been approved by
16 the City Council and SCA, correct.

17 COUNCIL MEMBER COMRIE, JR.: All
18 right, I just wanted to make sure, okay. And you
19 talked about the parking, you said there's going
20 to be 158 parking spaces for this.

21 MS. MEYERS: 152.

22 COUNCIL MEMBER COMRIE, JR.: 152
23 parking spaces?

24 MS. MEYERS: Yes.

25 COUNCIL MEMBER COMRIE, JR.: And

1
2 that will make it approximately one parking space
3 for every 17 units?

4 MS. MEYERS: No, for, it's about
5 for 33% of the units. The application would allow
6 for up to 450 dwelling units on the site.

7 COUNCIL MEMBER COMRIE, JR.: Right.

8 MS. MEYERS: And so the 152 is
9 about 33%.

10 COUNCIL MEMBER COMRIE, JR.: That's
11 152 parking spaces for 450 dwelling units.

12 MS. MEYERS: Uh huh.

13 COUNCIL MEMBER COMRIE, JR.: And
14 you believe that that's sufficient enough to meet
15 the capacity needs for the area?

16 MS. MEYERS: Yes, and sort of in
17 two different ways, or close to. The EIS looked
18 at sort of the maximum demand from the site, and
19 the night-time demand would be the greatest and it
20 actually was 167 spaces that were ... and so the 152
21 spaces that are being proposed, it doesn't
22 accommodate every car, but it accommodates just
23 about all of the cars.

24 COUNCIL MEMBER COMRIE, JR.: But
25 didn't you say the other garages were already at

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capacity?

MS. MEYERS: They're not at capacity, but they are getting close, and if this garage wasn't in the mix, then there would be ... they would be at 98% capacity, which for City Planning purposes, they look at between 90% and 95%, so with this garage there would be about 92% capacity, and without the garage it would be closer to 98%, almost 100%.

COUNCIL MEMBER COMRIE, JR.: But isn't it trending that people are getting more cars and car-share ... well, hopefully if we can expand car-sharing, there will be less of a need for cars, but isn't it trending, and City Planning I think has been showing this, that there has been more desire for car ownership for Manhattanites?

MS. MEYERS: The ... one of the other things that was looked at in the EIS was the demands from an ownership standpoint, and in this particular district the studies show that for people owning their dwelling units, that there is a car ownership of about 37%.

COUNCIL MEMBER COMRIE, JR.: Right.

MS. MEYERS: So again, we're sort

1
2 of close to what the standard is, and that's what
3 we thought was appropriate to ask for.

4 COUNCIL MEMBER COMRIE, JR.: But
5 you're trending under the standard in this.

6 MS. MEYERS: A little bit, you're
7 right.

8 COUNCIL MEMBER COMRIE, JR.: And if
9 they'll be under at 95% or 98% capacity, with the
10 needs for people, it's going to be interesting.
11 What's the breakdown of the 450 units? What's the
12 ... how many one's, two's, three's? what's the
13 sizes of those units?

14 MR. KAPLAN: We're still in design
15 development of that, and I think it would be, you
16 know, a pretty even mixture of one, two, three and
17 four bedroom apartments, but we're still working
18 out the detail.

19 MS. MEYERS: And also the 450 just
20 is a maximum, there's a commitment to not exceed
21 that number at this point.

22 COUNCIL MEMBER COMRIE, JR.: Right.
23 And once you get the density changes that are
24 required, that will be it, you won't be looking
25 for any other changes after the plan is approved

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at this particular point, correct?

MS. MEYERS: That's correct.

Actually, one of the things with the restrictive declaration, it not only ties development to the large-scale project that you've seen, but if for any reason the Rudins decided to proceed as of right, they would actually be governed by zoning as it exists today, that's one of the commitments that needed to be made. So it's this project with no intention for any additional development on the site.

COUNCIL MEMBER COMRIE, JR.: Right.

So when you move into an R8 in certain areas, that's just to accommodate the existing buildings, not to ... you're signing a restrictive declaration not to put any additional new density in those areas?

MS. MEYERS: The project that is approved is about ... is 590 ... or that's being requesting is about 590,000 square feet, a little over that. Existing conditions on the site is about 670,000 square feet.

COUNCIL MEMBER COMRIE, JR.: Well-

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2 MS. MEYERS: (Interposing) So we're
3 asking- -

4 COUNCIL MEMBER COMRIE, JR.:
5 (Interposing) ... I'm just asking on 11th Avenue
6 (sic) you talked about doing from an R6 to an R8.

7 MS. MEYERS: Correct.

8 COUNCIL MEMBER COMRIE, JR.: To
9 accommodate the actual buildings that are there
10 now, so you're not building any higher than those
11 structures that are there now.

12 MS. MEYERS: On 11th Street we're
13 building ... we're at the same height or lower. In
14 fact we're taking down, the plan has a removal of
15 a 15-story building that would be replaced by
16 townhouses.

17 COUNCIL MEMBER COMRIE, JR.: So
18 what building is required for the R8 variance?

19 MS. MEYERS: The existing buildings
20 on the site were the product of something called a
21 large-scale community facility, and the building
22 that's at the corner of 11th Street and 7th Avenue
23 today, the Coleman and Link Pavilions, which are
24 quite large and quite bulky, took ... received
25 development rights that moved from the triangle

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2 and from the O'Toole building. That building will
3 be taken down and in its place will be a
4 significantly-smaller building. But, you know,
5 with ... because the historic buildings are
6 overbuilt, in that we would be asking for is the
7 increase FAR, it's a little technical, but if you
8 look at what zoning would allow today, and you
9 looked at what was permitted on the triangle, and
10 permitted on the east site under current zoning,
11 it actually is more floor area than what's being
12 requested for the project. You could build about
13 650,000 square feet, and the project that we're
14 proposing is 590,000, but it puts the floor area
15 on the east site, so that the triangle can remain
16 open and be a publicly-accessible open space.

17 COUNCIL MEMBER COMRIE, JR.: Okay.
18 Just back to the parking again for a minute, will
19 the garage be a manned garage or an unmanned
20 garage?

21 MR. RUDIN: Manned garage.

22 COUNCIL MEMBER COMRIE, JR.: It
23 will be staffed 24/7?

24 MR. RUDIN: Yeah.

25 COUNCIL MEMBER COMRIE, JR.: Okay.

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2 MR. RUDIN: I'm not sure, we're not
3 sure of the hours of operation, but- -

4 COUNCIL MEMBER COMRIE, JR.:
5 (Interposing) But you said the parking will not be
6 for the general public, it's only going to be for
7 residents, not commercial.

8 MR. RUDIN: That is correct.

9 COUNCIL MEMBER COMRIE, JR.: Okay,
10 and you're doing a lot of demolition, have you
11 developed a construction mitigation plan, and how
12 are you going to do all of that fine demolition to
13 preserve the buildings that are there? Have you
14 put a plan together that you can share- -

15 MR. RUDIN: (Interposing) We're
16 going to do it with tender loving care, and we do
17 have a plan, this is the environmental impact
18 statement right here, it's quite voluminous, and
19 as Melanie mentioned, the restrictive declaration
20 has a significant amount of requirements and
21 language for us to adhere to during the
22 construction of this project.

23 MS. MEYERS: And- -

24 COUNCIL MEMBER COMRIE, JR.:
25 (Interposing) And are you going to do one side at

1
2 a time, or how ... are they going to do 7th Avenue
3 first, or 11th Street first, or 12th Street first?

4 MR. RUDIN: I'm going to let my
5 cousin Eric answer the question, or Melanie can
6 answer the question.

7 MS. MEYERS: I think the notion is
8 to be doing most of the demolition work
9 simultaneously.

10 COUNCIL MEMBER COMRIE, JR.:
11 Simultaneously.

12 MS. MEYERS: So that the project ...
13 the project will be filed as a single building, or
14 at least that's the intention at this point. And
15 so it's really being looked at as trying to build
16 it as quickly as possible, and limit the amount of
17 time for the construction.

18 COUNCIL MEMBER COMRIE, JR.: Okay,
19 and during the construction, you're going to be
20 able to keep the site from impacting ... how are you
21 going to keep the site from impacting the
22 communities in a negative way?

23 MS. MEYERS: A few things, and we
24 can go through what the EIS said, but when we
25 started looking at the project, looked at

1 including into the project a number of measures
2 that were designed to stop impacts before they
3 happened. So for example, you know, air quality
4 is a concern, and there are requirements for
5 wetting down the site, there's a requirement for
6 the use of diesel particulate filters. Noise was
7 a concern, we have made agreements to limit
8 noisier work before 8:00 a.m. in order to limit
9 the amount of impacts there. So there are a
10 number of items that were agreed to or
11 incorporated into the project to make sure that
12 those concerns were met. There's a construction
13 protection plan that Landmarks has to approve, to
14 make sure that there's not settlement and things
15 like that on adjoining. So we have lots of
16 obligations, and one of the additional obligations
17 that the Rudins have is to hire an independent
18 monitor, and it's an independent monitor that's
19 answerable to City Planning, and the role of that
20 independent monitor is to make sure that all of
21 the construction commitments that have been made
22 in fact will be implemented through the course of
23 the process.

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25 COUNCIL MEMBER COMRIE, JR.: And

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2 that monitor reports to the community board on a
3 regular basis and DOC?

4 MS. MEYERS: They are ... they answer
5 first to City Planning, and one of the things that
6 City Planning has agreed is that they will also
7 make their reports available to the community
8 board and meet with the community board.

9 COUNCIL MEMBER COMRIE, JR.: Okay.

10 CHAIRPERSON WEPRIN: Have you got
11 more?

12 COUNCIL MEMBER COMRIE, JR.: I do
13 have more, but if you're telling me I've got to
14 stop, that's all right.

15 CHAIRPERSON WEPRIN: Well, as
16 quickly as you could finish.

17 COUNCIL MEMBER COMRIE, JR.: Well,
18 I'm trying to be quick.

19 CHAIRPERSON WEPRIN: Far be it for
20 me to tell the Chairman, you know.

21 COUNCIL MEMBER COMRIE, JR.: Just
22 on a ... the Reiss Building seems to me to be
23 structurally similar to the other two buildings,
24 why ... you talked about the fact that their windows
25 were smaller because it was a psychiatric

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2 hospital, and I'm just wondering, what was the
3 historical significance of the other two
4 buildings? Because it was already in an
5 historical district, or was there a particular
6 history to those two?

7 MR. KAPLAN: This is Dan Kaplan, I
8 am interpreting your question as why- -

9 COUNCIL MEMBER COMRIE, JR.:

10 (Interposing) Why the others weren't torn down
11 also.

12 MR. KAPLAN: Why not tear down all
13 of them. That ... do you have an answer to that
14 question? There were four buildings, they were
15 the earliest ones, this is 1924, the Smith and
16 Raskob ones are from the mid to late 40's, and
17 also the Spellman one is from the early 40's. And
18 they, when originally the district was designated,
19 the Greenwich Village Historic District was
20 designated, and Landmarks staff went and did, you
21 know, walked up and down every street and made
22 notes, those four buildings were actually noted in
23 the report as contributing to the specific quality
24 of Greenwich Village, and that, you know, more
25 vertical windows, cornice lines, red brick, a mix

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2 of brick and limestone, and so forth. Reiss,
3 Coleman, Link and Cronin were not mentioned or in
4 some cases were saying did not contribute, so the
5 Commission felt that the four buildings that we
6 are keeping contributed to what makes Greenwich
7 Village Greenwich Village. But the ones that were
8 not, they did not think that they did.

9 COUNCIL MEMBER COMRIE, JR.: I know
10 we're having a long day, and we have other members
11 that want ... but just ... and I brought that up not
12 particularly for you, but just with my issues with
13 Landmarks in general, and how they lump in areas
14 when they're doing designations. The issue on the
15 hospital and the ability of the hospital, if you
16 break a hand, can you get it fixed there? I'm
17 confused about what you mean is urgent care and
18 ambulatory care in this day and age, and what
19 those terms mean.

20 MR. KRAUT: Well, I'll admit that
21 the health care is changing, and the definition,
22 and I think this building in general is
23 recognizing the changes that are happening. And
24 the things that we're going to be able to do with
25 advances in technology are, by the time we open

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2 the building may be substantially more enhanced
3 than we're actually proposing now. So- -

4 COUNCIL MEMBER COMRIE, JR.:

5 (Interposing) Are you saying there's a
6 possibility- -

7 MR. KRAUT: (Interposing) ... a
8 broken hand, you absolutely could have it repaired
9 in that facility- -

10 COUNCIL MEMBER COMRIE, JR.:

11 (Interposing) Problems with asthma, you can get,
12 if you have a child- -

13 MR. KRAUT: (Interposing) You have
14 treatment.

15 COUNCIL MEMBER COMRIE, JR.: ... has
16 an asthma attack.

17 MR. KRAUT: Yes. You would be able
18 to be treated there essentially for about 94% of
19 what people come to an emergency room for, we will
20 be able to treat you for. That other 6%, which
21 is, you know, multiple ... a motor vehicle injury,
22 severe head trauma, significant cardiac or stroke
23 episode, which you're actively in the middle of,
24 you would be moved to another facility. And
25 that's falling into that 6%.

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2 MR. RUDIN: If you go to page 19
3 and 20 of the briefing book, there's a pretty
4 extensive- -

5 COUNCIL MEMBER COMRIE, JR.:
6 (Interposing) Yes, I was looking at it.

7 MR. RUDIN: ... an extensive list of
8 what it's planned to be treating there.

9 COUNCIL MEMBER COMRIE, JR.: I was
10 looking at it, and it does look extensive, I just
11 ... but you keep talking about stabilizing and
12 moving, so you're not necessarily doing operations
13 on the- -

14 MR. KRAUT: (Interposing) No, we
15 will not, but what we will be able to do is, if
16 you require a hospitalization, depending on where
17 your physician or choice is, we would move you,
18 we'd keep an ambulance there so we're not taxing
19 the 911 system, it will be our own ambulance.
20 Once you're stabilized, we would move you to a
21 facility of your choice. If you don't have a
22 physician, or do not have a facility of your
23 choice, we'll make available our facilities at
24 Lenox Hill Hospital, and we will do so without
25 regard to ability to pay.

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2 COUNCIL MEMBER COMRIE, JR.: Okay,
3 and you're ... but you also just intimated that with
4 the changes in medical issues, you might be able
5 to upgrade your abilities.

6 MR. KRAUT: We expect that that
7 would be the case, but this is what we know the
8 best of today.

9 COUNCIL MEMBER COMRIE, JR.: Today,
10 okay. All right, thank you. Mr. Chair, I don't
11 have any other questions on this round.

12 CHAIRPERSON WEPRIN: Thank you, no,
13 all right, well, we can come back. You know, I
14 apologize, you know, these are the people who are
15 going to have the most questions for the day, and
16 these are the people that are going to have the
17 answers, this panel, so we wanted to, you know, be
18 as thorough as possible. I do ask my colleagues
19 to try to limit the questions, if you can, because
20 we do have a long day ahead of us. So Council
21 Member Reyna, I would like to you to ask any
22 questions you would like.

23 COUNCIL MEMBER REYNA: Thank you
24 very much, Chair. I just want to understand the
25 garage for a second. I know that you've said the

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2 issues concerning the percentage as City Planning
3 has considered this to be a mandatory number of
4 spaces. This will only be for the dwelling units,
5 not the commercial and not the hospital?

6 MR. RUDIN: That's correct.

7 COUNCIL MEMBER REYNA: And what
8 accommodations for the hospital will there be?

9 MR. RUDIN: There are other parking
10 facilities in the neighborhood that, you know,
11 that are ... some are similar to us, and some are,
12 you know, commercial and have public access.

13 COUNCIL MEMBER REYNA: And that has
14 not been an issue that has been raised within the
15 environmental impact study?

16 MS. MEYERS: It was looked at.

17 COUNCIL MEMBER REYNA: Okay.

18 MS. MEYERS: In the environmental.

19 COUNCIL MEMBER REYNA: Okay.

20 MS. MEYERS: And the capacities
21 that I talked about with this garage and being
22 92%, that includes people coming to the facility
23 and to the comprehensive health care facility, so
24 it was taken into account. And there are spaces
25 within the existing garages to accommodate them.

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2 COUNCIL MEMBER REYNA: And when you
3 mentioned the comprehensive health facility, you
4 were referring to what was then St. Vincent's?

5 MS. MEYERS: No, no, no.

6 COUNCIL MEMBER REYNA: Okay.

7 MS. MEYERS: The new- -

8 MR. RUDIN: (Interposing) The new
9 facility.

10 MS. MEYERS: North Shore-LIJ.

11 COUNCIL MEMBER REYNA: And so was
12 there a comparison made to understand what was the
13 situation when St. Vincent's was in operation
14 within the area, to understand what the percentage
15 of spaces, availability, with the existing- -

16 MR. RUDIN: (Interposing) If there
17 was a- -

18 COUNCIL MEMBER REYNA:
19 (Interposing) ... garages?

20 MR. RUDIN: There was no parking in
21 the existing campus, right?

22 MS. MEYERS: There were 48 spaces
23 in O'Toole.

24 MR. RUDIN: On the O'Toole's, but
25 not on the east campus.

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MS. MEYERS: Right.

COUNCIL MEMBER REYNA: And the 48 spaces were made available for St. Vincent's?

MS. MEYERS: They were made available for St. Vincent's, primarily for their staff, though.

COUNCIL MEMBER REYNA: And the ... I see, okay. So the 48 spaces will no longer be existing for the new facility.

MS. MEYERS: That's correct.

COUNCIL MEMBER REYNA: And there won't be any more spaces available, other than the existing garages today.

MS. MEYERS: That's correct.

COUNCIL MEMBER REYNA: Okay. And that has not been presented to be an issue of concern?

MS. MEYERS: That's correct, again.

COUNCIL MEMBER REYNA: According to the environmental impact study.

MS. MEYERS: Exactly right.

COUNCIL MEMBER REYNA: And the ... this project, the cost of this project is a total of what? How much, what is the project cost?

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2 MR. RUDIN: For, including the
3 North Shore component, or just the ... you want the
4 total? The two projects combined are probably
5 close to a billion dollars in capital.

6 COUNCIL MEMBER REYNA: So there's a
7 billion dollars in capital costs, and that
8 includes the dwelling units and the hospital and
9 the school?

10 MR. RUDIN: And the park. The
11 school, we don't know what the budget is, but, you
12 know, I mean, it's a significant amount of money,
13 but that's not, you know, we're focusing, you
14 know, in terms of your question, on the east and
15 west campus.

16 COUNCIL MEMBER REYNA: Okay, so the
17 east and west campus include what would be the
18 dwelling units, the park, the hospital ... am I
19 missing anything? And that's a total cost of a
20 billion dollars.

21 MR. RUDIN: Close to ... I mean,
22 we're still in budgeting, it's 800 to, you know,
23 800 million for us and 100 million for the
24 hospital, so, you know, 900 million.

25 COUNCIL MEMBER REYNA: And as far

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2 as the project is concerned in these three
3 categories, are there any subsidies that will be
4 applied for?

5 MR. RUDIN: No, not for- -

6 COUNCIL MEMBER REYNA:

7 (Interposing) To develop.

8 MR. RUDIN: We have not applied,
9 this will be the first time, it's already ... we're
10 already paying taxes on the properties that have
11 been not, you know, they were not-for-profit, so
12 they haven't paid taxes for a significant period
13 of time.

14 COUNCIL MEMBER REYNA: And in the
15 future, is there an anticipation to apply for
16 subsidies?

17 MR. RUDIN: Not at this time, there
18 really, I don't think there is any program that is
19 applicable for us.

20 COUNCIL MEMBER REYNA: Okay. And
21 so there was never an intent to build any
22 affordability to this project?

23 MR. RUDIN: Well, no, we've, you
24 know, because of the ... take it in steps, we had to
25 satisfy the bankruptcy court and the creditors,

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2 you know, for their ... and the hospital board, and
3 we, as I mentioned in my introduction, we achieved
4 approval both from the creditors and from the
5 unsecured creditors. The unsecured creditors
6 predominantly are the pension liability fund and
7 the medical malpractice, in addition to other
8 vendors that had, you know, done work for the
9 hospital. And so we, with our purchase price,
10 committed a significant amount of money to cover
11 some of those liabilities. In addition, because
12 of the zoning and the fact that we were in a
13 landmark district and typically when you do
14 affordable housing, it's inclusionary housing, and
15 because, you know, we had sort of a ... we hit two
16 different, you know, concepts, and so because of
17 the limitation of the height and the bulk that was
18 imposed on us, and because of the economics,
19 affordable component became a very, very difficult
20 concept. In addition to the fact that all the
21 other public benefits that we have provided, we
22 think that that is, you know, we have stepped up
23 in a significant way.

24 COUNCIL MEMBER REYNA: And the ... in
25 reference to this particular project, as far as

1
2 the SCA is concerned, is the School Construction
3 Authority budgeting for the school to be
4 developed?

5 MR. RUDIN: Yes, they ... well,
6 again, back this was in 2007, and we, you know,
7 listening at the community board hearings and
8 public hearings, many of the parents in the
9 neighborhood expressed their concern about the
10 lack of pre-K through five seats in the community,
11 even though based on our EIS, the impact of our
12 project would, I think, have a minimum impact in
13 terms of the seats, but we heard what they were
14 saying, and we had just actually been ... Foundling
15 Hospital had just put on the market their entire
16 building to sell for commercial use, for
17 residential use, a hotel. They had decided they
18 wanted to move their facilities out of Manhattan,
19 and we were able to go talk, have a conversation
20 with Foundling Hospital, convince them that they
21 should probably stay in half the building if we
22 could find a user for the lower half of the
23 building. We put the School Construction
24 Authority together with the Foundling Hospital, we
25 helped negotiate a deal, and back in 2007, when

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2 were in a different world, frankly, the Foundling
3 Hospital probably could have gotten more money and
4 a quicker closing. The fact that the City Council
5 needed to approve the contract and the budget gave
6 concern to the Foundling Hospital, they wanted to
7 have a solid contract signed. So we stepped in
8 and said, if the City Council doesn't approve this
9 deal, and the School Construction Authority
10 doesn't approve this deal, we would fulfill the
11 obligations of the purchase price, which I think
12 was about \$40 million ... I'm sorry, \$60 million.
13 So we in essence bridge-loaned the transaction, we
14 were able to secure the Foundling Hospital, they
15 made a commitment to make this deal, with the
16 condition that we backstop it, so that was our
17 role in this, and now the fruits of that labor
18 will be seen in the next couple of years.

19 MS. MEYERS: Yes, the school is
20 scheduled to be opened in September of 2014.

21 COUNCIL MEMBER REYNA: And as far
22 as the budget is concerned, the School
23 Construction Authority will be building a
24 standalone site?

25 MR. RUDIN: It's ... they're in

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2 essence a condominium, so the school will be in
3 the lower half of the building, while the
4 Foundling Hospital and the service they provide in
5 the upper half will still remain, they have
6 separate entrances, and will have separate, you
7 know, systems operating that.

8 COUNCIL MEMBER REYNA: But the
9 school site is not part of the public benefit
10 agreement.

11 MS. MEYERS: The school was done in
12 contemplation of this project, and the Rudins
13 worked on- -

14 MR. RUDIN: (Interposing) Well, we-

15 -

16 MS. MEYERS: (Interposing) But it
17 will open, it will open in 2014, regardless.

18 COUNCIL MEMBER REYNA: No, I
19 understand when it will open, I'm trying to
20 understand the public benefits that you were
21 referring to.

22 MR. RUDIN: It is not directly tied
23 into what you are looking to approve today, but it
24 was part of our efforts and our commitment to the
25 community, to solve issues that they raised over

1
2 the last five years, and be proactive in
3 addressing those issues.

4 COUNCIL MEMBER REYNA: But it's not
5 being paid within the \$1 billion- -

6 MR. RUDIN: (Interposing) No.

7 COUNCIL MEMBER REYNA: ... budget.

8 MR. RUDIN: No, it's not.

9 COUNCIL MEMBER REYNA: And so the
10 SCA has this projected in their own portfolio.

11 MR. RUDIN: Yes, when you approved
12 this back in 2007, the City Council, that was what
13 you were I think approving was the budget that- -

14 COUNCIL MEMBER REYNA:
15 (Interposing) It changes every year, so I'm just
16 trying to understand it.

17 MS. MEYERS: And it is funded, so
18 it will be opened in 2014.

19 COUNCIL MEMBER REYNA: Okay. And
20 is there a project labor agreement with this
21 project? I'm referring to the \$1 billion project.

22 MR. RUDIN: We are, you know, we
23 have very strong support from the unions on this
24 project, and we are in discussions, I believe,
25 with them about- -

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COUNCIL MEMBER REYNA:

(Interposing) For a project labor agreement.

MR. RUDIN: For a project labor agreement, but nothing has been finalized.

COUNCIL MEMBER REYNA: And when will this be finalized?

MR. RUDIN: And these will all be union ... we have a commitment that we will build a full union job.

COUNCIL MEMBER REYNA: And the issues as far as ... not issue, I apologize. The MWBE program, what has been discussed as far as a commitment to this project regarding MWBE procurement?

MR. RUDIN: Well, just to give you an example, we have a ... so far we've already started some, you know, interior demolition work that's allowed by the Department of Buildings. Our contractor, Turner, has I think approximately 16% already minority hiring, and we have a commitment- -

COUNCIL MEMBER REYNA:
(Interposing) I'm sorry, minority hiring as in construction workers?

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MR. RUDIN: As construction- -

COUNCIL MEMBER REYNA:

(Interposing) Not MWBE companies.

MR. RUDIN: I'm ... On the other project we just worked on, on 12th Street, we had nearly a 30% MWBE percentage. On this site I think we're trying to get to 20% of the contractors.

COUNCIL MEMBER REYNA: 20% of contractors to be?

MR. RUDIN: Is that correct? Yes.

COUNCIL MEMBER REYNA: Contractors to be MWBE-certified companies.

MR. RUDIN: Yes.

COUNCIL MEMBER REYNA: That you want to be able to work with?

MR. RUDIN: Yes, correct.

COUNCIL MEMBER REYNA: Why not just meet what you were able to achieve, 30%?

MR. RUDIN: Well, it could go up to that point.

COUNCIL MEMBER REYNA: Right.

MR. RUDIN: But we're just in the process of starting the bidding, and so, you know,

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2 I ... we understand the concern and we will, you
3 know, be trying to do that, but I think we feel
4 comfortable that we will hit the 20% goal, and if
5 we go above that, then, you know, I think that
6 will also be something we will strive to achieve
7 towards, but we can't guarantee that, because- -

8 COUNCIL MEMBER REYNA:

9 (Interposing) Right.

10 MR. RUDIN: ... of the complexities
11 of, you know, of what contractors are out there,
12 and what they're doing and, you know, at that
13 particular moment in time in terms of the bidding
14 process.

15 COUNCIL MEMBER REYNA: And what
16 company are you using to monitor the MWBE program
17 procurement goal?

18 MR. RUDIN: What? Turner is our
19 contractor, and they are responsible for that.

20 COUNCIL MEMBER REYNA: And they
21 have a track ... a proven track record of- -

22 MR. RUDIN: (Interposing) Yes.

23 COUNCIL MEMBER REYNA: ...
24 performance.

25 MR. RUDIN: They're one of the

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largest contractors in the City of New York.

COUNCIL MEMBER REYNA: And the- -

MR. RUDIN: (Interposing) We can
get you information on that- -

COUNCIL MEMBER REYNA:
(Interposing) Thank you.

MR. RUDIN: ... if that's something
you desire.

COUNCIL MEMBER REYNA: Thank you, I
would like to see the list of the 30% of MWBE that
you have been able to achieve. I congratulate you
on that commitment, and I look forward to seeing
that there would be a commitment that could match
that and achieve greater goals. I have no further
questions at this time, and I understand we're not
voting today.

CHAIRPERSON WEPRIN: Yes, we
probably ... we will not be voting today.

COUNCIL MEMBER REYNA: Okay.

CHAIRPERSON WEPRIN: On this
matter.

COUNCIL MEMBER REYNA: Thank you
very much.

MR. RUDIN: Thank you.

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2 CHAIRPERSON WEPRIN: I would like
3 to call on Manhattan's own Jessica Lappin.

4 COUNCIL MEMBER LAPPIN: Thank you
5 very much, Mr. Chair. Nice to see you all, good
6 afternoon, good morning. So when I came in the
7 building today, there was a big crowd of local
8 activists standing outside and I see Brad Hoylman
9 who's done yeoman's work as chair of Community
10 Board #2, and spent many, many hours on this
11 proposal. So I wanted to ask sort of broadly,
12 since there has been so much community discussion
13 on this issue, how that informed the plan you have
14 brought to us today?

15 MR. RUDIN: Well, there's no
16 question that, you know, we have tried to listen
17 as best we can to the issues that have been raised
18 by every voice that has been out there, and there
19 have been, you know, as I said, you missed the
20 beginning, we have had so many public hearings and
21 over 200 public meetings, so we, I think the end
22 product is, you know, if we fast-forward from five
23 years ago to today, I think, you know, when you
24 look through the briefing book and, you know, hear
25 our discussions, you will see that we have, I

1
2 think, answered a significant amount of the
3 concerns and questions that have been raised, and
4 we do the best we can, and I think at the end of
5 the day this is a product and a development that,
6 you know, we are very proud of and hope that you
7 agree with us in that view.

8 COUNCIL MEMBER LAPPIN: Can I ask
9 you specifically about the park? Because I know
10 the community board has done a lot of work about
11 the design of the park, and the desire in the
12 community to make sure it's a place for families
13 with children, but also to remember those who have
14 in the community suffered from AIDS, and so I
15 wanted to sort of ask you a little bit more in
16 detail about the park, and where we are and where
17 we might go with that.

18 MR. RUDIN: Well, first of all,
19 remember the park initially was only like half the
20 park, and then it moved to 2/3 of the park, and
21 now it's the entire park, a special thanks to
22 North Shore, because the one last component was on
23 the west end, which was the oxygen tanks, and they
24 found a way to satisfy those requirements within
25 their footprint, to free up the entire space. We

1 think this park will be a game-changer in terms of
2 the look and the feel of the neighborhood,
3 compared to what's there today. And we, as you
4 mentioned, we have worked, I don't know, John, how
5 many meetings did you and Rick have with the
6 community board on the design? Nearly 20 meetings
7 specifically about the design, and we were
8 following the lead of the community board and
9 their desire to have a neighborhood park, and even
10 before the concept of an AIDS memorial was ever
11 broached, which was not until the end of last ...
12 you know, the summer of last year, we were already
13 contemplating, as I mentioned in my testimony,
14 commemorative elements relating to just not only
15 the HIV-AIDS crisis, but the entire history of St.
16 Vincent's. We were asked by the Sisters of
17 Charity, who were the owners of St. Vincent's, to
18 try to find a way to incorporate some memorial
19 components into the design, and that's what we've
20 been trying to do, and you know, we're still
21 trying to work through the details with the
22 community board, with the Speaker's office, to
23 make sure that we've satisfied everybody's desires
24 and wishes.
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2 COUNCIL MEMBER LAPPIN: So that's
3 still an ongoing discussion.

4 MR. RUDIN: Yes it is.

5 COUNCIL MEMBER LAPPIN: Great,
6 great. And I want to just be crystal clear on
7 exactly which buildings are being preserved, and
8 which buildings are new, and what the status is of
9 the Reiss Building.

10 MR. RUDIN: The status of the
11 Reiss, we talked about, it is approved, you know,
12 to be demolished by the Landmarks Preservation
13 Commission, and that is part of the zoning and the
14 design that we have in front of you. If that
15 changes, we would have to go back to Landmarks,
16 and we think that, you know, there is a serious
17 question about timing and how long it would take
18 to get through Landmarks, and we want to get this
19 project moving. I think the people of the
20 community want to see, you know, see some
21 movement, and you know, get the older buildings
22 down and get this project started and finished in
23 a timely manner. So the longer we wait, the
24 longer what's existing there stays.

25 COUNCIL MEMBER LAPPIN: Right.

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2 MR. KAPLAN: Hi, Dan Kaplan, so
3 I'll just very quickly take you around on 12th
4 Street. On 12th Street, Reiss in our proposal
5 comes down, and is replaced, but Nurse's, Smith
6 and Raskob, like three quarters of the frontage,
7 stays. We have modifications as approved by
8 Landmarks and a lot of it requires, entails of all
9 these basically repointing and enlarging windows
10 and basically tuning the buildings up. So, sorry,
11 on 12th Street, Reiss comes down, Nurse's, Smith
12 and Raskob stay. On 7th Avenue, there's the end of
13 Raskob that stays, and then the Coleman and Link
14 buildings, which were built in the late 70's,
15 early 80's, they come down. On 11th Street, most
16 of Link which is the same building, but a lot of
17 the frontage comes down, Spellman, which was built
18 in the mid-40's, stays and is preserved and
19 adaptively reused, and then finally, Cronin, which
20 is 150 feet high, 15 story white brick and metal
21 building, mid-50's, comes down and is replaced by
22 five townhouses.

23 COUNCIL MEMBER LAPPIN: That is a
24 nice plan for adaptive reuse. My last question
25 just relates to what Mr. Rudin just said about

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2 wanting to get started, and certainly from the
3 community's perspective, wanting to get finished
4 as quickly as possible. You know, how long do you
5 anticipate construction would take and what the
6 impacts will be on the community, and what will
7 you, or are you planning to do in terms of air
8 quality, noise, etc., to mitigate the impacts on
9 the community?

10 MR. RUDIN: Well, as we mentioned,
11 I'll answer that, your last question first. We
12 have in the restrictive declaration a significant
13 amount of requirements for all those things, noise
14 mitigation, you know, dust and debris and all
15 those types of things. And you know, we are
16 committed to making sure that we minimize those
17 things as- -

18 COUNCIL MEMBER LAPPIN:
19 (Interposing) As somebody who represents the 2nd
20 Avenue subway construction, you can understand why
21 I would ask that question.

22 MR. RUDIN: As somebody who lives
23 not too far from there, I totally understand that,
24 so. I forget what your first question was.

25 COUNCIL MEMBER LAPPIN: It was just

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2 sort of how long you anticipate this would be, and
3 what the overall impact will be on the community.

4 MR. RUDIN: I would say we're
5 projecting a 36 month construction period. I'm
6 sorry, 39 months.

7 COUNCIL MEMBER LAPPIN: Okay, thank
8 you very much, Mr. Chair.

9 CHAIRPERSON WEPRIN: Thank you.
10 Just on the park, just one second, you don't have
11 a photograph of the current site, do you? Because
12 I went past it yesterday and on that particular
13 issue I have to say that what's there currently is
14 not an attractive sight at all, it has a building
15 on it, like a metal grate, so- -

16 MR. RUDIN: (Interposing) We'll
17 pull that up for you.

18 CHAIRPERSON WEPRIN: ... for any
19 other controversy, I'll have to assume the park is
20 a home run for a lot of people, because compared
21 to what's there now, it does seem like it will be
22 a nice improvement.

23 MR. RUDIN: There's a picture of
24 it, I believe, in your booklet on, if you go to
25 page- -

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CHAIRPERSON WEPRIN: (Interposing)

Well, I saw it live, so I don't need- -

MR. RUDIN: (Interposing) If you go to page 13, there's a lot of before and after shots right there, so.

CHAIRPERSON WEPRIN: Okay.

MR. RUDIN: It's- -

CHAIRPERSON WEPRIN: (Interposing)
Well, I encourage my colleagues to look at that, because I find that hard to believe that anyone would be upset about that aspect of this project, if any other. Any other questions? No? Oh great, well, we're going to let this panel go, anyone who wants to clear seats is always welcome to go. I want to remind everyone, we will get to everyone who wants to speak. We are going to put ... Sergeant-at-arms Economou, we're going to put a three-minute time limit on the people we call up. We're going to alternate people in opposition and people in favor. And I'd like to call the first panel, this one in opposition, David Kaufman, Eileen Dunn, Yetta Kurland and Tom Allen, I hope they're all in earshot. I'll try to let people know who's coming up. Yes, please. The next

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2 panel, and there are some elected official
3 representatives and community board chair who
4 we'll get to in the next panel on opposition, and
5 then the next panel ... oh, okay, and we'll have a
6 panel in favor. Do you want me to let them know
7 who it is? Okay. Which ones, the top four?

8 Okay. All right, just for the record, the panel
9 in favor, which will be next, is going to be Bill
10 Baccalanini, I messed that one up. Laura Cohen,
11 Mike Slattery and Mike McGuire. Okay. That will
12 be after this panel. Again, this panel, are we
13 all here? Did we find everybody who is coming?

14 MS. KURLAND: Yes, Mr. Tom Allen- -

15 CHAIRPERSON WEPRIN: (Interposing)
16 All aboard who is coming aboard?

17 MS. KURLAND: Tom Allen had to
18 leave, so it's just the three of us.

19 CHAIRPERSON WEPRIN: Okay. Okay,
20 so the three of you. Yes sir. All right, we're
21 going to wait one minute while the traffic goes
22 out and in. Nick, whenever you're ready, are you
23 ready? Okay, great. You guys can decide who goes
24 first.

25 MS. KURLAND: I- -

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CHAIRPERSON WEPRIN: (Interposing)
Okay, Ms. Kurland.

MS. KURLAND: Yes, Mr. Chair and ladies and gentlemen of the Committee, good morning, good afternoon, thank you for- -

CHAIRPERSON WEPRIN: (Interposing)
We're getting there, but not quite yet.

MS. KURLAND: It feels like it. I am a member of the Coalition for the New Village Hospital, we are an 8,000-strong community-based organization, over the course of the last two years we've submitted approximately 20,000 signatures and petitions making clear that the community is in great need of a hospital. I'm here to ask for your help in my community's efforts to restore the desperately-needed hospital services for the Lower West Side of Manhattan. The problem with hospital closures is affecting all of our communities. We used to have a hospital on the Lower West Side, a good hospital, St. Vincent's, perhaps you've heard of it. It was a hospital that needs assessment after needs assessment, including the Berger Commission, and including the most recent needs assessment,

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2 determined over and over and over must exist, and
3 was necessary for the public health and safety of
4 my community. In fact, even Bill Rudin himself
5 has admitted unequivocally that this hospital
6 needs to exist and in fact needs to be larger than
7 what is there or what was there. Mr. Rudin is
8 quoted in the New York Times as saying, "The lack
9 of a world-class hospital will not only jeopardize
10 the West Side population, but also threaten New
11 York's future competitiveness as a city." Mr.
12 Chair, the Journal of the American Medical
13 Association confirms the need for hospital
14 services is going up, while access to these
15 hospitals is going down because of market forces
16 such as real estate interests, which should not
17 jeopardize health care. And so, despite public
18 health laws that should have stopped this tragedy
19 from happening, literally in a matter of days a
20 160-year institution disappeared, leaving the
21 community in a health crisis, and a sea of still-
22 unanswered questions regarding financial
23 irregularities, and the reasons this hospital was
24 allowed to close in the first place. And now a
25 private developer seeks to convert this not-for-

1
2 profit hospital into privately-owned luxury
3 condominiums, even though the law says very
4 clearly that they are not allowed to do so without
5 continuing the charitable mission, that is,
6 providing a hospital, that's the MEETH standard,
7 we've passed out some literature, including an in-
8 depth memorandum of law, making very clear that
9 there were a number of violations, not only in the
10 way the hospital closed, and I just want to
11 comment on earlier testimony by Mr. Rudin that
12 said that there were lawsuits. In fact, we were
13 never able to bring those lawsuits, because the
14 hospital had filed for bankruptcy, we were found
15 not to have standing, and the community has yet to
16 be able to make its case for why the hospital
17 should not have been closed in the first place,
18 but we're here today to talk about solutions. And
19 in fact, this is not in any way a condemnation of
20 Mr. Rudin or of development, sustainable and
21 responsible development can be a good thing for a
22 community. It creates jobs, gives us things like
23 parks and schools and hospitals, and contributes
24 to the look and feel of a community. I'm assuming
25 that that means my time is up, let me just wrap

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2 up. In fact, Mr. Chair, that could be the case
3 here. If this plan included just a few more
4 floors on the O'Toole Building, we could have a
5 200- to 300-bed hospital for our community, it
6 would save lives, give us the much-needed hospital
7 for our community and the Rudins could still
8 develop seven of the eight buildings of the campus
9 for residential purposes. The trade unions who
10 stand to benefit from the construction jobs would
11 still have construction jobs, in fact this
12 solution would create more jobs for them, and it
13 would restore thousands of long-term permanent
14 union jobs to our community and as well as revive
15 the local community and small businesses that have
16 been wiped out.

17 CHAIRPERSON WEPRIN: Thank you, Ms.
18 Kurland.

19 MS. KURLAND: Thank you.

20 CHAIRPERSON WEPRIN: I'm going to
21 have to cut you off there. Ms. Dunn.

22 MS. DUNN: Thank you, Mr. Chair.

23 CHAIRPERSON WEPRIN: Please restate
24 your name.

25 MS. DUNN: Okay. My name is Eileen

1
2 Dunn, I was a nurse at St. Vincent's for 24 years,
3 president of the union there. Thank you, Mr. Chair
4 and ladies and gentlemen of the Council for having
5 us here today. I'd like to go back to a little
6 bit of the history that Yetta just touched on. In
7 2008 I was appointed to the New Village Hospital
8 advisory board, we were all given ... this was our
9 bible at St. Vincent's during that time, that was
10 for the new hospital. That hospital was a go, and
11 I asked many, many times how was it going to be
12 done, and I was told that the politicians wanted
13 it, it was going to happen. Okay, I don't know
14 what happened after that, but I was told by the
15 hospital after the second bankruptcy and when we
16 did find somebody to sponsor us, the politicians
17 did not want that to happen, and it wasn't going
18 to happen, and that's the history that I have,
19 one-on-one, first person, that's what I was told.
20 Okay, and I think you really need to know that,
21 because millions upon millions of dollars was
22 spent on that first new hospital that the Rudins
23 were going to build, 17 floors, and then it didn't
24 pass, and so it was going down to 14 floors. I've
25 seen the architect's drawings and everything else,

1 we had meetings two, three times a week in the
2 hospital. At that time the Department of Health
3 said there must be a hospital on 12th and 7th
4 Avenue, and FDNY was quoted at one of the meetings
5 as saying, "St. Vincent's is vital to the Lower
6 West Side of Manhattan". Now let's get back to
7 FDNY, FDNY came, we had a meeting and FDNY came to
8 it, we asked them for their transport time, they
9 gave us their response time. We had no problem
10 with FDNY's response time, it's always good,
11 except I have to tell you, downstairs this morning
12 online, a man went down on the curb, Dr. Kaufman
13 took care of him, he had a cardiac problem, 25
14 minutes before the ambulance got there. We made
15 two phone calls to 911 and were told it was
16 because of the traffic. Okay, so now they had to
17 pick him up after 25 minutes, now they have to get
18 him to a hospital, okay, so that's what's
19 happening down on the lower side of Manhattan. As
20 far as union jobs go, a new hospital, you only
21 need four or five floors, and you'll have more
22 union jobs, and more long-term union jobs. 3,000
23 union positions were lost when St. Vincent's
24 closed, one emergency ultra-care center is not
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2 going to hire 3,000 people back. Finally, I know
3 that Council people tend to like to protect their
4 districts, in other words, this is Christine
5 Quinn's district. I spent more time at work, and
6 I spend more time at work, than I do with my
7 family. So you guys are spending more time at 250
8 Broadway than you do with your family. Where was
9 everybody in this room on 9/11? We were down here
10 in Lower Manhattan. You took away a hospital for
11 Lower Manhattan, there is no hospital to go to.
12 So to say that it's ... you're just going to take
13 care of your district, it doesn't work, because
14 some of you live in Queens, but you work in
15 Manhattan. There's over a million people that
16 work down here, and there's no hospital from the
17 Battery Park up to 59th Street that can take care
18 of traumas any more.

19 CHAIRPERSON WEPRIN: Thank you, Ms.
20 Dunn.

21 MS. DUNN: Thank you.

22 CHAIRPERSON WEPRIN: I just want to
23 show that although our districts are important to
24 us, we do worry about the whole city whenever
25 possible. Dr. Kaufman, before your time starts,

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2 if you want to just share with us what happened
3 outside, and we appreciate you being here, I guess
4 it's a good thing. What happened with this
5 gentleman?

6 DR. KAUFMAN: There was a 75-year-
7 old gentleman who had been standing for an hour
8 and ten minutes waiting to get in in the cold, and
9 has cardiac problems, takes a bunch of meds, so he
10 basically fainted, collapsed onto the sidewalk.
11 And we literally waited 25 - 28 minutes for an
12 ambulance. I spoke to several police officers, it
13 just took forever.

14 CHAIRPERSON WEPRIN: Okay.

15 DR. KAUFMAN: Then he went over to
16 the hospital.

17 CHAIRPERSON WEPRIN: All right,
18 well I'm glad you were there. You think he's
19 going to be okay?

20 DR. KAUFMAN: Yeah, I think he'll
21 be okay.

22 CHAIRPERSON WEPRIN: Okay. All
23 right, start the clock, thank you.

24 DR. KAUFMAN: Thank you, I'm Dr.
25 David Kaufman. I thank the Committee for giving

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2 me this opportunity to speak, and I speak to you
3 as a former St. Vincent's attending physician and
4 primary-care doctor practicing in the Village for
5 over 30 years. The issue today is not just the
6 Rudin organization's ULURP application, which asks
7 both for upzoning changes and assumes they can
8 simply use the previous variances granted
9 exclusively to St. Vincent's in 1979 as a non-
10 profit health care entity. I believe it is
11 critical to evaluate this ULURP in the context of
12 the larger community, and by that I mean
13 specifically the Lower West Side from Battery Park
14 to 60th Street, but also believe we need to
15 consider the context of New York City and New York
16 State. This is not just about luxury condos and
17 billions of dollars, it's about the loss of this
18 hospital and the health care crisis created by it.
19 Today it's happening on 12th Street and 7th Avenue,
20 I think you all know, tomorrow it will be
21 Brooklyn, more closures in Queens, that already
22 have been devastated, we'll see even more hospital
23 closures, then the Bronx, Buffalo, Albany. The
24 St. Vincent's debacle is the precedent-setting
25 canary in the coal mine for this city, the state

1 and the country, and no decision on this
2 application should and can be made without careful
3 consideration of its impact on the lives, the
4 health and the safety of the surrounding
5 community. So what are we talking about? No one,
6 not one elected official, not the governor, the
7 mayor, or even the Commissioner of Health, has
8 every questioned the need for St. Vincent's
9 Hospital. Even the Berger Commission in 2006 said
10 it was a critically-necessary facility. In 2008
11 and 2009, as the hospital pursued its plans for a
12 new tower, every agency and politician, including
13 the DOH, Landmarks and Planning Commission, even
14 the Rudins, as was pointed out, agreed with the
15 absolute need for this hospital. And then, when
16 St. Vincent's spiraled into bankruptcy and sought
17 a partner, Mt. Sinai Hospital, after weeks and
18 weeks of due diligence, confirmed the community
19 need for this facility, embraced the depth and
20 breadth of the services they offered, and
21 initiated the process of partnership. The CEO,
22 Dr. Ken Davis, had meetings with the entire
23 medical staff, the entire nursing staff, and even
24 the residents and interns, enthusiastically
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2 describing their plan and pleading with the staff
3 to hang on and not abandon ship. And then there
4 was one fateful call from the then-Commissioner of
5 Health, Dr. Richard Danes, and suddenly Sinai
6 backed out. We'll never know what happened, but
7 we only can know that a major academic center had
8 the vision and perceived the need and had the
9 resources to keep that hospital alive. I don't
10 accept the argument that there is no money and no
11 resources. Now it's closed, but nothing has
12 changed, what I'm about to state are the facts
13 gathered by Mr. Kraut from LIJ during the needs
14 assessment. St. Vincent's emergency room treated
15 61,000 people in the year before it closed, not
16 the projected 30,000 that this urgent care center
17 might treat. It admitted 13,000 patients directly
18 upstairs, because they were so sick, that's 21% of
19 the 61,000, not the 4% to 6% that Mr. Kraut
20 projects. I will not remind everyone of the role
21 the hospital played in the disasters. It was and
22 had a nationally-recognized stroke center and
23 multiple other programs. My point here is
24 painfully simple, when the hospital closed,
25 nothing changed, the patients did not suddenly

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2 disappear, people did not suddenly stop having
3 heart attacks, strokes and infections, and now we
4 have nothing. And to keep us happy and shut us
5 up, the community is being offered a so-called
6 free-standing emergency room, which really is an
7 urgent care center on steroids. It will only be
8 able to treat 30,000 people, it is not a hospital,
9 it cannot perform emergency surgery, cannot manage
10 trauma patients, cannot open blocked heart vessels
11 in patients dying, cannot save children with brain
12 injuries from falls. The list is as endless as
13 the list that Mr. Kraut tried to give us. All
14 they can do is transfer patients, which he did
15 readily state. Are they going to transfer 13,000
16 patients? There are over one million residents,
17 commuters and tourists in the Lower West Side
18 every day, and that is projected to grow
19 dramatically because of the 9/11 memorial, Hi-line
20 and the Whitney Museum. Those one million people
21 have no place to go, this is crazy. Please reject
22 this application, do not permit this destruction
23 to go forward, do not allow these condos to be
24 built, until there is a plan to also build a new
25 hospital. Thank you.

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2 CHAIRPERSON WEPRIN: Thank you, Dr.
3 Kaufman. Let me just ask one quick question. Let
4 me just ask one quick question, you know, we heard
5 from Mr. Rudin, he talked about the hospital, he
6 talked about how he wanted a hospital. And I know
7 how upset the community was about losing the
8 hospital, and I got the sense from Mr. Rudin that
9 he too was upset that the hospital is gone, he
10 would have been happy to have it there, and did
11 make efforts. He claimed, he stated he made
12 efforts initially to put a hospital there, wanted
13 to take down O'Toole, build a big hospital, and
14 then as the economy changed, he has been unable
15 to, you know, get ... I mean, first you've got to
16 find someone to build a hospital, he's not in the
17 hospital business. So I mean, just they said that
18 they cared about this issue, the question is, what
19 is it you think they could do, or have done, that
20 they haven't done?

21 MS. KURLAND: In terms of sponsors,
22 we are in communications actively with sponsors
23 who are ready, willing and able to come forward to
24 bring a hospital there, but for the pushback and
25 the situation as it is now. we see this body as

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2 potentially an opportunity to create a dialogue
3 and to find a way. We absolutely think that there
4 is a solution available here. You know, I
5 listened carefully to ... you had asked a question
6 to Mr. Rudin about why wouldn't he build a few
7 more floors on top of the O'Toole Building, and
8 what I heard him say was referencing to earlier
9 zoning, upzoning, massive upzoning that they got
10 from that hardship exemption. And in fact it
11 wasn't quite accurate, because when they got that
12 hardship exemption, when they tried to get a
13 larger hospital, they actually got all of that
14 approved, and it didn't just include the upzoning
15 on the west side of the campus where O'Toole was,
16 but also on the east side, which they're now
17 turning into luxury condos. So you're taking this
18 much larger bulk that was, as they said, a
19 community-use facility, for the purposes of
20 something as important as a hospital, and they're
21 literally turning it all into luxury condominiums
22 with no affordable housing whatsoever. There is
23 definitely a way to do that, the fact that they
24 don't offer affordable housing because they were
25 able to buy this from a bankruptcy court isn't

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2 really a justifiable reason, and I think that, you
3 know, we've been trying to meet with the Rudins,
4 we're very willing to do so, we see a solution,
5 we've worked with hospital engineers who've given
6 us information specifically in terms of like three
7 or four additional floors to be able to fit a
8 hospital. It's a smaller hospital, we're talking
9 about a 200- or 300-bed hospital, it's not the 700
10 or 800 or even larger hospital that was being
11 envisioned on the west side of the campus. But we
12 could certainly have at least a smaller hospital
13 that would save lives in the immediate and be the
14 same or similar costs as what would be used now
15 for urgent care center. I think Dr. Kaufman can
16 talk a little bit about that from a medical
17 perspective as well.

18 CHAIRPERSON WEPRIN: Very briefly,
19 Dr. Kaufman, if you could.

20 DR. KAUFMAN: Well, I think the
21 point here with respect to the free-standing
22 emergency room is, yes, they will have emergency
23 room physicians, but what's lacking will be all of
24 the backup that I think everyone in here who's
25 ever been to an emergency room is familiar with.

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2 If you have a heart attack, they call down a
3 cardiologist, if you're having a stroke, they call
4 down a neurologist, if you have trauma, they call
5 down surgeons and neurosurgeons, pediatric
6 intensive care doctors. Not one of those people
7 will be in that emergency room. You will have
8 physicians who can take care of patients, but they
9 will not have any of the normal, usual, expected
10 and proper specialty backup that amounts to good
11 medical care when you're sick. It's fine if it's
12 just a cut, I totally agree with Mr. Kraut, it's
13 fine if you have a broken finger. But I dread the
14 thought of patients coming in there, thinking
15 they're having a stomach ache, and they're really
16 having a heart attack.

17 CHAIRPERSON WEPRIN: I- -

18 MS. KURLAND: (Interposing) Just a
19 final point, I apologize, Chair, but you know, the
20 needs assessment, even the Department of Health
21 admits that there has to be a hospital there, not
22 only because to convert a non-profit into a for-
23 profit entity, you have to continue the charitable
24 mission, but also based on a needs assessment. So
25 what they've done is they've created this medical

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2 fiction of a two-bed hospital, that's what they're
3 giving us, a two-bed hospital. And we're saying,
4 for basically the same or similar cost we could
5 actually have a real hospital.

6 CHAIRPERSON WEPRIN: Okay, Council
7 Member Comrie has a question.

8 COUNCIL MEMBER COMRIE, JR.: I'm
9 confused on some things. Wasn't the O'Toole
10 Building at one point designated by Landmarks to
11 be a larger building?

12 MS. KURLAND: Yes.

13 COUNCIL MEMBER COMRIE, JR.: But
14 didn't the community oppose that plan?

15 MS. KURLAND: Some members of the
16 community opposed the plan because they were
17 concerned that there- -

18 COUNCIL MEMBER COMRIE, JR.:
19 (Interposing) So (inaudible) Before you get into
20 the whole, so my understanding is that there was a
21 larger facility planned and the community opposed
22 the plan. That opposition at the time went
23 through and was the dominant opposition of the
24 day, correct?

25 MS. KURLAND: No, in fact they

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were- -

COUNCIL MEMBER COMRIE, JR.:

(Interposing) Then why wasn't that ... why did not plan get scuttled? I'm confused.

MS. KURLAND: Well, it's a very good ... well, first let's correct a couple of misnomers. First of all, the hardship exemption was absolutely approved, they mentioned the lawsuit against them, that lawsuit was defeated. They were able to get the hardship exemption, they were able to get massive upzoning where the O'Toole Building was, as well as where the Coleman Building was, all under the pretext, as I read to you the quote in the New York Times from Mr. Rudin, that a hospital was so important and not a hospital anywhere, but a hospital right there on 7th Avenue and 12th Street, was so necessary and what the needs assessment was showing was that we actually needed a larger hospital, and because interrupting those hospital services for even one day was so unacceptable, they were able to get exemptions, hardship exemptions from Community Preservation to be able to build the O'Toole Building into a mega-hospital while the Coleman

1 Building continued to function. They got all of
2 those hardship exemptions, they got all of the
3 permission to upzone what is already a community
4 facility, so it's already a larger bulk than the
5 rest of the historic preservation area. Suddenly,
6 the hospital went into bankruptcy, and when you
7 talk a little bit about that, because we looked at
8 the financial records, we found \$38 million in
9 outside consulting fees, ten top executives being
10 paid over \$10 million- -

11 COUNCIL MEMBER COMRIE, JR.:

12 (Interposing) You're way past what I'm asking.

13 MS. KURLAND: So the point that I'm
14 saying- -

15 COUNCIL MEMBER COMRIE, JR.:

16 (Interposing) I'm just trying- -

17 MS. KURLAND: (Interposing)
18 Suddenly they went into bankruptcy court- -

19 COUNCIL MEMBER COMRIE, JR.:

20 (Interposing) I'm just trying to get to where you
21 want to be, so you're saying that today you want
22 O'Toole to have a higher FAR so that you could
23 build a full-service hospital, the potential for a
24 full-service hospital.
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MS. KURLAND: Right, it would mean-

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COUNCIL MEMBER COMRIE, JR.:

(Interposing) And coming from Queens, you know, I represent southeast Queens.

MS. KURLAND: Yeah.

COUNCIL MEMBER COMRIE, JR.: I lost St. John's in Queens, I lost Mary Immaculate.

MS. KURLAND: Yeah.

COUNCIL MEMBER COMRIE, JR.: The issues of why hospitals close are too- -

MS. KURLAND: (Interposing) Massive.

COUNCIL MEMBER COMRIE, JR.: ... too wide a topic to talk about and resolve here. The issue on why St. Vincent's closed will probably be never ... it's the same issue why Mary Immaculate closed. They start, you know, as hospitals that were trying to treat all patients just cannot survive in today's environment, that's a fact. But I'm just trying to get to for today's process, so what you're saying is, your coalition you'd like to see O'Toole with a higher density so the possibility of building a new hospital could

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exist, correct?

MS. KURLAND: Yeah, well first of all I'm saying that the fight that you have in your community is the same fight that we have, and we all have to work on it together, but specifically to fix this problem today, given the background, as you said, we can't go back in time, but we're here today, there's a very simple solution, which would mean taking some of the FAR that's going to be used for the luxury condos and bringing it back over to the O'Toole Building. They're using, they want to bring all of it over, except basically what the O'Toole Building is- -

COUNCIL MEMBER COMRIE, JR.:

(Interposing) Isn't their original plan ... didn't their original plan give them both?

MS. KURLAND: Yes.

COUNCIL MEMBER COMRIE, JR.: Okay, all right, thank you.

MS. KURLAND: And the basis for that original plan was because ... was for the express purpose of building a hospital.

COUNCIL MEMBER COMRIE, JR.: Right.

MS. KURLAND: So literally- -

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COUNCIL MEMBER COMRIE, JR.:

(Interposing) But I'm saying, and the community opposed both originally.

MS. KURLAND: That's actually not true. I mean, the community is, you're going to hear a lot of angry community members today about the hospital issue. The West Village and Chelsea, if nothing more, is a diverse community of a number of opinions. I didn't ... what I said when that was going on is we needed to explore more of what was going on, because it seems suspicious that a project that was going to cost a billion dollars to build had only raised \$200 million by this plan to upzone, and there needed to be more questions, and in fact there should have been more questions asked back then. So whether or not the community was opposed to massive upzoning for luxury condos that didn't seem to lead to a hospital, and in fact they ended up being right, was right or wrong, the Rudins got that upzoning, they were allowed to do that, and here we have today an opportunity to solve the problem for us today in a very simple and straightforward way. We hope that this body will consider this, Council

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2 Member Comrie and Council Member Weprin, and
3 Council Member Lappin, and I appreciate your time.

4 COUNCIL MEMBER COMRIE, JR.: I just
5 want to be clear on the history and the
6 background, I'm going to do some more on that.

7 MS. KURLAND: And I'm happy to meet
8 with you individually at your convenience to sort
9 of get you any information you need.

10 COUNCIL MEMBER COMRIE, JR.: I'll
11 get your email, so thank you.

12 MS. KURLAND: Thank you for your
13 time.

14 CHAIRPERSON WEPRIN: All right, I
15 want to thank this panel very much.

16 MS. KURLAND: Thank you.

17 CHAIRPERSON WEPRIN: We're going to
18 move ahead. The next panel is going to be Bill
19 Bacchalini, Laura Cohen, I'm not sure I'm reading
20 these right, Mary Margaret Amato, that's going to
21 be on this panel, and Michael Slattery. We then ...
22 our, just for the record, the next panel in
23 opposition will be Sarah Malloy Good, Brad
24 Hoylman, Katie Smith and Allen Gerson will be the
25 next panel.

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2 COUNCIL MEMBER COMRIE, JR.: Allen
3 Gerson left.

4 CHAIRPERSON WEPRIN: Just one
5 public service announcement, we are always willing
6 to take testimony of someone who might have signed
7 up, who says, you know, I've got to go somewhere
8 and I can't stick around. We will take that
9 testimony, I will mention your name onto the
10 record, we'll take the testimony into the record,
11 and then you don't have to testify, not that I'm
12 hinting. But we have two large stacks, one on
13 each side here, that we're going to be getting to,
14 and unfortunately we're trying to move this as
15 fast as possible, it's just we want to make sure
16 everyone gets heard and are responsive as
17 possible, but that does take some time. So with
18 that in mind, the next panel, please state your
19 name, we're going to have you on a three-minute
20 clock. Please try to stay within the three
21 minutes, I'll try not to be rude and cut people
22 off, but if you go on too long, I'm going to have
23 to. Thank you.

24 MS. CAHAN: Okay, I'll go first.
25 Good morning, Chairman Weprin and Council Member

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2 Comrie and Council Member Lappin, my name is Cora
3 Cahan, I'm the President of the New 42nd Street,
4 the non-profit organization responsible for the
5 reinvention of seven of the theaters, the historic
6 theaters on 42nd Street. I'm here today as a long-
7 time resident of Greenwich Village, having lived
8 with my husband, Bernard Gersten, on a high floor
9 in a rental building on 7th Avenue and 13th, between
10 13th and 14th Streets, actually 44-plus years, and
11 we overlooked the O'Toole Building, and we were
12 one block north of the former St. Vincent's
13 Hospital located just south of West 12th Street, as
14 you know. We had been witness to the changes in
15 the neighborhood, both good and bad, from our
16 perspective and share the concerns, both with the
17 West Village residents for the preservation of
18 this ever-evolving historic community, and
19 providing that community with hospital care
20 matching the best in the city. Over the years we
21 have seen how valiantly St. Vincent's served the
22 neighborhood during the peak years of the AIDS
23 crisis. We have also witnessed the deterioration
24 and degradation that that hospital suffered as its
25 standards declined, its morale followed, and it

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2 became the last place in the city we would have
3 wanted to be taken in case of an emergency. The
4 Rudin Management Company's plan for a new
5 condominium, preservation of five historic
6 buildings, construction of a new public school and
7 creation of a new public park, an inventive
8 adaptive reuse of the O'Toole Building as a brand-
9 new state-of-the-art 24-hour emergency room and
10 ambulatory care center is most responsive to the
11 evolving needs and concerns of the community. The
12 Rudin commitment to being true to the historic
13 nature of the Village has recently been
14 demonstrated by the creative and sensitive
15 reclamation of the former hospital housing
16 building, I think it was the nurses' housing
17 building, at 130 West 12th Street into a lovely
18 condo building whose success is evidence of the
19 desire for new housing in the West Village. I
20 maintain that if the new condo building being
21 planned now for the main hospital site had been in
22 place, we would not have seen the several small
23 shops and businesses that were individually owner-
24 operated on 7th Avenue between 12th and 13th Streets
25 disappear, only to be replaced by a huge Duane

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2 Reade two blocks south of another Duane Reade on
3 14th and 7th. Also many of us old-time Village
4 residents miss our beloved Jefferson Market, a
5 family-run greengrocer, butcher and fishmonger on
6 6th Avenue and 10th Street, who might have survived
7 the recent economic downturn were there new
8 residents in the neighborhood who would have
9 surely shopped there at their market and helped
10 sustain them and kept them open and operating.
11 The Rudins have established the fact that the
12 project they have planned will indeed create
13 permanent jobs, along with the temporary jobs
14 associated with construction. This is significant
15 in a time when the creation of jobs is of utmost
16 importance to New Yorkers and all Americans alike.
17 The Rudin family has a long history of being
18 publicly-spirited, generous, caring and concerned
19 New Yorkers. We are indeed fortunate that they
20 are the ones developing and reimagining these
21 properties, heeding the concerns of the community
22 to the point where they are saving the O'Toole
23 Building, preserving five historic buildings,
24 building to the highest standards of green
25 construction technology, and establishing a 21st

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2 century state-of-the-art health center that we
3 old-timers would resist a park -- I'm going to be
4 finished in ten seconds -- to replace the nicely-
5 currently-planted triangle park which is currently
6 closed to the public and actually surrounded by
7 big iron fences, and has got a garbage-recycling
8 center on it. They are also going to build a new
9 public school on 16th and 6th, which will serve the
10 burgeoning residential development along the 6th
11 Avenue corridor north of 14th Street, and provide
12 us all in the Village- -

13 CHAIRPERSON WEPRIN: (Interposing)
14 This is the part in the Academy Awards where they
15 play the music- -

16 MS. CAHAN: (Interposing) I know, I
17 know, I know, I'm almost done. We're going to
18 get- -

19 CHAIRPERSON WEPRIN: (Interposing)
20 It's more than ten seconds though.

21 MS. CAHAN: ... a first-rate medical
22 ... 21st century medical health center right there on
23 7th Avenue and 13th Street, and I enthusiastically
24 support and encourage the City Council to approve
25 the Rudin Management's plan for the former St.

1 Vincent's Hospital- -

2 CHAIRPERSON WEPRIN: (Interposing)

3 Okay, thank you very much.

4 MS. CAHAN: ... the O'Toole Building
5 and the triangle.

6 CHAIRPERSON WEPRIN: Okay. Next.

7 MR. BACCAGLINI: Good afternoon, I
8 guess at this point, thanks for the opportunity to
9 speak with you. My name is Bill Baccaglini, and
10 I'm the Chief Executive Officer of the New York
11 Foundling Hospital on 6th and 16th Street. It was
12 some four or five years ago where, in an effort to
13 better serve the children and families that we've
14 worked with for over 170 years, that a decision
15 was made to put the building up for sale. There
16 was a charter school that we wanted to build in
17 the Bronx, there was some work that we wanted to
18 do on Staten Island, and really the only way as a
19 not-for-profit we'd be able to do that was to put
20 the building up for sale. And in fact, we were
21 pretty deep into negotiations with the developer
22 whose intentions were to turn the entire building
23 into luxury condominiums when we got a call from
24 the Rudins. No conspiracies here, St. Vincent's
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2 Hospital, where the Rudins were doing some fine
3 work at the time and the New York Foundling are
4 sponsored by the same order of sisters, the
5 Sisters of Charity. So the Sisters of Charity
6 being my bosses, we sat down with the Rudins, and
7 they suggested to us that they had a group of
8 folks that would also be interested in the
9 building, and they'd like to provide an
10 introduction. They did that; the Rudins brought
11 the School Construction Authority to the
12 Foundling. We had a couple of initial
13 discussions, and then we had to convene
14 internally, and the sisters being the sisters, and
15 the Foundling being the Foundling, a determination
16 was made that because education was such a
17 critical part, and has been, of the sisters'
18 mission and because the neighborhood that we
19 called home was in such dire need of public school
20 space, a decision was made to really go into
21 negotiations with the School Construction
22 Authority. For the record, the Rudins did not
23 receive one dollar from either the New York
24 Foundling or the School Construction Authority to,
25 I'm going to use the term, broker, my guess is

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2 that's not the appropriate term here, but let the
3 record show no money changed hands. So the
4 Foundling had some decisions to make, and what
5 helped sway this was that the Rudins were very
6 willing to serve as financial backstops to the
7 deal, which meant that if something went wrong
8 with the School Construction Authority, the Rudins
9 would make good on the purchase price. Now again,
10 remember, our motivations here were to build a
11 school in the Bronx, build the building out on
12 Staten Island, not to put the money in the bank or
13 to invest it somewhere. So we needed some
14 certainty, the Rudins provided that. The other
15 thing that the Rudins did that we found very, very
16 interesting was, for the first time, they had
17 offered to be the property managers once the deal
18 was consummated. They'd only do it in the
19 buildings that they actually own and operate, but
20 they agreed to do it here because they could tell
21 that we had never been in a situation like this
22 before. Finally, and I think most importantly,
23 what the Rudins did was, they opened their offices
24 through the entire negotiations. They actually
25 sat in on some of the negotiations as we

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2 condominiumized the building. So at the end of
3 the day, my business is fraught with a lot of
4 uncertainty, but I'm certain of one thing, if not
5 for the Rudins, 590 6th Avenue would be luxury
6 condominiums, and not the much-needed public
7 school space that the community so dramatically
8 needs. Thank you.

9 CHAIRPERSON WEPRIN: Thank you very
10 much. Again, if anyone has any written testimony,
11 if you could try to summarize it and skip around,
12 we would appreciate that, just to keep you under
13 the clock.

14 MR. SLATTERY: Hello, my name is
15 Michael Slattery, I'm here representing the Real
16 Estate Board of New York, we are a broadly-based
17 trade association of over 12,000 owners,
18 developers, brokers and real estate professionals
19 who are active in New York City, and like I
20 mentioned, we are here in support of Rudin West
21 Village Project, we believe this project will help
22 advance the important goal of providing a health
23 care facility for the area, and will do so in a
24 way that brings many other significant benefits to
25 the neighborhood. It's taken a long time to get

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2 to this point, and the project, we feel, should
3 move along as quickly as possible. While the
4 health care facility in the O'Toole Building is
5 not part of this ULURP application, it reminds us
6 nonetheless of the context of the Rudin West
7 Village Project. The developers, who are deeply
8 committed to New York City, have been involved for
9 several years in an attempt to maintain health
10 care services on the site of the now-closed St.
11 Vincent's. In this plan the developers are making
12 a major contribution to bring the center for
13 comprehensive care into existence. The center
14 will be serving tens of thousands of patients each
15 year, many of whom will be West Village residents.
16 The full project contributes to the neighborhood
17 in a myriad of ways, in addition to the emergency
18 care facility ... I'm sorry, emergency room
19 facility, the plan includes medical offices, a new
20 community open space that's been redesigned with
21 input from Community Board #2, the preservation of
22 several buildings, which we've mentioned
23 contribute to the historic district, and over 400
24 permanent jobs, and 1,200 construction jobs. The
25 residential space and new employment will boost

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2 the surrounding small businesses and retail
3 establishments. The design of the residential
4 building has been approved by the Landmarks
5 Preservation Commission as being appropriate with
6 the Greenwich Village Historic District. The
7 experiences on this site indicate how difficult it
8 can be to provide the vital services, such as
9 hospitals, when both land use and funding
10 constraints are present. The Rudin West Village
11 Project before you overcomes these challenges,
12 bringing together an experienced developer and a
13 large and stable health care system. We have seen
14 elsewhere in the city where community facilities
15 such as schools and houses of worship have
16 successfully partnered with residential
17 developers, and these arrangements should be
18 recognized for the resources that they bring to
19 the neighborhoods. It must be noted that the
20 proposal before you, when built, will have less
21 zoning floor area than the existing condition, and
22 would not be taller than the existing building.
23 The proposed rezoning does not conflict with the
24 built environment, and several blocks nearby, such
25 as a site on West 13th Street and 6th Avenue are

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2 also zoned C6, which allow for 6.02 FAR for
3 residential uses. A residential building on the
4 site would generate less traffic than generated by
5 St. Vincent's Hospital, an onsite parking garage
6 would accommodate cars belonging to the residents
7 and the garage currently connected with the
8 O'Toole Building will be closing, which makes this
9 new garage a greater need. The large-scale
10 general permits for the east site create the
11 opportunities to build a project that meshes with
12 Landmark-approved design and offers a better site
13 plan with more usable open space for the public.
14 We urge the City Council to approve this project,
15 because it is appropriate in terms of both land
16 use policy and because it offers so many benefits
17 to the community. Thank you.

18 CHAIRPERSON WEPRIN: Thank you very
19 much.

20 MS. AMATO: Hi. Okay, good
21 morning, I'm so appreciative to be here today. My
22 name is Mary Margaret Amato, I am a long-time
23 resident of the Village, maybe since I was about
24 19 years old. I am here today to express my
25 support to the Rudin West Village project,

1 anchored by the North Shore-Long Island Jewish
2 comprehensive care unit. I live on Bank Street, I
3 understand the Village very well and I know how
4 sentimentally attached the Village was to St.
5 Vincent's. when the neighborhood lost St.
6 Vincent's, we lost more than a hospital, we lost
7 jobs, we lost the keystone of our community. Many
8 small businesses suffered, and as many as 30 have
9 closed. The street corner vendor even packed up
10 and went, the area around the hospital has really
11 become very derelict, many pigeons live now at the
12 hospital. I was very pleased when I heard the
13 Rudin family was looking to redevelop the former
14 St. Vincent's site to include the new North Shore-
15 LIJ comprehensive care center. The community will
16 again have access to a 24/7 emergency center, and
17 many hospital-based health care services. The
18 center will be capable of treating more than 90%
19 of the conditions seen at former St. Vincent's,
20 and in the tradition of St. Vincent's, the center
21 will serve all patients, regardless of pay, the
22 ability to pay. Construction of the modern
23 comprehensive care center and new residential
24 units will bring a boost to the small businesses
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2 in the area, during and after completion. The
3 plan will provide 1,600 union jobs, including
4 1,200 construction jobs, and more than 400
5 permanent jobs. As a union member, I am a member
6 of Local 79, I'm a minority, female minority, have
7 been since 1988. I work for Turner Construction
8 and they employed me as one of the first women way
9 back then. So as a union member I know how,
10 firsthand how hard layoffs and work shortages have
11 been on working New Yorkers, including those in my
12 union, labor's Local 79. In these tough economic
13 times, these new jobs are a prescription for
14 relief that we need. When the project is
15 completed, surrounding businesses will start to
16 thrive and again too, multiplying the positive
17 economic impact. Another reason to approve Rudin
18 West Village Project is the commitment of the
19 Rudin family to create a 563-seat public school
20 that has to do much to relieve chronic
21 overcrowding in the existing schools in my
22 neighborhood. Also, the redevelopment of the
23 triangle park into a real open green space
24 contributes to what this plan offers our
25 community. I especially like that plan that

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2 reduces the bulk from existing buildings and
3 preserves the five buildings contributing to the
4 Greenwich Village Historical District, bringing
5 more life and air into the neighborhood, and
6 keeping intact architecture that makes the Village
7 special. I support this project, because it's the
8 best and only realistic plan to bring new jobs,
9 health care, green space and an elementary school
10 to the West Side. Thank you very much, as a long-
11 time resident and concerned neighbor, I urge you,
12 the City Council, to support the Rudin West
13 Village Project.

14 CHAIRPERSON WEPRIN: Okay, thank
15 you very much. I want to thank this panel, and I
16 appreciate your testimony. I'm now going to call
17 up the following panel: Sarah Malloy, on behalf of
18 Assembly Member Glick, I believe, Robert Atterbury
19 for Senator Duayne, Brad Hoylman, Chair of
20 Community Board #2 and Kate Smith, who I believe
21 is here on behalf of Congressman Nadler. Sorry to
22 keep you all waiting. Whenever you're ready, just
23 state your name for the record and give your
24 testimony. Thank you.

25 MS. MALLOY-GOOD: Hi, my name is

1 Sarah Malloy-Good, from Assembly Member Deborah
2 Glick's office, I'm joined by Robert Atterbury
3 from Senator Duane's office. I will be giving a
4 very abridged version of our joint testimony for
5 the Assembly Member and the Senator. So thank you
6 to the Chair and the Committee for the opportunity
7 to testify here today. As you are aware, this is
8 a very complex application for the redevelopment
9 of the St. Vincent's Hospital campus, submitted by
10 the Rudin Management Company. It has provoked a
11 lot of community concerns, not only about the land
12 use implications, but it has been overshadowed by
13 the community's loss about St. Vincent's Hospital.
14 We will not stop advocating for the health care
15 needs of this community, including the return of a
16 full-service hospital for Lower Manhattan's West
17 Side. However we will focus our testimony on what
18 falls within the purview of City Council. That
19 said, we have strong reservations about the
20 project as it stands now. While the applicant has
21 made minor changes to the applications originally
22 submitted to the City Planning Commission, these
23 changes do not mollify the concerns we have with
24 the application. We request that you reject the
25

1
2 upzoning originally granted to accommodate the
3 hospital as a baseline to the development, and
4 that you deny the text amendments which would
5 increase density and reduce open space. Further,
6 we request that you reject this application in
7 whole unless all concerns outlined below are
8 addressed in full. We believe that the
9 application fails to include the significant
10 community benefits that ought to be associated
11 with a project of such a large scale. As such, we
12 are proposing that the applicant also
13 substantially invest in the establishment of a new
14 public school, include on- or off-site affordable
15 housing, and provide an elevator or escalator
16 access to the subway below the property.

17 Regardless of the number of units of apartments
18 built on-site, it is certain that any additional
19 families will add to the current overcrowding to
20 the schools that the area already faces. While
21 the applicants should be commended for helping to
22 secure a school at the Foundling site, it will
23 ultimately be paid for by the City of New York,
24 therefore we request that a substantial capital
25 investment be made towards the construction of new

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2 public school seats, such as through the purchase
3 and renovation of 75 Morton Street. The creation
4 of new affordable housing is also vital, this
5 would not only help address the chronic shortage
6 of affordable housing stock, but it would help
7 balance the impact the high-end luxury condos
8 would have on the community. We are also opposed
9 to the plan to introduce retail entrances on the
10 side streets. The introduction of retail
11 entrances would change the residential character
12 of the neighborhood. While we appreciate the
13 changes to the application made during the City
14 Planning review period, we oppose the introduction
15 altogether. The triangle space- -

16 CHAIRPERSON WEPRIN: (Interposing)

17 If you could summarize at all. I know it's no fun
18 cutting off Deborah Glick, I've done it before and
19 I paid the price, but- -

20 MS. MALLOY-GOOD: (Interposing)

21 Yes, you were her colleague at the time.

22 CHAIRPERSON WEPRIN: I know.

23 MS. MALLOY-GOOD: So the park
24 should be, you know, a park, deeded to the city.
25 So in conclusion, the Senator and the Assembly

1
2 member don't support the application and the
3 current upzonings are inappropriate for luxury
4 housing, the text amendments would reduce bulk ...
5 increase bulk, sorry, and reduce open space, and
6 there are significant concerns, we call on City
7 Council to reject the plan. Thank you to the
8 Committee.

9 CHAIRPERSON WEPRIN: All right,
10 thank you.

11 COUNCIL MEMBER COMRIE, JR.: No
12 clapping, no clapping, please, it's just going to
13 make a longer day.

14 CHAIRPERSON WEPRIN: All right, Mr.
15 Hoylman.

16 MR. HOYLMAN: Yes. Good afternoon,
17 Chairman Weprin and Deputy Majority Leader Comrie,
18 and members of the Subcommittee and staff, my name
19 is Brad Hoylman, I am the Chairperson of Community
20 Board #2, Manhattan. The project before you
21 today, as you know, lies wholly within the
22 boundaries of our district, as well as the
23 Greenwich Village Historic District. On October
24 26th, 2011, Community Board #2, as part of its
25 charter of mandated responsibility issued its

1 formal resolution on this project, a decision, as
2 was mentioned, was five years in the making.

3 Before I turn to the summary of our resolution,
4 I'd like you to know one very important thing that
5 our community feels very deeply about, the closing
6 of St. Vincent's Hospital was a tragedy for our
7 community board and for the residents and visitors
8 of the Lower West Side of Manhattan. St.

9 Vincent's, as you've heard, was a treasured
10 institution in our neighborhood for 160 years, the
11 hospital and its dedicated group of doctors,
12 nurses and staff grew with us as our neighborhood
13 grew, they served us well, delivering our babies,
14 providing emergency medical attention to all of
15 Lower Manhattan, sponsoring clinics that
16 prioritized the importance of community medicine
17 and leading the nation in a commitment to
18 addressing the AIDS crisis. Over the last five
19 years, and particularly since St. Vincent's closed
20 two years ago, our board has spent a great deal of
21 time listening to our residents who rightfully are
22 upset about the loss of the hospital. We share
23 their frustration and anger that this historic,
24 essential, acute care facility and level one
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2 trauma center, one that treated the victims of the
3 Triangle Shirtwaist fire, the victims of the
4 Titanic, the HIV crisis and was prepared to do the
5 same on September 11th, will now become luxury
6 condominiums under the plan before you. Rather
7 than accept our status though as victims of an
8 inequitable health care system and overheated real
9 estate market, we've taken some proactive steps
10 I'd like to relate quickly to you that address
11 this complicated situation. We launched a local
12 health care needs assessment in conjunction with
13 our local elected officials and over a dozen
14 health care organizations in the Hunter School of
15 Public Health. We think it's a blueprint for the
16 new health care facility to be operated by North
17 Shore-LIJ, and most importantly, that it presents
18 a compelling case for the need for a new full-
19 service hospital on the West Side of Manhattan.
20 Through our resolution to the Landmarks
21 Preservation Commission in April, 2008, CB2 helped
22 craft a compromise solution that helped preserve
23 four historic buildings on the former St.
24 Vincent's campus, and the O'Toole Building across
25 the street, and we formed a special oversight

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2 committee comprised of the Chairs of Committees
3 relevant to the application on our board and local
4 residents who would be most directly affected by
5 the development. As part of this process, we
6 helped redesign that 16,000 square foot new park
7 that you heard mentioned earlier. Throughout our
8 process, though, CB2 has held firm in our belief
9 that our neighborhood needs and deserves a full-
10 service acute hospital with level-one trauma
11 capabilities. That said, we were called upon in
12 this application to address the specifics of the
13 proposal, and we oppose the plan before you unless
14 the following issues are addressed. The applicant
15 should not be given an increase in development
16 rights, the applicant is a for-profit developer
17 and shouldn't be permitted to take advantage of
18 the zoning intended for non-profit community use,
19 such as a hospital, the applicant should create
20 affordable housing, the applicant has a presence
21 already in the district, and has a unique
22 opportunity to create permanent affordable
23 housing, and third, we think, along with our local
24 elected representatives, while we're grateful for
25 the applicant's assistance in securing space for a

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2 new school in the Foundling Hospital, that school
3 is in Community Board #5, it was secured in 2008,
4 and as was mentioned, it is being funded by the
5 City of New York, not by the applicant. So for
6 these reasons we would urge you to reject this
7 proposal and we appreciate very much the
8 opportunity to speak to you today.

9 CHAIRPERSON WEPRIN: Thank you,
10 Brad, you've got a nice shout-out from the other
11 room, I heard. Next, please.

12 MS. SMITH: Hi, I'm Katie Smith
13 from Congressman Jerry Nadler's office. Thank you
14 to Chair Weprin, Land Use Chair Comrie, Speaker
15 Quinn and the Committee for their hard work on
16 this application. Obviously you know this
17 redevelopment has a complicated history in the
18 Village, especially in light of the closure of St.
19 Vincent's Hospital. I share the disappointment
20 the community has in the loss of the hospital and
21 while we're obviously deeply troubled that we no
22 longer have a full-service hospital, I'll be
23 speaking today specifically to the concerns within
24 the application before us today. There are four
25 major concerns: the bulk and height of the

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2 development, the impact of residential development
3 on school overcrowding, the lack of affordable
4 housing, and the need for public open space.

5 There are major concerns about the height and bulk
6 of the proposed residential development on the
7 east site, which is located in the Greenwich
8 Village Historic District. I encourage the City
9 Council to carefully examine the implications of
10 such a rezoning request in the Historic District.

11 The issue of school overcrowding is one that has
12 plagued Community District #2 for years, and
13 current school overcrowding will be exacerbated by
14 the addition of 450 proposed residential units. I
15 appreciate the commitment Rudin made in 2008 to
16 secure the Foundling Hospital site for a future
17 elementary school, but I'm concerned that the need
18 for additional school seats will not be met by
19 that site alone, therefore I urge Rudin to
20 continue discussions with the City Council to find
21 ways to further increase public school seat
22 capacity in Community District #2. Like CB2 and
23 other elected officials in the community, I'm
24 concerned about the lack of affordable housing
25 included in the proposal, and I urge the City

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2 Council to work with the applicant to determine
3 off-site locations for affordable housing in
4 Community District #2. And my final major concern
5 with this ULURP application is the provision of
6 public open space, the applicant has agreed to
7 create a community park in the triangle site, I
8 support CB2's extensive recommendations about the
9 design of the park, and am also supportive about
10 the proposal for an AIDS memorial and
11 museum/learning center. I hope that we will see
12 this memorial realized in the near future. I want
13 to commend CB2 for hosting dozens of meetings on
14 this proposal and preparing thoughtful
15 recommendations, I also want to thank Borough
16 President Stringer for his thorough review of this
17 application, and I urge the City Council to
18 carefully consider all of CB2's recommendations in
19 making its final determination on this
20 application. Thank you.

21 CHAIRPERSON WEPRIN: Great, and
22 before our last panelist, I just want to let you
23 know the next panel in favor is going to be Mike
24 McGuire, Jim Conway, Germano Salva, sorry about
25 that, John Skinner, and Devon Lamar, only because

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2 they may be out ... oh, okay, so you don't even have
3 to, okay, great. Well, Mr. Comrie, do you have
4 any questions for this panel?

5 COUNCIL MEMBER COMRIE, JR.: I just
6 want to thank Brad for his service on Community
7 Board #2.

8 MR. HOYLMAN: Thank you.

9 COUNCIL MEMBER COMRIE, JR.: You've
10 had a great record.

11 MR. HOYLMAN: Thank you.

12 COUNCIL MEMBER COMRIE, JR.: And
13 I'm actually appreciative of your time and
14 service.

15 MR. HOYLMAN: Thank you so much,
16 sir.

17 CHAIRPERSON WEPRIN: Well, lest you
18 feel you're the only one complimenting, thank you
19 for being here, Brad.

20 MR. HOYLMAN: Thank you, it's a
21 group effort.

22 CHAIRPERSON WEPRIN: Please send
23 Senator Duane and Assembly Member Glick my
24 regards, I can't say I wish I was with them, but
25 please enjoy Albany.

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2 MR. ATTERBURY: There were
3 literally thousands of activists who have been
4 working on this project as well, including the
5 Community Board, so they should ... I'm sure you
6 recognize their efforts too.

7 CHAIRPERSON WEPRIN: All right,
8 thank you very much to this panel. Now again, I'd
9 like to call Mike McGuire, if anyone is here, Jim
10 Conway, Mr. Saldwa, I'm not sure, I can't read the
11 first name, John Skinner, and Devon Lamar. Mr.
12 McGuire. Okay, we may, if they're all here, Nick,
13 we may need an extra seat, I upped that to five.
14 Okay, go get them. All right. Mr. McGuire, we'll
15 let you start.

16 MR. MCGUIRE: Thank you, Mr.
17 Chairman. Mike McGuire, representing Mason
18 Tenders' District Council of the Laborers'
19 International Union. In my 16 years of advocacy
20 for good construction projects, I've rarely seen
21 one that gives back as much to the community as
22 the proposed Rudin St. Vincent's redevelopment:
23 the school, the park, the critical care unit, all
24 of that comes from this project. With that said,
25 I understand the community's concerns and desires,

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2 and honestly I am not at odds with their way of
3 thinking. The problem is that the opposition is
4 positioning the question at hand as a full-service
5 hospital vs. the proposed project. I think a
6 full-service hospital would be best for the
7 community, it's just not feasible. There are some
8 important facts to remember regarding this
9 proposed project. First, St. Vincent's declared
10 bankruptcy in 2010. Rudin Management purchased
11 the property in 2011, a year later. Some
12 opponents have been implying to the public that
13 Rudin purchased St. Vincent's and shut it down in
14 order to redevelop the site, this is not the case.
15 The fact of the matter is, at the time of its
16 bankruptcy filing, St. Vincent's had liabilities
17 totaling at least \$1 billion. The reason I say at
18 least \$1 billion, because the highest amount a
19 debtor can enter on the Federal bankruptcy form is
20 \$1 billion. This included more than \$180 million
21 that was owed to the Pension Benefit Guarantee
22 Corporation, which insures that the retired St.
23 Vincent's employees actually get the pensions that
24 they worked their entire lives for, and another
25 \$113 million owed to the Medical Malpractice Trust

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2 monitor. So as far as constructing a full-service
3 hospital, as was St. Vincent's, on the site,
4 constructing and equipping a full-service hospital
5 costs approximate \$2 million per bed, setting the
6 price of such a facility at \$900 million to \$1
7 billion. In these hard economic times, with the
8 New York State projected budget gap of \$2 billion
9 and New York City projected gap of \$1.2 billion,
10 construction of a full-service hospital is just
11 not possible. And remember, St. Vincent's went
12 bankrupt, there is no evidence that a new hospital
13 would be sustainable without massive and ongoing
14 public subsidies. Further, opponents complained
15 about the lack of hospital beds in the area. This
16 is an argument that is based on arbitrary lines
17 and designed to create fear in the community.
18 This is not the same as saying, if the only
19 hospital in Montauk closed, the next hospital beds
20 are in Manhattan. Manhattan is an island one mile
21 wide and 13 miles long, containing 9,371 hospital
22 beds. Beth Israel Hospital, for example, is just
23 ten blocks from the St. Vincent's site. The
24 proposed Rudin project actually returns a medical
25 facility to this area in the form of a critical

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2 care unit where patients could be stabilized if
3 necessary, for transport to one of the other full-
4 service hospitals located nearby. To be sure,
5 there is a health care crisis in the United States
6 today. My members' health care coverage costs
7 \$7.75 an hour, more than \$16,000 per year, if
8 they're lucky to work a full year. But the roots
9 of the crisis lie in Washington, as for now I say,
10 do not throw the baby out with the bath water in
11 search of a cure for the American health care
12 crisis. Many diverse groups from developers and
13 residents to preservationists and labor
14 organizations worked long and hard to bring this
15 proposal to this point, and the progress reflects
16 an enormous amount of dialogue and compromise from
17 all sides. These compromises bring a health care
18 facility, a school and a park to the community, do
19 not let anger at the fact that a venerable
20 institution like St. Vincent's went into
21 bankruptcy, unrelated to the proposed project,
22 cloud your judgment. The Mason Tenders' District
23 Council urges you to do what is best for this
24 community at any point in the foreseeable future
25 by greenlighting these final public approvals to

1
2 give Rudin Management the right to make this
3 impressive plan a reality. Thank you.

4 CHAIRPERSON WEPRIN: Thank you, Mr.
5 McGuire. I apologize, I lost track of the time
6 myself. Sorry about that. Go ahead.

7 MR. CONWAY: Yes, Council Member,
8 thank you, my name is Jim Conway, with the
9 Operating Engineers' Local 14, I'm here in support
10 of the project. On a personal note, I do have
11 some personal experience with St. Vincent's
12 Hospital. In 1977 my grandfather, who also was a
13 member of Local 14, passed away at St. Vincent's
14 Hospital, and I did go visit him before he died.
15 I was also entertained by an off-Broadway
16 production, The Fantasticks, in 1977, and it was a
17 great experience, the staff helped me with the
18 grief of a family loss, and the performers showed
19 me the curious paradox of life. And to quote the
20 play that I saw in 1977, we need to be curious of
21 how we reap the grain, how the spring brings ...
22 comes forth from a laboring winter's pain, and how
23 we have to die a little to grow. And the Rudin
24 West Village Project will bring a spring to St.
25 Vincent's, and the Rudin West Village Project will

1
2 bring life to St. Vincent's that just died a
3 little bit. So I ask you to be in favor of this
4 project for this new regrowth of St. Vincent's
5 Hospital. Thank you.

6 CHAIRPERSON WEPRIN: Thank you, Mr.
7 Conway, you're going to change your tough-guy
8 image with testimony like that. Next, please.

9 MR. SKINNER: Good afternoon
10 everyone, I'm John Skinner, I represent Metal
11 Lathers' Local 46, and we are in support of this
12 project. I'm going to keep it real short and
13 sweet, I believe my colleagues have covered the
14 issues that mean the most to us. I think in these
15 economic times, any way that we can create jobs
16 quickly without a lot of bureaucracy and things
17 that slow things down, like it slowed down the
18 World Trade Center site when it started, more jobs
19 are more important right now, not down the road,
20 not with another better plan. There are other
21 issues that this community has brought up that are
22 of great concern to us and our membership as well,
23 and we believe that those things can be worked out
24 in maybe other areas. I didn't realize a hospital
25 was only ten blocks away with beds in it, so some

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2 of the things that they are griping about, I
3 understand St. Vincent's also, I've had family
4 there as well, it was a great hospital, but we
5 need to move projects forward now to bring back
6 the economy in New York, and keep the people
7 working. Thank you.

8 CHAIRPERSON WEPRIN: Thank you very
9 much.

10 MR. LOMAX: Good afternoon, I'm
11 Devon Lomax, District Council 9, Painters and
12 Allied Trades, and I'm going to take less time
13 than he did. Our members, I'm here to support
14 this project. That's it, we're here in support of
15 this project being built. Our members have been
16 suffering for the last couple of years, and for us
17 it's about jobs, and the 1,200 jobs that this
18 project will create will greatly benefit our
19 members that live in the community, and in the
20 other boroughs. Thank you.

21 CHAIRPERSON WEPRIN: Thank you very
22 much. Okay, yeah, switch seats, just because you
23 get the mic, we added one, thank you.

24 MR. SALDANA: Good afternoon.

25 CHAIRPERSON WEPRIN: I'm glad you

1
2 were out of the room when I butchered your name.

3 MR. SALDANA: That's quite all
4 right. My name is Jeronimo Saldana, I'm here on
5 behalf of SEIU 32BJ, I'd like to quickly read
6 testimony from one of our members who couldn't be
7 here today. "Hello, my name is Nicole Tanis, I
8 live in the West Village, and I have been a proud
9 member of the labor union SEIU 32BJ for four
10 years. I'm here as a resident of the West Village
11 and a union member to express my strong support
12 for the St. Vincent's project and the 1,600 jobs
13 it will create. I have lived in the community for
14 15 years, my son attended PS 11 elementary school
15 and is now active in the U.S. Navy. As a single
16 mother, it would have been very hard to raise him
17 without good jobs, without good benefits and a
18 good job. As a union member I know the huge
19 difference that good jobs and good benefits can
20 make, especially in raising a child, and that's
21 why I'm here today to support the St. Vincent's
22 project and the working families that will benefit
23 from all the project has to offer. I also like
24 that the project aims to preserve historic
25 buildings in the rezoning proposal and provide the

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2 community with a much-needed new health center.
3 The St. Vincent's project is good for the West
4 Village and for all New Yorkers. For the good of
5 our community, our economy, and all the working
6 families that will benefit from the jobs created,
7 on behalf of 32BJ, I urge you to approve this
8 project. Thank you, Nicole Tanis."

9 CHAIRPERSON WEPRIN: Mr. Comrie, do
10 you have any questions for this distinguished
11 group of people?

12 COUNCIL MEMBER COMRIE, JR.: No,
13 thank you for coming down today.

14 CHAIRPERSON WEPRIN: Okay, thank
15 you all very much. Okay, next panel, this panel
16 will be in opposition. I should have warned you
17 ahead of time, but here we go. Paul Newell,
18 George Capsis, Katie Robbins, and Diane Nichols,
19 and Andrew Berman. Thank you. I want to
20 reiterate, if anyone just wants to leave testimony
21 and not actually testify, if they've heard
22 something today that's similar to what they want
23 to say, or just want to leave testimony, we're
24 always welcome to accept that. Well, okay, great.
25 All right, unless you want to be chivalrous, Mr.

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2 Berman, you can go first, I don't know if the
3 panel ... okay.

4 MR. BERMAN: Thank you very much,
5 good afternoon, Council members, my name is Andrew
6 Berman, I'm the Executive Director of the
7 Greenwich Village Society for Historic
8 Preservation. GVSHP is the largest membership
9 organization in Greenwich Village, the East
10 Village and NOHO, and works to preserve the
11 history and character of our neighborhoods. We
12 strongly urge you to vote no on the proposed
13 rezoning application. The proposal would upzone
14 the site to give Rudin- -

15 COUNCIL MEMBER COMRIE, JR.:

16 (Interposing) No clapping please.

17 MR. BERMAN: ... would upzone the
18 site to give Rudin Management almost all the
19 additional bulk and special zoning considerations
20 granted to St. Vincent's Hospital in 1979 for the
21 development of new hospital buildings. In this
22 case, however, the additional bulk and special
23 zoning considerations would go toward enabling the
24 construction of 450 private luxury condos and
25 high-end retail space. No matter how you slice

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2 it, no matter how many side agreements are
3 attached to it, no matter how nice a park may come
4 with it, this is simply wrong. It's wrong for
5 this site, it's wrong for this neighborhood, and
6 it's wrong for New York City. Special zoning
7 considerations granted for a facility which serves
8 such a necessary public purpose as a hospital
9 should never be passed along for a development
10 which provides no such similar public service as
11 would essentially be done in this case. I hope
12 the City Council will understand and defend this
13 important principle, which if undone could have
14 huge ramifications for future development in our
15 neighborhood and our city. Aside from these
16 fundamental issues, I must point out that the
17 proposed condo development would also be
18 inappropriately large and out-of-scale for the
19 neighborhood, and result in the unnecessary and
20 undesirable demolition of the Reiss Building on
21 12th Street. There is no support in this
22 neighborhood for this demolition or this scale of
23 development. Finally, should the triangle park be
24 developed, and I will stress again here that we do
25 not believe that the currently-proposed rezoning

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2 should be approved, there are certain principles
3 we believe must be respected. We believe that
4 this should be a green neighborhood park welcoming
5 to all types of users, with open entrances on each
6 corner. We believe that there should be
7 assurances that any park will be publicly-
8 accessible and adequately-maintained in
9 perpetuity, and we also feel that any park design
10 can and should integrate elements which mark and
11 commemorate the impact of the AIDS epidemic upon
12 this community and this city, and the important
13 role that St. Vincent's Hospital and the Greenwich
14 Village community played in response to that
15 epidemic. We believe that these two goals can and
16 should be compatible, especially if the process of
17 arriving at a final design is one which involves
18 community participation. I know that this is not
19 an easy application for you to consider, and that
20 no doubt there is tremendous pull from powerful
21 real estate interests and politicians to approve
22 it, but I hope you will do what is right, not only
23 for our neighborhood, but for New York City as a
24 whole, and vote no on this proposed rezoning.
25 Thank you.

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CHAIRPERSON WEPRIN: Thank you.

George, good to see you again, welcome back.

MR. CAPSIS: Thank you. I was reading a biography of Abraham Lincoln, and the politicians at that time would write lengthy speeches, they would give speeches that would last three hours. But one thing these politicians in that era is never read it, they had to speak from their heart. And I'm going to speak from my heart. I've lived in the village for 50 years, half a century. We've raised three children in the Village, we moved to the Village so our children could go to PS 41. We moved to the Village because there was a hospital nearby. I didn't think much about a hospital nearby until I needed it. One night, not so long ago, my wife, who has a stent to her heart and is on blood thinners, suddenly began to bleed from her nose. It was profuse. She looked at me, and she said, "We've got to do something". I looked at her, and for the first time in 50 years of marriage I saw fear in her eyes. We got up, and we walked three short blocks to the emergency room at St. Vincent's Hospital, and there a doctor came to us,

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2 looked at us, and his competence radiated. He
3 stopped the bleeding, and the emergency was over.
4 I don't believe the 450 people who are going to
5 occupy those luxury apartments really need to
6 worry about an emergency room, but the half
7 million people who live and work in the West
8 Village do. I ask that you turn this proposal
9 down.

10 CHAIRPERSON WEPRIN: Thank you very
11 much, George, how is your wife feeling?

12 MR. CAPSIS: She's good, thank you
13 very much, she's doing well.

14 CHAIRPERSON WEPRIN: Great. Have
15 you ever seen The Fantasticks? I'm just curious.
16 No, forget it. Next please.

17 MS. NICHOLS: Good afternoon
18 everyone, and Chairman Mark and Leroy Comrie, and
19 I was hoping that all the Subcommittee would be
20 here for this very, very important meeting. I too
21 am going to speak from the heart. It is
22 inconceivable that on the one hand you have a
23 major developer with paid representatives pleading
24 and getting their way most of the time, and on the
25 other hand you have over a million people on the

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2 West Side who have no hospital. This is important
3 that we must consider this, there have been others
4 who have said that there is a hospital on the East
5 Side at Beth Israel. Please, the testimony that
6 I've just given you, this is Fox News, the report
7 that took one month for Fox News- -

8 COUNCIL MEMBER COMRIE, JR.:

9 (Interposing) Actually, we don't have it.

10 MS. NICHOLS: Okay, I'm going to
11 pass it to you once I've finished my testimony.
12 And they found out that the average waiting time
13 at 17 hospitals in New York City is from five
14 hours to 24 and a half hours. People are in dire
15 need, it is absolutely wrong that you should even
16 consider a proposal for 140 (sic) luxury
17 condominiums and we are told that the developers
18 are giving a school and a park. That doesn't take
19 away from the fact that we need, and I'm told now
20 that that's not true, there is so much that we
21 need to say here, but I've only got one more
22 minute, and I'm determined to let everyone know
23 that to get from the West Side of Manhattan all
24 the way over to the East Side, everyone has seen
25 this map. Why should the East Side of Manhattan

1
2 have literally thousands of hospital beds, and why
3 from 59th Street down to Battery Park we have zero
4 hospital beds at this point. And we have been
5 promised two? How dare they give that to us?
6 We've got a building, and we must reject this
7 proposal, you cannot let it go further, and there
8 have to be investigations into how they have come
9 this far. This proposal has got to be turned
10 down. Thank you.

11 CHAIRPERSON WEPRIN: Thank you.

12 Yes, we've got to limit the applause only because
13 then it will drag on and then the other side will
14 do the same, and it will become a vicious cycle.
15 Mr. Newell.

16 MR. NEWELL: Thank you, Chairperson
17 and Council Member for this opportunity, my name
18 is Paul Newell, I'm testifying as a steering
19 committee member of the Coalition for a New
20 Village Hospital, in addition to my work with the
21 Coalition I'm also the Democratic district leader
22 for the 64th Assembly District and a lifelong
23 health care and HIV activist, both here in New
24 York and abroad. I'm here to ask you to deny the
25 Rudin Lenox Hill application, I just want to

1 highlight a couple of concerns. First ... but first
2 before I do that I want to say, although we're
3 asking you to oppose this ULURP proposal, we are
4 not opposed to the proposed residential
5 development per se. Cities need to grow and Lord
6 knows we need the jobs. We are asking that this
7 proposal be denied or delayed pending the
8 inclusion of a real hospital. This community has
9 repeatedly, emphatically, and nearly-unanimously
10 expressed its opposition to this plan in the
11 absence of a real public health solution. The
12 proposed two-bed facility does not achieve this
13 and indeed will in some cases may be harmful.
14 This so-called emergency room is the primary
15 ostensible public benefit from this plan, there's
16 no affordable housing proposed, and it is not
17 adequate for what is being granted to the Rudins
18 here. Two, serious medical and public health
19 concerns remain, already the applicants have
20 severely misrepresented the services and
21 capabilities of this proposed medical facility.
22 These representations themselves could prove a
23 community risk, as residents, tourists and area
24 workers may come to the facility for services it
25

1 cannot provide. No answer has yet been provided
2 to the question of transfer time from this
3 facility to a real full-service hospital, and if
4 that time complies with the dictates of law and
5 good policy. Three, viable alternatives,
6 alternatives that include a full-service hospital,
7 are available. These should be thoroughly vetted
8 before a plan involving such a serious diminution
9 of health care is approved. Specifically, as
10 stated before, four floors can be added to the
11 O'Toole Building, the site of the proposed stand-
12 alone emergency room. This would provide ample
13 space for a 200-, 300-bed hospital. Such a
14 hospital, properly-run, will not lose money. Big
15 changes are coming to the U.S. health care system.
16 Over the next decade, the population of uninsured
17 Americans will drop by 80%, and billions of
18 dollars of new revenue will come online. These
19 changes will add more pressure to our overtaxed
20 infrastructure and provide new financial
21 resources. A new Village hospital will play a
22 vital role in this. There are hospitals that are
23 well-managed in this city and ready to expand, as
24 well as competent managers that can run a new
25

1 hospital. There are construction firms and
2 workers ready to build it, there are health
3 professionals and support staff ready to work in
4 it, and above all, there are patients ready to
5 fill it. In summary, this petition before ... this
6 application before you today faces overwhelming
7 community opposition, and may indeed be of net
8 detriment to the health of New Yorkers. As
9 currently written, it is the wrong plan for the
10 site, and it is far from unsalvageable. The
11 Coalition for a New Village Hospital calls upon
12 you to deny, or at the very least defer, this
13 application, and by doing so you will not kill the
14 project, but possibly bring a hospital and bring
15 people to- -

17 CHAIRPERSON WEPRIN: (Interposing)

18 Thank you, Paul. George, if you had one quick
19 thing to add, what would it be? Go ahead,
20 quickly.

21 MR. CAPSIS: It's very hard for me
22 to be quick, but I'll try.

23 CHAIRPERSON WEPRIN: No, no, I need
24 you to be quick.

25 MR. CAPSIS: I usually don't need a

1
2 microphone, but I will use this. I believe it's
3 salvageable, I believe that we can get a hospital
4 back. We do know that there are a number of
5 hospitals who are very much interested in the
6 site, but it didn't work out. If you people here
7 today say, "Wait a second, we want to take this
8 under advisement", we've just heard from Chris
9 Quinn, who says no, I don't approve this, I think
10 we should seek a hospital. Give us time to find a
11 hospital corporation that will come in as a
12 partner, I think we can do this. Or let North
13 Shore-Long Island, which is the second-richest
14 hospital in the United States, come forward, get a
15 grant from the DOH, they have a lot of connections
16 there, and do it.

17 CHAIRPERSON WEPRIN: Okay, thank
18 you, George. Ladies and gentlemen, please, okay,
19 please, no more fun of any kind. No, there you
20 go, jazz hands are always welcome. All right,
21 well, I want to thank this panel, Mr. Comrie has
22 no questions and neither do I, so thank you all
23 very much, thank you for coming. I'd now like to
24 call up the next panel in favor of this project,
25 Christopher Tepper for AIDS Memorial Park

1
2 Coalition, Randall Borschmidt, I believe it is,
3 also. All right, then, sorry. Janet Weinberg and
4 Michael Seltzer. Yeah, I should have ... I tried to
5 tell everyone ahead of time. All right, for the
6 record after this the panel in opposition will be
7 Marguerite Martin, Naomi Usher, Carol Greitzer and
8 Rosemary Paparo. That will be after this panel.

9 MR. SAWYER: Janet Weisman.

10 CHAIRPERSON WEPRIN: Weinberg.

11 MR. SAWYER: Weinberg from GMHC had
12 to leave, I'm Eric Sawyer, and I'm speaking on
13 behalf of Housing Works in her place.

14 MR. SELTZER: And I'm Michael
15 Seltzer.

16 CHAIRPERSON WEPRIN: Okay, one at a
17 time, that's fine, just start one at a time, and
18 state your name again when you start, and then
19 we'll do the testimony, that's fine.

20 MR. TEPPER: Good afternoon, Mr.
21 Chair, my name is Christopher Tepper, I'm the co-
22 founder of AIDS Memorial Park Coalition, we
23 represent a group of over 30 organizations
24 citywide, neighborhood groups that are supporting
25 the inclusion of a significant AIDS memorial in

1
2 the new park. The current park plan for the
3 triangle site has evolved tremendously since
4 August, going through multiple design iterations
5 in a good-faith effort by Rudin Management to be
6 responsive to community input and requests for
7 attractive, usable green space to meet its open-
8 space requirements. Unfortunately, the proposal
9 to integrate meaningful and significant
10 commemoration in acknowledging the site's unique
11 historic importance to the AIDS crisis, which has
12 broad-based neighborhood and citywide support,
13 remains unaddressed in the existing park plan.
14 The AIDS Memorial Park Coalition has been engaged
15 in a good-faith and serious effort in the entire
16 ULURP process and pre-process and our coalition of
17 hundreds of individual and over 30 organizations,
18 including such major ... including important civic
19 institutions and national foundations such as
20 AmfAR, Bailey House, Broadway Cares, Equity Fights
21 AIDS, the Center for HIV Law and Policy, Housing
22 Works, CBSD, DFA, Gay Men's Health Crisis,
23 Greenwich House, Heritage of Pride, the Hetrick-
24 Martin Institute, the Latino Commission on AIDS,
25 the LGBT Community Center, The Point Foundation,

1
2 Stage and others, and Love Heals, are all part of
3 this coalition. We have a proposal, the current
4 park plan, I think there is a significant amount
5 of support for it, it's beautiful, as you've heard
6 today, it's one of, I think, the important
7 community benefits that people are really excited
8 about and here speaking about. We do think that
9 there's a way to make the park plan better that's
10 a win-win for everyone, that meets the developer's
11 open-space requirement, that also creates a
12 neighborhood park that's usable for active and
13 passive recreation in the spirit of the community
14 board's request, but that also acknowledges the
15 unique historic importance of the site, and those
16 are really two parts. I think it was Mr. Rudin
17 mentioned in his beginning proposal that the site
18 has expanded over time and as they've been able to
19 find ways of working with North Shore-Long Island
20 Jewish to include more space by removing some of
21 medical infrastructure off the site. That's freed
22 up a 1,600 square foot parcel that's on the corner
23 of Greenwich Avenue and 12th Street where the
24 three-story gas tanks currently exist. We think
25 that's an appropriate place for a significant and

1
2 meaningful memorial to the AIDS crisis, not only
3 because it's large enough, but also because it's
4 accessible and visible, which is two of the things
5 you'd want for an important memorial to
6 acknowledge the history of this site. I think we
7 are also supporting the community-based planning
8 process that would involve members of our
9 coalition, would involve Rudin Management, and
10 would involve most importantly the community board
11 in designing the memorial, thinking through some
12 of the issues about how it gets integrated into
13 the park plan and what modifications the current
14 park plan would be required to make the memorial
15 feel not only truly integrated into the park, but
16 the primary feature of the memorial park.

17 CHAIRPERSON WEPRIN: Great, thank
18 you very much. Next.

19 MR. SELTZER: Thank you, Chair, and
20 thank you fellow City Council members for giving
21 us this opportunity. My name is Michael Seltzer,
22 I'm a resident of Greenwich Village for close to
23 30 years, and I live one block from the park that
24 we're discussing today. My day job, if you will,
25 is I'm on the faculty of the Baruch College and

1
2 proud of that. I'm here to amplify more of what
3 we mean by what our plans are for this segment of
4 the park that we're hoping, looking forward to
5 working with the Rudin organization to implement.
6 There's some shorthand involved, and I want to
7 break it down, if I will. We currently in our
8 city have over 100,000 people still living with
9 AIDS HIV. Two of the highest concentration
10 neighborhoods where that is, is in both Greenwich
11 Village and Chelsea. But as you know, I don't
12 need to talk, mention any member of the City
13 Council, that exists in every City Council
14 district in the city. Our intent is to basically,
15 yes, honor those 100,000 people who have died from
16 AIDS, men, women and children in our city, but
17 it's also to talk about what's happening today and
18 what's happening tomorrow. And very importantly,
19 to talk about the historic role that the West
20 Village played that has transcended our city, our
21 country and has reached the world. As you recall,
22 it wasn't that long ago when schools were banning
23 children from school because they were HIV
24 positive, when landlords refused to rent space to
25 AIDS service organizations for fear that we were

1
2 going to be tainted. That did not happen in my
3 neighborhood, the Village. The Village came
4 together as one, united towards a common cause and
5 rose up through common acts of compassion, and
6 pulled together to say that we will act as one.
7 That history, that recollection of that one
8 community, has been a message that not only goes
9 forward across the world in terms of response to
10 AIDS, but response to any public health threat.
11 So we are seeking to salute the community for what
12 it can bring forward to future battles, future
13 threats against the fight of AIDS. I've had the
14 privilege as a member of the AIDS Memorial Park
15 steering committee to talk to our neighbors, and
16 Chris gave you a partial list, I've submitted to
17 you today a copy of my testimony, letters of
18 support from local businesses that surround the
19 park, from local organizations, churches. It's a
20 story that, it's hard to believe that individuals
21 set out to stem the force of something as horrific
22 as AIDS in our lifetime, and in the course of
23 that, not only succeeded in making changes, like
24 access to clinical trials, which that movement
25 started in those that now benefits women with

1
2 breast cancer. The implications of what we've
3 done before, I sadly had to be a recipient of
4 God's Love We Deliver last year when I came out of
5 the hospital with a bone marrow stem cell
6 transplant. Well, because before AIDS we did not
7 have Meals on Wheels available to homebound
8 people, unless they were elderly. God's Love We
9 Deliver several years ago expanded their mission,
10 not only for people with AIDS, but people with
11 cancer like myself. So we hope that you will do
12 what's right by the Village and give us a chance
13 to just honor this piece of history. Thank you.

14 CHAIRPERSON WEPRIN: Thank you, Mr.
15 Seltzer, and we're glad you're looking so well and
16 we're big fans of God's Love We Deliver too. Yes
17 sir.

18 MR. SAWYER: My name is Eric
19 Sawyer, I am a person living with AIDS and one of
20 the founding members of Act Up New York, which was
21 created at the Gay and Lesbian Community Center,
22 which is credited with changing the drug approval
23 process in the United States from a 10-to-15 year
24 development timeline to two-to-three years. I'm a
25 co-founder and incorporating president of Housing

1
2 Works. Housing Works is one of the largest
3 providers of housing and medical care for people
4 living with HIV in the United States. We operate
5 an adult day treatment program West 13th Street,
6 and a thrift store on West 17th Street. I'm a co-
7 founder of Health Gap, the global access project,
8 which led the fight for generic production of AIDS
9 medications for distribution in Africa and the
10 rest of the developing world, and also fought for
11 the creation of the Global Fund for AIDS, TB and
12 Malaria. Our initial meetings of the
13 establishment of Health Gap were also held in the
14 Gay and Lesbian Community Center. The Global Fund
15 now has raised more than \$21 billion for the
16 global response to HIV, and has funded over 600
17 programs in 160 countries. I'm currently a civil
18 society partnership adviser at the United Nations
19 in the offices of UNAIDS. The early days of the
20 HIV response were characterized by government
21 neglect and social indifference. The early days
22 were also characterized by fear, hysteria, stigma
23 and discrimination. Landlords were evicting
24 people living with HIV, because they feared that
25 these people would scare away other tenants, and

1
2 there were no anti-discrimination laws to prevent
3 this. We are hopeful that the Rudins will, as
4 they've indicated in some of their conversations
5 with us, move away from this practice of real
6 estate owners distancing themselves from even the
7 word AIDS, by including a significant AIDS
8 memorial component to the public park they're
9 creating in the triangle space across from St.
10 Vincent's. there needs to be a significant AIDS
11 memorial park in this public park to commemorate
12 not only the 100,00 people who have died of AIDS
13 in New York City alone since the beginning of the
14 epidemic, but, as Michael said, pay tribute to the
15 community's response to the HIV epidemic. In the
16 early days of the HIV response, the government did
17 almost nothing. It wasn't until people living
18 with HIV and members of the community created
19 things like the Gay Men's Health Crisis, Housing
20 Works, that people with AIDS started getting
21 compassionate response. I want to plead ... I want
22 to end my testimony by pleading with the City
23 Council and other elected officials involved in
24 this effort to not respond in the way that
25 President Ronald Reagan did in the days when Act

1
2 Up was created, when he spent the first seven
3 years of his presidency not issuing the word AIDS
4 in public. I would instead encourage the ... when
5 asked ... when actually his press secretary was
6 asked why was it that the president did not talk
7 about AIDS, he said it was because the people who
8 were dying don't contribute money to the political
9 process and they aren't a significant voting bloc.
10 I hope that the City Council will move away from
11 that tradition and stand in the tradition of Ted
12 Kennedy, who worked to create things like the Ryan
13 White Care Act, Senator Tom Duane who has run as a
14 person openly living with HIV, and vote to, when
15 they approve, if they approve, the Rudin plan,
16 include a significant memorial park component.
17 Thank you.

18 CHAIRPERSON WEPRIN: Thank you. We
19 do appreciate all your testimony, just on behalf
20 of myself, I actually lived in the West Village
21 from the mid to late 80's, and lost a number of
22 friends myself, so it is something that we are,
23 the Council in general has always felt very
24 strongly about. I know that conversations are
25 going on with the Rudins about that memorial, so

1
2 we appreciate your testimony here today. Okay,
3 Mr. Comrie has a question.

4 COUNCIL MEMBER COMRIE, JR.: Was
5 this committee set up when? This committee was
6 set up when?

7 MR. TEPPER: Paul Kelterborn, who
8 couldn't be here today, and I founded the AIDS
9 Memorial Park Coalition about a year and a half
10 ago.

11 COUNCIL MEMBER COMRIE, JR.: A year
12 and a half ago.

13 MR. TEPPER: Uh huh.

14 COUNCIL MEMBER COMRIE, JR.: Okay.
15 And have you been working with the community board
16 regarding this site? Or was this always the site
17 that you had in mind?

18 MR. TEPPER: Well, we do think that
19 the St. Vincent's Hospital campus for a number of
20 reasons, and this site, is uniquely appropriate,
21 because St. Vincent's was the first AIDS ward in
22 New York City, symbolically it was the site most
23 associated with the crisis, it's in the heart, as
24 the Chair just pointed out, it was the epicenter
25 of the early years of the disease. And as Eric

1
2 and Michael pointed out, the LGBT Community
3 Center, which is just a block away, which is where
4 Act Up and so many of the original organizations
5 first formed, this site is really the nexus of the
6 community's response in so many dimensions to the
7 AIDS crisis that it needs to be recognized.

8 COUNCIL MEMBER COMRIE, JR.: No,
9 I'm just trying to understand how this site got
10 picked, so I appreciate the insight on the issue,
11 thank you. Thank you. Thank you, Mr. Chair.

12 CHAIRPERSON WEPRIN: Gentlemen,
13 thank you very much. I'd like to now call a panel
14 in opposition, Rosemary Paparo, Carol Greitzer,
15 Naomi Usher, and Marguerite Martin. Are all four
16 of you here? Or Carol Greitzer is not here?

17 MS. GREITZER: Right here.

18 CHAIRPERSON WEPRIN: Oh there she
19 is, okay, all right. And I'm missing one, who am
20 I missing? Okay, so we're going to ask ... no, she
21 already went. I think. Is A. Timothy Lundsfield,
22 or something like that, here? Oh, Timothy, all
23 right, great, do you want to come up as well, or
24 do you want to wait? Okay, okay, you'll give us
25 the sign when you're ready, okay? we'll get you

1
2 on a panel in opposition. Okay, ladies, thank
3 you, please state your name for the record. Ms.
4 Greitzer, it's good to see you again, and, you
5 know, give your testimony. And, again, we have a
6 three-minute time limit, so if you could try to
7 keep it in there, I really would appreciate it.

8 MS. PAPARO: Okay, my name is
9 Rosemary Paparo, I live on West 12th Street, and I
10 would like to say that for the residents of West
11 12th Street that certainly I encounter on a daily
12 basis, my neighbors, that we are not looking
13 forward to the demolition of the Reiss Building,
14 we are very much opposed to it for several
15 reasons, not the least of which is that our 18th
16 and 19th century and early 20th century buildings
17 may suffer as a result of the demolition, and that
18 we realize that the only reason that the building
19 is slated to be demolished by the Rudin
20 organization is so that they can construct an
21 underground garage facility on that site. We also
22 realize that the Rudin project has been approved
23 on many levels, and it's been politically-
24 expedient for many of the public officials to
25 approve it. We also have to acknowledge that the

1
2 single Landmarks commissioner who offered a very
3 cogent and very articulate argument against the
4 demolition of Reiss, who was Roberta Gratz, was
5 dismissed within several weeks of that vote.
6 Again, Coleman and Link were not built when the
7 area was slated as a Landmarks district, so
8 they're really out of the equation, but Reiss is
9 an intrinsic part of the block, and putting in a
10 garage, which would really lacerate the block,
11 would be detrimental. You know, New York City has
12 a boon in tourism, and one of the reasons that
13 tourists come to the city is that they visit not
14 only Uptown, Fifth Avenue, and Times Square, they
15 also visit the Village. We see the buses come
16 down 7th Avenue every day, all day long, and
17 they're not coming to the Village because they
18 want to see the apartment blocks that are on the
19 Upper West Side or the Upper East Side, they want
20 to see the Village, which is the low-density
21 historic center of the city. And demolishing
22 Reiss and building something that does not belong
23 on this residential block will certainly be
24 detrimental to not only our block, but to the city
25 overall. Thank you.

CHAIRPERSON WEPRIN: Thank you.

Ms. Greitzer?

MS. GREITZER: Good afternoon, my name is Carol Greitzer, I'm a former member of the City Council, though it's changed a lot since I was last here, changed physically, at any rate. But I'm in support of the remarks that will be made later by the Protect the Village Historic District. But I'm speaking today as co-Chair of the 12th Street Block Association, and Ms. Martin, who you called, is my other co-Chair, and so I'm speaking for her as well. I just want to mention that the Planning Commission report is flawed with inaccuracies and omissions. It is disingenuous to cite the loss of parking in Chelsea as justification for more parking in Greenwich Village. The Commission failed to mention that the three garages now in that block are more than any other block in the historic district, in the Village, and probably south of 14th Street. Adding a fourth driveway for 152 cars would be an outrageous intrusion. Further, this added traffic would cause problems for ambulances. Ambulances, that's something else that the Planning Commission

1 failed to mention. When the Long Island Jewish
2 emergency room opens, 12th Street will become the
3 ambulance route to the real hospitals located all
4 the way east on 1st Avenue. These ambulances will
5 have enough trouble getting cross-town without the
6 added traffic problems. CB2's position is that no
7 garage is needed, but in view of the as-of rights
8 situation, I offer a compromise, a win-win
9 situation for everyone. Relocate the garage
10 entrance to 7th Avenue, St. Vincent's ambulances
11 have pulled in there for about 100 years with no
12 adverse effect on traffic, and two curb cuts
13 already exist there. DOT doesn't like avenue
14 garages, but an exception must be made, because
15 another driveway on 12th Street would be far more
16 damaging than any garage on 7th Avenue. Another
17 advantage would be the saving of the Reiss
18 Building. Rehab rather than demolition means less
19 air and noise pollution, less damage to residents,
20 to passersby, and to the children in the two
21 schools that are located across the street. We
22 urge you to approve this change, let the
23 ambulances, and also the fire engines, move freely
24 through 12th Street, it may save lives. Thank you.
25

1
2 CHAIRPERSON WEPRIN: Thank you, Ms.
3 Greitzer, and welcome back.

4 MS. USHER: My name is Naomi Usher,
5 and I have sat in on all of the 70 plus meetings
6 and 200 meetings, and I still don't know how to
7 say ... okay, I still don't know whether it's Rees
8 or Rice, and I'm going to make a very brief
9 statement, and then I'm actually -- Rees -- I'm
10 going to make a very brief personal statement, and
11 then I'm going to read the statement of Al Butzel,
12 who is the legal counsel for Protect the Village
13 Historic District, of which ... sorry.

14 CHAIRPERSON WEPRIN: Yeah, we
15 actually took his and submitted it to the record,
16 so if you could just testify on your own behalf,
17 and we already ... he already submitted it for the
18 record, so.

19 MS. USHER: And you promise that
20 you will read it?

21 CHAIRPERSON WEPRIN: Of course.

22 MS. USHER: All right, thank you.
23 So then, put briefly, we heard a lot about running
24 a hospital, and the problems that have gone
25 before, but I think we have to just deal with some

1
2 real issues that can be dealt with, and I'm going
3 to second what Carol said about the traffic, I
4 think you could actually solve a very problematic
5 intersection by putting a traffic light on the
6 entrance to a garage on 7th Avenue and solve the
7 Greenwich Avenue/7th Avenue dangerous intersection.
8 Yeah. And then I would just also like to make
9 sure that you read very carefully the testimony of
10 Rich Davis, I think he makes a very good point on
11 the saving of Reiss, and on the ... okay. I'm not
12 sure that ... are you guys, do you listen? I mean,
13 or is it just- -

14 CHAIRPERSON WEPRIN: (Interposing)

15 Yeah.

16 MS. USHER: Yeah? Okay.

17 CHAIRPERSON WEPRIN: We got you,
18 we're just getting documents passed to us at the
19 same time, so it's- -

20 MS. USHER: (Interposing) Okay,
21 because you know, it's a little bit frustrating
22 that this was a meeting that we were going to have
23 a lot of people you say were being listened to,
24 this is going to go into the record, a lot of
25 people couldn't even get in, and you're talking

1 while I'm talking, and I've been sitting here
2 since eight o'clock in the morning, so I do
3 really- -

4 COUNCIL MEMBER COMRIE, JR.:

5 (Interposing) Unfortunately we do have to multi-
6 task.

7 MS. USHER: Yeah, I know, I
8 understand that- -

9 CHAIRPERSON WEPRIN: (Interposing)
10 And I do apologize, you know, I've been trying ...
11 it's trying, it's been a long day, and we've been
12 trying to give everybody an opportunity to be
13 heard, and we were rude.

14 MS. USHER: Yeah.

15 CHAIRPERSON WEPRIN: We were rude
16 there and I apologize.

17 MS. USHER: Thank you.

18 CHAIRPERSON WEPRIN: It's just that
19 as we were talking, something was passed to us,
20 so.

21 MS. USHER: Okay, and I appreciate
22 that it's very much of your time, and you do this,
23 I just think that this panel was actually saying
24 something new too, so thank you.
25

1
2 CHAIRPERSON WEPRIN: Okay, well we
3 appreciate you coming down, and we do apologize
4 for that.

5 MS. USHER: Thank you.

6 CHAIRPERSON WEPRIN: Thank you.
7 We're going to keep going, this one will only be
8 three, we're going to move on, we only have one
9 more panel in favor, I believe, and then we'll go
10 back to the oppositions. I think the last panel
11 in favor is Dan Point, Eric Sawyer, Dr. Gil
12 Horowitz, and Cora Cahan. Is there anyone else in
13 favor? You're in favor as well? All right, so
14 come on up, we'll let you come up. Did you fill
15 out a slip, one of these slips? What's your name?

16 MR. HAYES: Christopher Hayes.

17 CHAIRPERSON WEPRIN: Christopher
18 Hayes, do you have a Christopher Hayes?

19 DR. HOROWITZ: There may be more
20 people who filled out names in favor who are not
21 there as well.

22 CHAIRPERSON WEPRIN: I don't know.

23 MR. HAYES: I'm not in favor, I'm
24 in opposition, I'm sorry.

25 CHAIRPERSON WEPRIN: Oh, there you

1
2 go. All right, we'll have to pull you out of the
3 pile, Christopher Hayes. Now you go to the back
4 of the line, no, I'm kidding. All right, so
5 gentlemen, no one else here is in favor of the
6 project who wants to testify, right? Okay, I
7 understand that it's a lot of people here, it's a
8 very long day, people have lives that they have to
9 get to, and people have a lot of places to be, so
10 we apologize, we will accept any submitted
11 testimony, it will be gone through as we discuss
12 this over the next few days, so don't worry about
13 that, and we'll let these gentlemen start, and
14 then we'll go back to the opposition panel.

15 DR. HOROWITZ: I will go first.
16 Good afternoon now, Chairman Weprin, honorable
17 City Council, I'm Dr. Gil Horowitz, Executive
18 Director of the Washington Square Lower Fifth
19 Avenue Community Association. I too have been to
20 countless meetings, starting with the attempt to
21 build a 30-story, 30-some story tower for St.
22 Vincent's Hospital, which I might point out, many
23 of the people who are demanding a hospital now,
24 many saying it should be on the O'Toole site,
25 opposed that at the time and slowed that down.

1
2 Whether it might have ever evolved or not, had it
3 not been so thwarted, is the road not taken. We
4 don't know, probably not. The economics of
5 hospitals are not good countrywide. The hospital
6 ultimately sank, the ULURP issue before us did
7 not. Many of the people here are focusing on a
8 hospital, I too would like a hospital, a hospital
9 would be wonderful. If I had a magic lamp, I'd
10 put a hospital on every corner. In fact, I had a
11 hospital on my corner when I lived at the John
12 Adams at 101 West 12th Street, it was nice. There
13 were a couple of times when I too could walk right
14 over there, in seconds, maybe a minute or two, and
15 be in the hospital. It's impractical, it's hard
16 enough to keep the existing hospitals open that we
17 have, to bring this one back to life is at best
18 improbable, probably impossible in my lifetime.
19 I've been a lifetime resident, I've been a
20 lifetime resident of the City of New York for 75
21 years, lived in Greenwich Village, lived, worked
22 and gone to school in Greenwich Village for over
23 50 years, been on the faculty of New York
24 University, was the first psychologist for City As
25 School, the experimental high school in the

1 southwest corner of the Village. Greenwich
2 Village is my home. The issue is not a hospital,
3 when a hospital turned out to be impossible,
4 because no health care partner could come up with
5 the financing for the hospital that St. Vincent's
6 had hoped for, the Rudins came up with the best
7 proposal they could, the emergency department,
8 which is being tried in many parts of the country.
9 It will give us perhaps 90% of the reasons why
10 people go to a hospital, I wish we could have
11 100%, it's not in the economic reality at the
12 present time. What do we have? In reality before
13 us we have a 450-unit condominium complex, which
14 replaces some spectacularly-ugly architecture,
15 preserves the best of the architecture of the five
16 buildings which the Landmarks Preservation
17 Commission thought were worthy of preservation,
18 and provides 1,500 good union jobs, 400 permanent
19 union jobs, shoppers for the area who will occupy
20 the condominiums that will bring the businesses,
21 small businesses, back to life, and provide a
22 positive asset to the community. I urge the
23 Council to support this project which has been
24 approved by Landmarks Preservation Commission,
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2 City Planning Commission, after exhaustive, many,
3 many meetings. Thank you.

4 CHAIRPERSON WEPRIN: Thank you very
5 much. Sir?

6 MR. POINT: Speaker Quinn and
7 members of the New York City Council, the closing
8 of St. Vincent's Medical Center has had a
9 devastating effect on the local economy. I'm
10 sorry, I forgot to introduce myself, I'm Dan
11 Point, I'm from the Greenwich Village Chelsea
12 Chamber of Commerce. The closing of St. Vincent's
13 Medical Center has had a devastating effect on the
14 local economy, and has been detrimental to the
15 small businesses surrounding the area. More than
16 30 businesses have shut their doors since the
17 closing, and many of those that remain are still
18 struggling. That is why, after reviewing the
19 proposal and carefully weighing the alternatives,
20 the Greenwich Village Chelsea Chamber of Commerce
21 is strongly supportive of the North Shore-LIJ
22 health system and Rudin Management plan for St.
23 Vincent's. The plan to invest more than \$110
24 million to transform St. Vincent's O'Toole
25 Building into a comprehensive free-standing

1
2 emergency department will provide important
3 medical care and bring a powerful economic engine
4 back to our community. We, like others in the
5 community, hope that St. Vincent's Medical Center
6 would be replaced with a full-service hospital and
7 emergency department. However, a year after its
8 closing, the challenges of funding and operating
9 such a full-service hospital have proven
10 insurmountable. The proposed solution will
11 address a very significant aspect of the West
12 Side's health care needs, which have been
13 underserved in the wake of St. Vincent's closure.
14 With a state-of-the-art free-standing emergency
15 department, residents, workers and visitor will
16 not need to travel out of our neighborhood to
17 access emergency and other critical health care
18 services. The proposed emergency department would
19 be designed to accommodate 30,000 emergency
20 patients annually. The building would also house
21 a comprehensive care center, which includes CT,
22 MRI, digital x-ray, ultrasound and other critical
23 services. Fully operational, the combined
24 emergency department and comprehensive care center
25 will serve as many as 80,000 patients each year.

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2 Additionally, the plan will bring 1,000 quality
3 construction jobs and 400 full-time permanent jobs
4 to the area. These jobs are essential to driving
5 down our city's unemployment rate, and help return
6 lost foot traffic to the area. Workers, patients
7 and visitors will utilize local services, shop at
8 our stores and dine in our restaurants. After a
9 year on life support, the area surrounding the old
10 St. Vincent's Medical Center will not survive much
11 longer. If we fail to act now, we will lose more
12 businesses, continue to limit access to health
13 care for our residents, and squander an
14 opportunity to create quality jobs. Thank you.

15 CHAIRPERSON WEPRIN: Thank you very
16 much. Mr. Comrie, do you have questions? All
17 right, gentlemen, thank you very much. We're now
18 going to move to the next panel, I think from here
19 on in, they're all in opposition. I'd like to
20 call Donna Zaccaro Ullman, Corey Johnson, Cynthia
21 Crane Story, and Christopher Hayes. We have four,
22 Corey, one, two, three, who did I miss? Ms.
23 Story, is that you? Okay, all right. Okay, thank
24 you. Let me call the next ... let me tell you who
25 the next panel is going to be, so those who are in

1
2 the other room can come, just to, all right. Next
3 will be Mary Ezell, Maurice Zucker, Irene Vendetti
4 and Emily Leone, I think. That will be after this
5 panel. Okay. Ms. Ullman, so whenever you're
6 ready.

7 MS. ULLMAN: Thank you. Thank you,
8 Council Member Weprin. I'm actually, though I'm
9 on the opposition panel, it's ... we're sort of in
10 support, but with modifications, so it's not quite
11 opposition, it's not quite support. Anyway, I'll
12 start with, I first moved to the West Village in
13 1983, and currently my husband, children and I
14 live across the street from St. Vincent's East
15 Campus, between 6th and 7th Avenues. I'd like to
16 first say that my husband and I are not opposed to
17 rezoning the East Campus to allow residential
18 housing. We are also not opposed to Rudin
19 Management, and believe that their organization
20 will do a good job on the project, and have no
21 problem with it being a highly-profitable endeavor
22 for them. However, we are here today to ask that
23 there be some modifications required of their
24 proposal that we believe will preserve the
25 character of the neighborhood while also

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2 protecting the health and safety of those of us
3 that live adjacent to the project, that will also
4 not materially affect their profitability.
5 Specifically, as the other panel that was up here
6 talked about, we're asking for just three changes:
7 do not demolish Reiss. I don't know if it's
8 "Rees" or "Rice", but "Rees" is how we've always
9 pronounced it. Instead, renovate it. This is a
10 mid-block pre-war-style building that fits
11 contextually with its neighboring buildings that
12 are being renovated. Demolition will expose those
13 of us that live nearby unnecessarily to all sorts
14 of health, safety and vermin issues that would not
15 be the case with renovation. It would also
16 subject all of us to at least an additional year
17 of construction. Do not allow a garage, a new
18 building to be built in Reiss's footprint. This
19 would be the fourth garage on the street, as
20 you've heard, more garages than any other street
21 in the Village, and it would be a mid-block
22 garage, which will change the residential nature
23 of the street unnecessarily, as there are more
24 than enough vacancies to accommodate the new
25 residents within a five-block radius, based on the

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2 Rudins' own environmental impact study. I heard,
3 when I was sitting in the other room for the last
4 couple of hours, about how this will, if there is
5 no garage, it would put them at 98% capacity, the
6 neighboring garages. 98% is still not 100%, and
7 so it's not actually necessary as a garage. Do
8 not allow retail down 12th Street, this will change
9 the character of the street from its current
10 residential feel to more of a commercial one. My
11 neighbors will go into greater detail on the
12 reasoning behind our opposition to these three
13 aspects of the proposal, and will probably do so
14 more articulately, specifically again, I would
15 note Rich Davis's testimony, who we thought we
16 were all going to be on the same panel. What I
17 want to tell you is that, we are not just ... that's
18 okay, I appreciate being here. We're not just a
19 few individual neighbors that want these changes,
20 rather, though the St. Vincent's East Campus
21 comprises most of the south side of the street,
22 12th Street, between 6th and 7th Avenues, there are
23 still a significant number of residents on the
24 street. You had specifically asked about this,
25 Council Member Comrie. There are eight apartment

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2 buildings with approximately 900 units currently
3 occupied, seven multi-family townhouses, and four
4 single-family townhouses, adding up to
5 approximately 2,000 adult residents. Also on the
6 block is one school, with approximately 300
7 students, faculty and staff, and one foundation.
8 We have collected signatures from more than 500
9 neighbors just on this one street, which I can
10 either give to you or give to the Speaker, 12th
11 Street between 6th and 7th, residents from every
12 building on the street, asking for the Council to
13 require the modifications I have mentioned, and we
14 are not alone. These modifications were also
15 recommended in the CB2 report on the Rudin plan,
16 as well as the PBHD recommendations. I ask you to
17 please remember that your role is to represent the
18 interests of the majority of your constituents,
19 please be our representatives. Thank you.

20 CHAIRPERSON WEPRIN: Thank you very
21 much, Ms. Zaccaro.

22 MS. ULLMAN: And do you want me to
23 give you the petition?

24 CHAIRPERSON WEPRIN: Sure, please.
25 Sure, Nick, she's going to give us some petitions,

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2 if you could collect them from her, that would be
3 great. Mr. Hayes?

4 MR. HAYES: Hello, my name is
5 Christopher Hayes, I'm a born and raised New
6 Yorker, I've lived in Greenwich Village since I
7 was two years old, which is quite some time ago.
8 Over the years I've been a patient, a visitor and
9 an employee of St. Vincent's Hospital. Unlike the
10 Village resident from Bank Street who spoke on the
11 first panel in favor of support, I do not work for
12 the Turner Construction Company, which is the
13 contractor that is currently demolishing St.
14 Vincent's. I also take exception to the masonry
15 union's representative, who said it takes \$2
16 million to create one hospital bed. I don't know
17 how much it takes to create a hospital bed, but we
18 had a lot of hospital beds, and I have to wonder
19 why they fast-tracked the destruction of St.
20 Vincent's Coleman Building, when they had
21 perfectly-good building to serve up hospital beds.
22 I know that for a fact, because I've been in
23 there, both as a patient, a visitor and an
24 employee. So we're not talking about \$2 million
25 per bed. Why they're doing this right now,

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2 bringing this aspect of building ... bringing the
3 building down so quickly at a public ... before the
4 Council at large has had time to vote on the
5 future use of this site eludes me, because I
6 thought the whole purpose of this meeting was to
7 determine what to do with the buildings that are
8 there, and what to do with what's going on. So I
9 wonder how that came about. Mostly right now I
10 just want to go into some of the points that
11 they've created on their fact sheet. I don't
12 actually disagree with the creation of a good use
13 of this space. I think that residents in the area
14 are needing of space, and I don't have the answer
15 for that, but I don't think the building that
16 you're suggesting as a hospital facility
17 sufficiently covers what we had and what we need.
18 To the points on the fact sheet, economic
19 development and job creation, the 3,000 hospital
20 jobs that were there are going to be replaced by
21 1,200 temporary construction jobs and 400
22 permanent jobs. That's a huge net sum loss. To
23 boost the small businesses, whatever comes into
24 this area is going to be a boost to small
25 businesses, and this will be developed, regardless

1
2 of what's said in terms of the area, in terms of
3 economic development, and by the Chamber of
4 Commerce group, this neighborhood is not going
5 south. There's huge money coming in here, no
6 matter what happens. To the point on improved
7 health care and social service network, this is
8 kind of like trading a Cadillac for a Chevy. We
9 had a triage one ... level one triage center there,
10 and that was designed for trauma care, cardiac
11 surgical care, burn care, neonatal care, and the
12 list goes on. I videotaped in many of those
13 facilities, I walked through the first AIDS
14 laboratory back in the 80's, when people didn't
15 even know what AIDS was, it was actually called
16 HIV because they didn't ... AIDS because they didn't
17 know HIV existed. So the facility that's being
18 proposed is not "an improved health care social
19 network", it's a different health care set, and we
20 should actually have something down the Lower West
21 Side that actually matches the need of the
22 neighborhood. I could go on, and I'm running out
23 of time, if I might, I'd like to have a little
24 more time, very quickly, to just say this is ... new
25 open space. Oh, this one is huge, there is a

1
2 green park there right now, so it's not new open
3 space. The only reason why the Coleman Building
4 was allowed to be built as tall as it was, was
5 because there was a promised park in that spot. I
6 was there at that time, I remember Frank Gifford
7 standing on top of a set of skids across from the
8 new building being built, and this was before the
9 gas towers were in the back. We had models and
10 mock-ups and plans, and there was an entire
11 triangle that was there. The City Council
12 unfortunately at the time never followed through
13 on making that a public access park, they put a
14 fence all around it. So that's kind of like
15 giving us what we already have and claiming it's
16 new. So again, it's like a zero sum game to us.
17 Reduced- -

18 CHAIRPERSON WEPRIN: (Interposing)
19 I have to cut you off there, but I do ... and the
20 public access to that park and all that has been
21 discussed also, and is being considered and talked
22 about.

23 MR. HAYES: Thank you.

24 CHAIRPERSON WEPRIN: At Corey NYC?

25 MR. JOHNSON: Sure. Hello, my name

1
2 is Corey Johnson, thank you, Chairman Weprin and
3 Deputy Majority Leader Comrie, for having this
4 hearing today, and for allowing me to speak. I am
5 the Chair of Manhattan Community Board #4, which
6 encompasses the neighborhoods of Chelsea and
7 Hell's Kitchen, our boundaries are 14th Street to
8 59th Street. We are now home to the only free-
9 standing hospital on the West Side, St. Luke's-
10 Roosevelt at 59th Street and 10th Avenue. I'm here
11 today to hopefully provide a larger context, so
12 much has been talked about the Village -- and by
13 the way, I'm not speaking as Chair of Board #4
14 today, I'm speaking as someone that lives three
15 blocks from the O'Toole Building, at 15th Street
16 and 7th Avenue, and someone that used St. Vincent's
17 on many occasions. This hospital, St. Vincent's,
18 is a hospital that did not just serve Greenwich
19 Village, though it was a deep part of the fabric
20 of the Village, it is a hospital that has also
21 been a fabric of the entire West Side of
22 Manhattan. It's been a hospital that has served
23 the communities of Chelsea and Hell's Kitchen.
24 When the Berger Commission, which has been talked
25 about, decided on closures years ago, one of the

1 hospitals that was closed was another St.
2 Vincent's facility on 9th Avenue, the old St.
3 Clare's, up on 9th Avenue. That was a loss for the
4 Hell's Kitchen community at the time, and with St.
5 Vincent's closing, it's a double whammy. I am in
6 support of a full hospital at the St. Vincent's
7 site, a full-service hospital. Dr. Kaufman
8 earlier laid out pretty succinctly and clearly the
9 needs from a medical standpoint. I want to be
10 clear about the growth on the West Side. Within
11 Community Board #4, we have had massive amounts of
12 luxury condos that have gone up on 6th Avenue north
13 of 23rd Street. Coming online in the next few
14 years, we're going to have 27 million new square
15 feet at Hudson Yards, basically an entire new city
16 on the West Side of Manhattan, maybe a re-
17 development of the Javits Center, hopefully a new
18 Moynihan Station, section three of the Hi-Line, an
19 expansion of the Hudson River Park. The numbers
20 are going to keep adding up on the West Side, we
21 are in need of a full-service hospital on the West
22 Side of Manhattan, without a doubt. There is
23 still time, there is still time to modify this
24 proposal, it is not too late. People have talked
25

1
2 about how cities evolve and grow. If in fact this
3 proposal does go forward, there needs to be an
4 affordable housing component to it, we need it on
5 the West Side of Manhattan, and if in fact this
6 does move forward as well, I strongly believe
7 personally that there should be a significant
8 commemoration and marker to the AIDS crisis that
9 has happened in Greenwich Village and in
10 Manhattan. So I am in support of a full-service
11 hospital, if there's a will, there's a way. The
12 Rudin family has done massive projects, there's a
13 lot of money on the line. I assume that if they
14 put their brains to it, they could go back and
15 bring in a full-service hospital to this
16 community. I appreciate being able to testify
17 today, thank you.

18 CHAIRPERSON WEPRIN: Let's hold the
19 applause. Okay, my back row, I was just going to
20 compliment the back row, now you went back to
21 clapping, look at that. No, but thank you. Ms.
22 Crane Story, are you here? Oh, come on up also,
23 she was supposed to be part here. You're going to
24 get it looks like a technical foul, you get it all
25 to yourself here. Thank you, Donna.

1
2 MS. STORY: Hello, my name is
3 Cynthia Crane Story, I was born in St. Vincent's
4 Hospital, as were my grandsons. I lived across
5 the street from it for 45 years until Madoff wiped
6 out my whole family, I'm broke, so I'm not in the
7 Village, but I still do care very, very much. I
8 want to say one thing. I was on the committee,
9 because I was head of my block association, the
10 Mulry Angle/West 11th Street Block Association. I
11 was on the committee with the hospital when they
12 were first discussing what was going to go on the
13 O'Toole Building. I thought the design was
14 fabulous, it was catty-cornered, it was like the
15 Lipstick Building, it had light and air, and it
16 would have served as a wonderful hospital.
17 However, I would like to clear up what was said
18 earlier, the Village was not against it, the
19 people who were against it were those who were
20 going to lose their view on 7th Avenue in the
21 already-high buildings. So I want to make that
22 clear. I would have preferred to have that
23 hospital, and it's a shame we didn't go forward on
24 it, because we're Villagers and we're so
25 litigious, we fought and argued and we didn't get

1
2 a hospital, and now there is none. And I think
3 it's a disgrace. I cannot imagine the West Side
4 not having a hospital. And I also want to say I'm
5 really against the changes in zoning. If zoning
6 is there, it's for a purpose, and it shouldn't be
7 violated every time you feel like some developer
8 needs a helping hand. It makes the whole thing a
9 travesty for Joe Blow like me.

10 CHAIRPERSON WEPRIN: All right,
11 take it easy.

12 MS. STORY: We don't have any
13 access, and I've used that hospital for my entire
14 family, I cannot ... it saved my baby's life when
15 she had a chicken bone, I ran across the street to
16 the ER and we saved her. But to have no hospital
17 is crazy. I'm not going to waste your time and
18 say it. The other thing I wanted to say is about
19 the park. Please don't put up walls with mirrors,
20 that's no memorial to the wonderful people of the
21 hospital and who died of AIDS. Give us a real
22 memorial, maybe water, some fountain, like we've
23 done down here, but don't put up walls that beg
24 for graffiti, and mirrors that will kill the birds
25 flying into them. So that's all I have to say,

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give us a hospital.

CHAIRPERSON WEPRIN: Okay, we will share that with them.

MS. STORY: Thank you.

CHAIRPERSON WEPRIN: All right. All right, next, do you want to give that to me? Just give it to me. Boy, you're a multi-tasker. Okay, that's fine. I'd like to call Irene Vendetti, Maureen Zucker ... Maurice Zucker, I'm sorry, it's getting late. Mary Ezell and Emily Leone. I apologize for the names, I also will let you know that the next panel, if they're in the vicinity, Richard Davis, Caroline Benveniste, Pamela LaBonne, and Elizabeth Ryan. Just be ... and also the following people have submitted testimony for the record: Arthur Schwartz, it looks like, Al Butzell and William Hawley, and I haven't mentioned before, if anyone else wants to submit testimony and not testify, we'll accept it as well. Who wants to start? Anybody? Okay, great. Thank you. A little quiet please, and please state your name for the record once again.

MS. EZELL: Good afternoon, my name is Mary Ezell, E-Z-E-L-L, I'm affiliated with the

1
2 Coalition for a New Hospital, but I'm also a
3 resident, I live right across the street from the
4 loading dock. We had no idea how bad the debt was
5 until the hospital was closing. We had a lot of
6 meetings and we never knew the number. The
7 Sisters of Mercy (sic) is a wonderful group. The
8 Sisters of Mercy (sic) is a wonderful group, but
9 they had a bad business plan. They would take
10 anybody, and nobody would pay. This is not good.
11 How could this go on? We couldn't figure it out.
12 How could the hospital keep running and be so far
13 in debt, until it was too late? A hospital is not
14 strictly a private enterprise, it involves doing
15 things for the public good, and to conduct private
16 deals behind closed doors is a violation of the
17 public trust. That's shabby behavior. How did
18 the debt grow? Well I can tell you I've been
19 there since 1972, and they built the Coleman
20 Building in '84, I went away in '85, and came back
21 in '87, the loading dock was a done thing by the
22 time I got back, and the funny thing was, we would
23 have hours posted for deliveries, but the
24 deliveries would happen at night too, and they
25 would be disruptive. I would go out in the middle

1
2 of the night, all weathers, and say, "Why are you
3 here?" And they don't answer, these truckers.
4 And so this would go on for years and years and
5 towards like 2004, I went away again and came back
6 in 2006, and when I came back, the deliveries were
7 really every single night, but there was every
8 single truck every single night, over and over
9 again, the same trucks, linen, food, everything.
10 It's like, can't you make a delivery? Can't you
11 fill up the pantry? Well, I found out about the
12 pantry long ago, back when they built the loading
13 dock, because of these men ... they had built the
14 Coleman Building, built the 600 beds, and they had
15 not ... I asked the guy in the loading dock, "Why
16 can't they put the stuff in the pantry, why so
17 many deliveries?" He says, "There is no pantry,
18 because they ran into water when they built the
19 loading dock, it was supposed to be downstairs
20 many floors." Okay, fine. Well, I thought didn't
21 they look at the map the Frenchman made in 1700,
22 about where the water was, the stream and all
23 that? Come on, give me a break. And so it didn't
24 happen, and they had built this thing- -

25 CHAIRPERSON WEPRIN: (Interposing)

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I'm going to have to ask you to wrap up.

MS. EZELL: I know.

CHAIRPERSON WEPRIN: I know.

MS. EZELL: But let me tell you that it was a way, it seemed to be toward the end a way to generate more and more debts with these deliveries. Any housewife can tell you that it's cheaper to buy in bulk at Costco than to go to 7-11 every day. So all of this debt started coming up and we had nothing to do with it. But let me say this about the park.

CHAIRPERSON WEPRIN: All right, I really can't have you do that right now, okay?

MS. EZELL: Okay.

CHAIRPERSON WEPRIN: A lot of this stuff has been rehashed, some of the issues about St. Vincent's, you know, unfortunately, it's too late for, and so, you know, we don't want to take up too much time.

MS. EZELL: I appreciate that, but as far as the park- -

CHAIRPERSON WEPRIN: (Interposing)
Thank you.

MS. EZELL: ... I don't care if they

1
2 have a park. Why don't they build a hospital
3 building on that triangle that goes down four
4 floors and has six floors up, and I don't care
5 about the view, the air, the light, if someone
6 puts a park on the top.

7 CHAIRPERSON WEPRIN: Okay.

8 MS. EZELL: I don't care.

9 CHAIRPERSON WEPRIN: Let me move on
10 to the next panelist. Thank you.

11 MS. VINZETTI: Good afternoon, my
12 name is Irene Vinzetti, I've lived across the
13 street from St. Vincent's since most of my life.
14 I am speaking for many of my friends and neighbors
15 that couldn't spend a day here. What the
16 community wanted in the past doesn't matter, it is
17 where we are now that matters. Of course I wish
18 that St. Vincent's was still opened. It is sad,
19 true, that many hospitals have closed in other
20 boroughs, but I can only speak for what St.
21 Vincent's has done. It has taken care of all five
22 boroughs, including Paul Conti, who was stabbed in
23 Brooklyn, went to a hospital in Brooklyn, then was
24 sent to St. Vincent's, where his life was saved,
25 just one of the hundreds of examples that I

1
2 personally know of. I just don't understand that
3 we went from a full-service hospital that saved
4 and served over 60,000 people a year to a non-
5 hospital, a fast-food hospital. Unfortunately,
6 people can't afford valuable time when they are
7 critically ill. How can we put millions of lives
8 at stake, including the 450 new luxury condo
9 residents? We are not playing a sport, where you
10 can go from first base to second base to get
11 proper care needed. And what compensations is the
12 community getting for the 450 luxury apartments
13 being built, and all the land they are getting?
14 Over 1,000 pigeons, first of all; non-affordable
15 housing, no updates to our subway system, no
16 proper repairs to our infrastructure, water,
17 pipes, of course, traffic, which will have a
18 horrible effect. But most of all, no hospital.
19 We still need a full-service hospital for
20 everyone. Thank you.

21 CHAIRPERSON WEPRIN: Thank you very
22 much. Sir, whenever you're ready.

23 MR. ZUCKER: Chairman Weprin, City
24 Council members, my name is Maurice Zucker, I'm a
25 20-year resident, owner and board member of 175

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2 West 12th Street condominium. We on West 12th
3 Street are particularly concerned with the three
4 aspects of the unmodified application: the
5 demolition of the Reiss pavilion, the addition of
6 a fourth garage to our block, and the introduction
7 of retail stores onto the block. Unlike most of
8 Rudin's plan to adaptively reuse the existing St.
9 Vincent's buildings, the plan calls for the
10 demolition of the Reiss Building at 144 West 12th
11 Street. We've already learned the hard way from
12 the year-long renovation of the Payne Martin
13 Building that there is no such thing as a
14 noiseless, dust-free renovation. Demolition will
15 mean increased ear-splitting noise levels, along
16 with increased dust, dirt, vibrations and rodents,
17 making our block an environmental health safety
18 hazard. In short, renovate, don't detonate. The
19 planned garage will make West 12th Street between
20 6th and 7th Avenues the parking hub of the Village.
21 We already have three garages with a combined
22 capacity of 181 vehicles. The planned garage will
23 increase that number by 152, bringing total
24 capacity to 333. The results, traffic jams
25 potentially stalling ambulances transferring

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2 patients from the planned urgent care center to
3 East Side hospitals. The garage entrance should
4 be moved to the corner of 7th Avenue and 11th
5 Street, which served St. Vincent's as an emergency
6 ambulance dock for decades. Finally, the
7 introduction of retail stores with their window
8 displays and signage will commercialize an
9 essentially-residential street. Council members,
10 please help us to preserve both our safety and
11 quality of life, modify the plan. Thank you.

12 CHAIRPERSON WEPRIN: Thank you very
13 much. I believe we have one more person to
14 testify, if someone could just give up a seat in
15 front of the mic.

16 MS. LYON: Thank you, my name is
17 Emily Lyon, I am from 16th Street between 5th and
18 6th, and I represent the West 15th-West 16th Streets
19 Block Association, as well as the Lower Chelsea
20 Alliance. That's part of CB5, CB5 never saw the
21 closing of St. Vincent's as being an issue that
22 affected them. We have crossed the borders into
23 Greenwich Village and Chelsea for decades, I've
24 lived in that ... my family has lived in our home
25 since 1968. The closing of this hospital has

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2 affected so many more people than just the
3 neighborhood, and this has never just been a
4 neighborhood issue, this has been a citywide
5 issue. Now, what you can do about getting us a
6 full-service hospital, I'm not sure of. I've
7 learned through this whole process that it's
8 really hard to be a Pollyanna, but no matter how
9 many meetings one has to sit through, we don't
10 have to compromise, and this comprehensive care
11 center is a compromise. It's not what this
12 community needs. Also, I just want to mention, in
13 our two blocks alone, West 15th Street and West 16th
14 Street, we have a good 6,000 people every day. We
15 have students, we have museum-goers, we have a lot
16 of commuters going back and forth between the
17 subways, we have shopworkers from Old Navy and all
18 the stores up there. We're just over the border,
19 we're just over the border, so this is something
20 that needs to be kept in mind, it's not just a
21 neighborhood issue. And lastly, the variances
22 that are granted to build a taller St. Vincent's
23 building, they were granted because it was a
24 public facility, and it is true that all over the
25 city developers are getting away with, forgive me,

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2 murder, because of they're buying air rights,
3 they're merging air rights, they're ruining
4 neighborhoods. This would set a dangerous
5 precedent for the rest of the city, and that's
6 what developers do, they turn around and they say,
7 well, you know, the Rudin Corporation did it over
8 there. I hate to say this, because it doesn't
9 sound very nice, but I've heard very little
10 sincere and factual things coming out of the
11 Rudins, and especially Melanie Meyers. And for
12 her to say that it was a rumor that they had
13 gotten the property as a bargain was untrue, we
14 know they got a bargain for it. But we also know
15 we don't have a full-service hospital, and for
16 Chelsea to be getting ... above 14th Street to be
17 getting as many new buildings as it's getting, for
18 this new development, we're not going to have
19 enough services for all those new people. I don't
20 understand where anybody thinks they're going to
21 go. We have no beds between 57th and Lower
22 Manhattan on the West Side. Just nobody is
23 listening, but it doesn't matter how many meetings
24 there are, we don't need to compromise, and that's
25 what this is, it's a bad, bad compromise. Thank

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you very much.

CHAIRPERSON WEPRIN: Okay, thank you very much. I'd like to call on the following panel now, Richard Davis, Caroline Benveniste, Pamela LaBonne, Elizabeth Ryan, and Irene Vinzetti, oh, you just went, that's right, I'm sorry, I mixed them up, sorry. Can you do me a favor? The first chair over there, slide them all down one, so all of the ... everybody could be at the table. Everybody slide down a little bit, because that first chair is supposed to be at the table. Okay. Sorry, I didn't see that coming. Whenever you're ready, I guess we'll start on the left, on my left.

MR. DAVIS: I'm Richard Davis and I- -

CHAIRPERSON WEPRIN: (Interposing)
Is that on? Yeah, now.

MR. DAVIS: My name is Richard Davis, I'd like to hand out my formal testimony.

CHAIRPERSON WEPRIN: Thank you.

MR. DAVIS: And summarize it. I am a 21-year resident, along with my family, directly across from St. Vincent's on West 12th Street.

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2 We've heard a lot of discussion this morning about
3 whether certain things that plainly the community
4 needs are, you know, reasonable or realistic, a
5 full-service hospital, affordable housing. We
6 have a debate about that, but I'm going to focus
7 my discussion on certain things where the
8 applicant made specific decisions which they
9 didn't have to make, and you do not have to
10 approve, even if there is a project. I'm going to
11 focus on the garage, retail and taking down Reiss.
12 The garage you've heard a lot about, and I'm not
13 going to repeat everything, I'm just going to make
14 a couple of points. One, to stress this is a mid-
15 block garage. You're taking a street that has
16 been recognized in the EIS as a classic Village
17 residential street and in the middle of the block
18 putting a 22-foot curb cut and a garage, that's
19 very different. Two, there are alternative
20 places, as Carol Greitzer said, and others have
21 said, on 7th Avenue, it is not ... you know, people
22 will say, well, you don't usually put them on the
23 avenues, it can be on the avenues, and there was
24 curb cuts there for decades and there's no reason
25 why it cannot be there. And in any event, we

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2 don't need a garage, the EIS justifies there not
3 being any garage whatsoever, certainly not justify
4 the requested special permit to increase the
5 garage space. Second, retail; what we're talking
6 about is no display and no signage on any of the
7 windows. Again, this is a no-retail street,
8 there's no reason to turn it into, along with now
9 a garage and retail, take a residential street and
10 turn it into much more the feel of a commercial
11 street. Now I want to talk about Reiss. Reiss
12 they're taking down, they're taking it down to put
13 in a garage entrance and replacing it with a
14 building roughly the same size, which, with all
15 deference to my friend the architect, who I've
16 been at many of these hearings with, is totally
17 out-of-context, doesn't fit, and is in a word, not
18 a very attractive building. But what is involved?
19 Remember, this community is going to endure three
20 and a half years of intensive
21 construction/demolition activity no matter what,
22 if this goes forward. Three and a half years.
23 And this is a community that has residents, it has
24 two schools and thousands of people live there.
25 And this is going to be, in a word, a living hell,

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2 no matter what. It seems to me that there's no
3 reason why this developer could not have agreed to
4 mitigate that by not taking down the Reiss
5 Building, because on their own calculations what
6 is it give, it gives 16 months of the dirtiest
7 work, demolition, excavation, and the like. I
8 just want to make one additional point. I've
9 heard some argument being made that while some of
10 these things that we want, the new location, not
11 taking down Reiss, are not, were not really
12 studied in the EIS. Well, if they weren't studied
13 in the EIS, I think that's an affront to the
14 Council, an attempt to take really the authority
15 of the Council away, because what happened here?
16 The community was clear that alternative sites for
17 the garage and Reiss should be studied, no
18 question. The community board, everybody
19 recommended it. So what happened? The consultant
20 performing the EIS is hired by the applicant, who
21 apparently was then extensively involved in the
22 work of the consultant. The applicant, according
23 to the EIS, said, well, you know, these things and
24 others, they don't fit my objectives. In other
25 words, they're saying, I don't want to move the

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2 garage, I don't want to preserve Reiss. So the
3 applicant-retained consultant then says, I guess I
4 won't study those, because the applicant doesn't
5 want me to, and now they say that the Council
6 can't do anything about that. If that's true,
7 it's not a real ... first, I think it's a real legal
8 problem, and I think it turns what is a serious
9 zoning process almost into a shell game, which is
10 unfair. Thank you very much.

11 CHAIRPERSON WEPRIN: All right,
12 thank you very much. Okay, go ahead.

13 MS. BENVENISTE: My name is
14 Caroline Benveniste, I'd like to submit my
15 testimony as well. I'm also a resident of 12th
16 Street for 20 years, I also live across from the
17 proposed site of this development, and thank you
18 to the Chairs and the Committee for this
19 opportunity to testify. So today we've arrived at
20 the final step in the ULURP process for the Rudin
21 application to develop the former St. Vincent's
22 East Campus, and many of us here, I recognize them
23 today, we've been at all these meetings, going on
24 maybe five years, and I don't think I'm the only
25 one who feels that all this effort and work that

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2 the community has expended to make itself heard
3 may have been for naught. However, I'm not yet
4 ready to believe, as reported in Crain's last
5 week, that "Chris has grown beyond the old Village
6 Guard, and she's willing to roll over them on this
7 one." I'm still hoping that the City Council will
8 do the right thing and not accede to all of
9 Rudin's demands, while ignoring the community's
10 objections. Since I don't have much time, I'll
11 give an abbreviated history of the project,
12 because it's important to remember how and why we
13 got here. When the Rudins obtained approval from
14 Landmarks to develop the St. Vincent's East
15 Campus, their application was a separate
16 application from the St. Vincent's application,
17 but I think in the mind of Landmarks and most
18 people they really were very linked. And most
19 likely the reason that the Rudin application was
20 approved was that nobody wanted to be seen as
21 having stood in the way of the plan that St.
22 Vincent's had to save itself. But now the
23 hospital is gone, and so it no longer follows that
24 the Rudin plan should be approved without any
25 modifications. The community has repeatedly made

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2 it clear that certain aspects of the plan are
3 particularly disturbing, namely, the demolition of
4 Reiss, the addition of a fourth garage on the
5 block and also retail, which I don't think I'll
6 have time to go into, but has been covered. The
7 demolition of Reiss is unnecessary, Reiss could,
8 and should, be renovated like the buildings around
9 it. And Rudin itself showed that they were able
10 to do a very nice job with the other buildings.
11 There's an esthetic issue to consider, Reiss looks
12 very much like the buildings on either side of it,
13 and what's proposed looks nothing like the
14 buildings on either side of it. It's not
15 architecturally consistent, as Rich Davis said,
16 it's ugly. But even more serious is that the very
17 real danger that demolishing Reiss will cause
18 damage to the surrounding buildings. We have had
19 a recent and close example of what construction
20 can do to older buildings in this neighborhood.
21 On 5th between 13th and 14th, the new school
22 construction necessitated pumping out the water so
23 a foundation could be built. This in turn caused
24 the clay underneath to compress, and the
25 neighboring buildings settled. The building at 12

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2 East 14th Street, an older building, very much like
3 the ones on 12th Street, did not settle uniformly.
4 One part of the building settled more than the
5 rest, resulting in cracks in the foundation,
6 walls, etc. In fact, in some of the apartments,
7 you could look through and see through to another
8 apartment. At last estimate it will cost that
9 building about \$2 million to fix the damage by
10 building some stilts on the bedrock and having the
11 building supported on those. Dewatering a site
12 could affect the better part of a block, and there
13 are about 2,000 residents on 12th Street between 6th
14 and 7th, Donna said eight apartment buildings,
15 seven multi-family townhouses, four single-family
16 houses, a very scary potential situation that
17 could very easily be avoided.

18 CHAIRPERSON WEPRIN: Thank you,
19 Caroline. Next.

20 MS. LaBONNE: Hi, my name is- -

21 CHAIRPERSON WEPRIN: (Interposing)
22 Just make sure you get close to the microphone.

23 MS. LaBONNE: I think I can be
24 heard, can I be heard?

25 COUNCIL MEMBER COMRIE, JR.: It's

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2 just you're being taped, so it's not about being
3 heard, it's about being taped for the record.

4 Thank you, ma'am.

5 MS. LaBONNE: My name is Pamela L.
6 LaBonne. I'm a New York State-licensed Master of
7 Social Work. I am concerned about the human
8 necessities here in this city, I worked for years
9 in various capacities to help the poor people and
10 the people who had need. I was here at 8:00 a.m.
11 this morning and stood outside in the cold air
12 till 11:00 a.m., when we were finally allowed up
13 here, okay? I am also an asthmatic, okay? I
14 finally just walked in the front door and told the
15 guy, I said, "You know, I'm too cold, I'm chilled,
16 either you can arrest me and carry me out of here,
17 or you can put your arms around me and warm me
18 up." Well, he left me alone. Okay, now it's very
19 interesting ... yeah, come on. I'll take a hug.
20 Any time, any time, any time. Any or both my way.
21 It's only being human. Absolutely. Okay, okay.
22 That gives me some help.

23 FEMALE VOICE: That's the person a
24 Rudin gives.

25 MS. LaBONNE: Now ... oh please.

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2 CHAIRPERSON WEPRIN: Now you're on
3 your time.

4 MS. LaBONNE: Now I'm also
5 interested to see ... I've been through all that and
6 look who's sitting here, two of you guys. I know
7 he told me he doesn't count, he's not on the
8 Council. I'm not ignoring him. So where is
9 everybody?

10 CHAIRPERSON WEPRIN: Well, it's all
11 right, he's Chair of the Land Use Committee, so
12 he's not just any guy, either.

13 MS. LaBONNE: All right, so he's
14 not just ... but I mean, so what about all of the
15 empty seats.

16 CHAIRPERSON WEPRIN: Okay.

17 MS. LaBONNE: So I'm here to speak
18 about the human component and a moral imperative.
19 My ancestor came here in the 1700's, and after a
20 while he left because of the Tories ... believe me,
21 there's a point to my story. Six of his sons ... he
22 went down South, six of his sons fought in the
23 Revolutionary War, two at Valley Forge, okay, with
24 old George Washington. There is a statue in Union
25 Square of George Washington when he came back from

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2 the war to agree to come back and take over New
3 York. Okay, I was told at that time it was very
4 popular, if you see all of the other officers,
5 they have guns and swords and whatever. He is
6 sitting astride his horse with his hand out, to
7 welcome the citizenry. This is what I would like
8 from my City Council, is to welcome the citizenry
9 and to be concerned with their health, okay? That
10 is the moral imperative. I don't know how many
11 people have even noticed on the Municipal Building
12 there is a statue on top, do you know what it
13 stands for? Twenty five cents to the winner.

14 CHAIRPERSON WEPRIN: You ran out of
15 time.

16 MS. LaBONNE: It stands for civic
17 fame, okay? This is your chance to give us,
18 preside over us with civic fame or civic infamy.
19 You have a choice to do something important for
20 the people of the nation, and not to help the
21 Tories, I don't think I have to tell you what I
22 mean by that. Okay? Thank you.

23 CHAIRPERSON WEPRIN: Thank you,
24 Pamela. And again, we apologize, not only to
25 Pamela, but to everyone, the circumstances of this

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2 being a small room, this being a lot of people
3 here, the meeting was called for 9:30 and it's
4 great you got here that early. The building
5 itself just doesn't accommodate well here, and
6 City Hall had a conflict, we weren't able to do it
7 there, so I apologize for that, you're not alone,
8 and I do feel bad about that. And so we are
9 trying to accommodate everybody, nobody is not
10 going to be able to speak if they want to speak,
11 and hopefully it will work out for everybody.

12 MS. RYAN: Thank you. Thank you,
13 my name is Elizabeth Ryan, I've lived in the West
14 Village all my adult life, you can guess how long
15 that is. I live across the street -- don't you
16 dare -- I live across the street from St.
17 Vincent's and my bedroom abuts the O'Toole
18 Building. I've noticed, and I think you have too,
19 that everyone who is speaking in favor of the
20 Rudin plan before you is going to have financial
21 gain if you approve of it. They're going to have
22 jobs from Turner, the Rudins are going to get
23 richer, the lawyers are going to get richer,
24 everybody who speaks ... the hospital, LIJ, is going
25 to get richer if they're permitted to do this.

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2 You, on the other hand, are civil servants, I
3 don't guess you make much more than their
4 chauffeurs make, and the executive secretaries
5 that the Rudins pay. So you're going to go home
6 to your middle-class taxpayer life, responsible to
7 us, to your family, and whatever you decide, the
8 Rudins are going to get richer and richer by ... if
9 you deny them, they're going to find another piece
10 of property to buy. You and I, however, have life
11 to gain, your chance of a lifetime, in a life or
12 career, to stand up to a bigger person than you, a
13 bully we might say, a more powerful person, and
14 say, no, you can't do that. This is my job. I
15 was elected by the people, I have taken an oath of
16 office to uphold the well being of the people of
17 New York. And by, without spending a nickel,
18 without raising a firearm, without lifting a
19 muscle, by breathing out slowly the word "no" to
20 this proposal, you are giving what they call, they
21 do, the "breath of life", when you're doing ...
22 you're giving life to the people who are caught in
23 a fire in Penn Station, and a smoke condition,
24 some idiot throws his cigarette the wrong place in
25 Times Square, and it lands on an old electrical

1 box, and a building goes up. Or the ancient
2 subways have a fire, the firemen, the cops, the
3 guys in the coffee shops who work, the commuters
4 from your district. You have the opportunity, by
5 saying no to this plan as it stands, to give life
6 to human beings who ride subways, who visit
7 Broadway, and life to the city by having people
8 from all over the world who come as tourists here.
9 Hey, you know, my uncle had a heart attack in
10 Westbeth and he was saved by a hospital, so- -

11 CHAIRPERSON WEPRIN: (Interposing)

12 Let me ask a question.

13 MS. RYAN: Yes.

14 CHAIRPERSON WEPRIN: Because your
15 time is up. But so if we rejected this plan, we
16 would have two empty buildings, no hospital, no
17 emergency care facility, nothing.

18 MS. RYAN: And we don't, we won't
19 have a hospital now. We could- -

20 CHAIRPERSON WEPRIN: (Interposing)

21 I'm just saying, I mean.

22 MS. RYAN: We won't, yes.

23 CHAIRPERSON WEPRIN: I don't see,
24 what is ... I mean, what is it you're advocating
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2 for? I was confused about it. I don't know if
3 you were on the 12th Street construction problem or
4 the hospital issue.

5 MS. RYAN: No, I'm talking about
6 the ... a two-bed hospital is a death sentence to
7 anybody caught in traffic.

8 CHAIRPERSON WEPRIN: Right.

9 MS. RYAN: You're condemning all
10 the people that I said or yourself to die.

11 CHAIRPERSON WEPRIN: Well.

12 MS. RYAN: Across town. Have you
13 ever- -

14 CHAIRPERSON WEPRIN: (Interposing)
15 I have enough guilt in my life, don't lay too much
16 on me here, but- -

17 MS. RYAN: (Interposing) I'm not,
18 no guilt, sir. No guilt, sir. I'm saying that
19 you have the opportunity.

20 CHAIRPERSON WEPRIN: Right.

21 MS. RYAN: To say no to this now,
22 and work with people like Dr. Kaufman and like the
23 other people who say that there can be an
24 alternative to put a couple of more floors onto
25 O'Toole. That's what I'm saying to you.

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CHAIRPERSON WEPRIN: Okay, all right.

MS. RYAN: But they're going to get rich, you're not going to get rich unless you ... but they're going to get rich and they say, "Gee, thanks so much, we'll take you to dinner." But you have the opportunity- -

CHAIRPERSON WEPRIN: (Interposing) They can't take me to dinner.

MS. RYAN: You know what I'm saying.

CHAIRPERSON WEPRIN: Yeah.

MS. RYAN: This is the opportunity, then you go back to opening- -

CHAIRPERSON WEPRIN: (Interposing) I didn't, I wasn't clear what you meant by going no and turn this down. I mean.

MS. RYAN: Yes, vote no to- -

CHAIRPERSON WEPRIN: (Interposing) Obviously to make it better is what you want to do by providing beds, some more beds.

MS. RYAN: But you can deny the proposal as it stands now, to get a small full-service hospital.

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CHAIRPERSON WEPRIN: Right.

MS. RYAN: You can't tell me that if you guys said we're opening it, it would happen because the city has got to be prepared.

CHAIRPERSON WEPRIN: Well, the reason why I'm sensitive on this subject, and Council Member Comrie alluded to this before, is we're from Queens, where we've lost three hospitals in the last two years, and are desperate for them to be replaced. We can't find anyone to put new hospitals in there.

MS. RYAN: That's right, but- -

CHAIRPERSON WEPRIN: (Interposing)
I mean, we have, but there's nobody who wants to come to Queens to put these hospitals where we need them.

MS. RYAN: Right, but you want- -

CHAIRPERSON WEPRIN: (Interposing)
So I just want to be clear, I mean, some people, and many, most not, but some people make it sound like, oh, we don't need these guys, we want to put a hospital in. They don't just appear out of nowhere, and believe me, we know firsthand that this is a problem, and it's important, and I'm all

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2 for, you know, trying to make sure we have a
3 hospital there. I just, you know, it's been a
4 long day for me too.

5 MS. RYAN: That's for sure.

6 CHAIRPERSON WEPRIN: So I just want
7 to be clear, I mean, when people say it, like oh,
8 get ... vote no, and make sure there's a hospital
9 there. I don't have that ability.

10 MS. RYAN: You have the ability to
11 open the dialogue, FEMA, the Federal Emergency
12 Management ... you can't say that the terrorists are
13 going to say, oh, whoopeedoo, all it takes is one
14 bomb and half of the New York is ... you don't say
15 to your people in Queens never to come to
16 Manhattan, their grandmother never goes to Penn
17 Station, you don't ... it can be done, but what I've
18 seen is that there has been no political will.
19 And I'm saying that you're in a ... I'm just an
20 insurance salesman, you know, what can I do? You
21 know, a 100 years ago could a woman- -

22 CHAIRPERSON WEPRIN: (Interposing)
23 Do you want to trade places?

24 MS. RYAN: Could a woman and two
25 black people stand up to a billionaire and say, we

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need you to do this? It couldn't happen. You can say, we need you to do this.

CHAIRPERSON WEPRIN: Go ahead.

MS. RYAN: We're opening- -

CHAIRPERSON WEPRIN: (Interposing)
All right, you clarified what you meant, I was just confused by the term.

MS. RYAN: Oh no, I'm just saying.

CHAIRPERSON WEPRIN: I'm getting a hint here.

MS. RYAN: I'm just saying, this is your moment of- -

CHAIRPERSON WEPRIN: (Interposing)
Thank you. My moment in the sun.

MS. RYAN: No, no, not in the sun, of glory.

CHAIRPERSON WEPRIN: Okay, we'll- -

MS. RYAN: (Interposing) Of humanity.

CHAIRPERSON WEPRIN: Thank you very much. We learned, thank you very much. Pamela, thanks for the hug, and we appreciate you coming down, we really do. Now, we're going to now- -

MS. LaBONNE: (Interposing) Now

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we're going to show our appreciation.

CHAIRPERSON WEPRIN: Evette Katz, I believe that says, Carol Demech, Trevor Stewart, Jayne Hertko, yea Jayne. And then we have one more after this panel, were all those people here who I just called? I think I called four. Okay, good, and then there will be one more panel after of five people, I think, and then we'll see if there's anyone we missed.

MS. STARK-KATZ: Is this on?

CHAIRPERSON WEPRIN: Yeah, let me just ... as soon as you're settled in, decide who wants to go first, and then we can- -

MS. STARK-KATZ: (Interposing) I just need to hold everything until I finish.

CHAIRPERSON WEPRIN: That mic is definitely on, so you can start, by the way.

MS. STARK-KATZ: Oh it is? Wait, I don't want to start.

CHAIRPERSON WEPRIN: Okay, you don't want to start, then push the button because it's still on, and whoever wants to start. Do you want to let him start? Gentleman first? It's up to you guys.

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MR. STEWART: Okay, fine.

CHAIRPERSON WEPRIN: All right, start the clock, these panelists can start when they will. Please state your name for the record.

MR. STEWART: I'm Trevor Stewart, Chairman of Protect the Village Historic District, PVHD. We're an organization of about 1,000 neighbors and others living in Greenwich Village, our goal is to insure that historic Greenwich Village remains one of the reasons New York is a great city. I'm sure that's consistent with your Committee's goals, Chair Weprin and Chair Comrie, thank you very much for listening to me, and I've handed in my testimony as well. To put it bluntly, we're appalled by the process that has ... thus far. The Borough President, the City Planning Commission have simply caved in to the Rudins and have recommended that you give them pretty much everything that they've asked for. Cynics might say that the fix is in, and the City Council now has political cover to award an influential property developer and campaign contributor. I'm hoping instead that the City Council will do the right thing and stand up for

1
2 the community. As you consider this application,
3 please keep in mind, Brad Hoylman was here
4 earlier, please keep in mind that Community Board
5 #2 voted 40 to 1, it wasn't even close, 40 to 1
6 against approving the application. Their
7 objections were reasonable, their objections were
8 carefully considered, their process was thorough
9 and thoughtful, and involved countless public
10 meetings. I was at virtually all of them, and I
11 can assure you that CB2 spoke for the community
12 when they issued their recommendation. The
13 upzoning that Rudin seeks for the site is absurd.
14 St. Vincent's was permitted its extreme bulk, as
15 you've heard many times before, because of its
16 unique community function. The Rudins' high-rise
17 luxury condo development serves no public purpose.
18 Making a zoning exception for them would be an
19 abuse of protective zoning laws. Approving the
20 zoning changes, especially the proposed text
21 change, would create a precedent that other
22 developers will be quick to exploit, please don't
23 do it. CB2's recommendation also includes denying
24 a condo parking garage, of which you've heard
25 many, many times. This is unprecedented, it would

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2 make that block the most heavily-garaged block in
3 downtown Manhattan. Please insist on an
4 appropriate modification, you've had several
5 suggestions presented at this meeting. CB2 asked
6 that the Reiss Building, again, you've heard much
7 of this, be retained and reused to reduce the
8 impact of what would be a huge and lengthy
9 construction period ... project. There's no good
10 reason that can't be done, please insist on it.
11 On the positive side, Rudin is to be commended on
12 the plans for the triangle, Rick Parisi's design
13 is outstanding. Further, we strongly support the
14 idea of an AIDS memorial, and the commemoration of
15 160 that St. Vincent's served our community. We
16 ask, however, that such elements be restrained in
17 size, integrated with the proposed green community
18 park, and developed via a public process overseen
19 by the Community Board. In summary, we look to
20 you and the City Council and especially Speaker
21 Quinn, who represents our district, to stand up
22 for the interests of historic Greenwich Village.
23 Thank you for your consideration.

24 CHAIRPERSON WEPRIN: Thank you, Mr.
25 Stewart. Who's next? Okay.

1
2 MS. DEMECH: Hi, my name is Carol
3 Demech. This morning when I came in, I waited for
4 an hour and a half and thank God, someone gave me,
5 let me sit on their rollator, a walker with a
6 seat, otherwise they may have had to call an
7 ambulance for me also. I was appalled that there
8 was no accommodation for the elderly or the
9 disabled. The first time I went to an emergency
10 room, I was 25 years old, and I had a compound
11 fracture. I was in the hospital for ten days, I
12 had other injuries. The last time I was in an
13 emergency room I was 60 years old, and I was
14 hospitalized for six days, I had pneumonia. This
15 new proposed ER, or whatever it is, would not have
16 taken care of me, they would have had to take me
17 to a hospital, so it certainly wouldn't have
18 served me. We need a full-service hospital to
19 replace St. Vincent's, it's unconscionable,
20 immoral, and probably illegal that St. Vincent's
21 was allowed to close. There are certainly plenty
22 of blame to go around for the demise of St.
23 Vincent's, the misguided Catholic Church,
24 incompetent hospital administrators, poor
25 decision-making skills of the board, the

1
2 irresponsible New York State Health Department,
3 but most importantly, the elected officials whose
4 silence and lack of support destroyed thousands of
5 people's lives, and with no full-service hospital,
6 more lives will be destroyed. It appears as if --
7 to me, anyway -- that there was no concern for the
8 people who elected you for two terms. Now that
9 you have a voice, and I expected more people to be
10 here, please use it and show us that you are
11 concerned about the well-being of your
12 constituents. Ask yourself this question: do I
13 want to save people's lives? And if your answer
14 is yes, then you must vote against the Rudin land
15 grab. Vote to save lives, and we need a full-
16 service hospital. Thank you.

17 MS. STARK-KATZ: Hi, good
18 afternoon, Evette Stark-Katz, I've lived on West
19 11th Street for over 25 years, I have twin 21 year
20 old boys who are alive because of St. Vincent's.
21 Obviously I'm against the Rudin plan. I just, I'm
22 kind of going off the sheet that I've written
23 here. I do want to talk about, like, there were
24 alternatives, there was a Mt. Sinai very, very
25 interested, and I have sent everybody here like a

1
2 five-page letter that I wrote at three o'clock
3 this morning, really documenting a lot of the
4 history that went on here. I attended -- I'm a
5 commercial broker -- I did attend a very, very
6 large 300-person real estate meeting in New York
7 City, there were panels of people there from
8 Meridian Capital, from Vornado, Steve Witkoff was
9 on the panel, and you know, I was a little shy,
10 but I put my hand up toward the end of
11 questioning, because there were so many experts in
12 the room, and I basically said, hey, did anybody
13 here by any chance -- because they were talking
14 about investment real estate and what was
15 happening in the industry with banking, it was a
16 really interesting conversation -- did anybody
17 here make an offer on the 850,000-square-foot St.
18 Vincent's property? Did anybody make an offer in
19 the room? And the room went silent, and there
20 were a lot of people in that room who could have
21 made an offer on that site. I don't believe there
22 was ever any kind of proposal made by CB Richard
23 Ellis, I don't believe other people were looked at
24 or invited to come to this specific site. I
25 believe there was a back-door deal. I have no way

1
2 to prove it, but for no one to come up to me at a
3 very, very large real estate meeting and say, hey,
4 I know of somebody who made that offer, because I
5 made a \$59 million offer on behalf of a client on
6 15th and 16th Streets which were old residences for
7 the St. Vincent's Nurses', and Ofer Yordeni ended
8 up acquiring that from StoneHedge Partners, and
9 he's building two stories up. But I knew eight
10 people who made offers on that as a commercial
11 broker, and I knew of nobody who made any offers
12 on this site but the Rudin family. So that says
13 to me no one was really invited, and if there was,
14 why wasn't there any transparency about it, and
15 I'm totally not talking about anything I've
16 written down here, but I wanted to address that in
17 reference to the real estate and the commercial
18 real estate, about this site. It was acquired for
19 pennies on the dollar, you had a judge who
20 basically allowed them to donate the property of
21 O'Toole, a \$200 million building, which I'm sure
22 they're going to write off. This was literally
23 bought for like \$25 million, this site, and they
24 got 500 and I think 50 million dollars very
25 quickly in loans when banks were not giving out

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2 money. I mean, granted it helps if you have 20
3 buildings, 10 or 15 residential and 10 office
4 buildings. So I ended up talking about real
5 estate, and that was in my heart, but my kids'
6 lives were saved there, my aunt died there, I live
7 down the street, it is ... I'm still grieving the
8 hospital today. Thanks.

9 CHAIRPERSON WEPRIN: Thank you very
10 much. Ms. Hertko.

11 MS. HERTKO: Hello, before I begin,
12 I'd like to just make a quick statement about what
13 was happening downstairs. I realize that you have
14 space considerations, but a lot of elderly people,
15 people with mobility issues went through great
16 trouble to be here today to testify because it's
17 important. I was waiting outside for three hours,
18 the line still wrapped around the block behind me
19 when I got in, so I think it's a problem. Anyhow,
20 that's done.

21 CHAIRPERSON WEPRIN: Thank you, duly
22 noted.

23 MS. HERTKO: Hello, my name is
24 Jayne Hertko. Council Member Comrie, you asked
25 about the community activism when St. Vincent's

1
2 was going to build at O'Toole. I wasn't involved
3 in this fight at that time, because as long as
4 there was going to be a hospital, I was okay with
5 whatever was going to be happening there. It was
6 hard to decide what to say today, because it feels
7 like lives could depend on our testimony. Fifteen
8 years ago my life was saved at St. Vincent's with
9 no time to get to another hospital. I know you've
10 seen the map, it's included with my testimony,
11 because I was actually the one who designed it,
12 so. This is a disaster waiting to happen, and
13 affects everyone who lives, works or visits
14 Manhattan's West Side below 57th Street, it affects
15 all of your constituents, no hospital, no level
16 one trauma center. It might seem that we're
17 fixated on this location, but it's the only
18 existing hospital infrastructure on the West Side
19 below 57th. For the last two years we have been
20 told that there is no money, I don't believe that,
21 but it would cost a lot less to turn one of those
22 buildings back into a hospital than to build
23 something from the ground up. Rudin Management
24 Company has the best PR people money can buy, they
25 will tell you the Rudins worked with the community

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2 -- not true. They have been at community board
3 and block association meetings talking at the
4 community, but they have not worked with us.
5 They'll tell you they have provided a school --
6 not true. They helped arrange space, but never
7 bought, leased or refurbished any part of the
8 school they claimed to have provided. There is no
9 plan for affordable housing, 450 luxury condos
10 with price tags up to \$29 million is grossly out-
11 of-context and out-of-scale with the entire
12 community. With my testimony I'm attaching a page
13 from the environmental assessment statement, it
14 asserts that all 19 impact categories -- you see
15 the line of checkmarks here -- studied will suffer
16 significant adverse irreparable consequences if
17 the plan proceeds. Rudin will tell you it will
18 bring 1,200 construction and 400 permanent jobs.
19 The construction jobs will happen regardless of
20 what this property becomes, the 400 permanent jobs
21 don't come close to covering the 3,500 that were
22 lost when the hospital closed, the largest single
23 loss of jobs in the history of New York. They
24 will tell you this project has always been about
25 health care and that they've returned emergency

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2 care to the Lower West Side -- not true. You live
3 in the most medically-under-served community in
4 Manhattan. The North Shore-LIJ facility is not a
5 true ER, there will be no specialists onsite, no
6 ability to treat severe medical emergencies.

7 Those lives will depend on traffic patterns to
8 make it across town to 1st Avenue ERs. Even
9 members of the DOH committee that approved the
10 facility called it an urgent care center on
11 steroids and an experiment. On Friday I read in
12 Crain's ... oh, one little bit. On Friday I read in
13 Crain's New York that last-minute concessions
14 would be made here, such as money to PS 41 and a
15 compromise on the park. The money to PS 41 is a
16 consolation prize because they'll be trying to
17 teach in a construction zone for three to five
18 years. It will not make up for the overcrowding
19 in our schools, which will only become worse, and
20 I believe a hospital would be the most significant
21 and appropriate memorial to the AIDS crisis.

22 These are crumbs, they have plundered our
23 hospital, will make millions off of its closure
24 and have given nothing back to the community.
25 What could be more serious than the loss of our

1
2 only hospital? This plan is a disaster for
3 Greenwich Village, it will materially change the
4 character and quality of life in our neighborhood.
5 Our neighborhood thrived once before, it can do so
6 again, and the current Rudin development plan is
7 not the answer. We count on you to deny their
8 ULURP application before you and stand with us to
9 demand to find a way to restore our hospital to
10 our community. Thank you.

11 CHAIRPERSON WEPRIN: Thank you.

12 All right, you had a question? No? All right,
13 thank you very much, all of you. And thank you
14 for coming down. All right, the next panel, and
15 maybe the last, depending if I haven't missed
16 anybody, Elizabeth Adam, Sam Keglian, Kramer is
17 it? It's Kramer, yeah? You know who I'm talking
18 about? All right, Jim Fouratt, and Tim, do you
19 want to testify? You don't have to. You're not
20 going to be able to, all right. Do you have
21 written testimony? Okay, good, thank you. So is
22 anyone else here in the room who wanted to testify
23 for or against that I haven't called their name?
24 Because I think that's everyone. Were you
25 supposed to testify? Oh, okay. Okay, okay. Just

1
2 slide down as much as you can, since we've got to
3 squeeze everybody into the table, I don't know how
4 many we're going to be in the end. Okay.

5 MR. KEGLIAN: Hello, my name is
6 Samuel Keglman, I'm the third generation to live
7 in Chelsea.

8 CHAIRPERSON WEPRIN: Okay.

9 MR. KEGLIAN: I've utilized St.
10 Vincent's Hospital, my family has utilized it, my
11 mother was born there. I presently work for the
12 New York City Fire Department, I worked for the
13 Police Department previous to that. I think it's
14 unconscionable ... I mean, first of all I'm opposed
15 to any plan that does not include a full-service
16 hospital with a level one trauma unit and a
17 pediatrics ward. And as long as that keeps
18 getting denied, it will happen. The Rudin family
19 has plenty of money, they can provide us with a
20 hospital. They can provide us with one that looks
21 esthetically-feasible to the community, if that's
22 what the community wants. I think we need a
23 hospital more than anything, more than a park, an
24 AIDS memorial is wonderful, and if we don't get a
25 hospital, you're going to have to provide us with

1
2 another memorial for the people that died waiting
3 to get to one. I think when the Sisters of Mercy
4 (sic) signed over the hospital for an acute trauma
5 center, their intention was not two beds, I think
6 we all know that. And this decision lies in your
7 hands right now, and it's the fate of the people
8 that live in the community on the Lower West Side,
9 the people that come here, there's thousands of
10 people that come here to work every day, they
11 utilize Penn Station, the subway systems that go
12 through the area. There's nothing between Battery
13 Park City and 57th Street, there's no hospital.
14 You have to give us a hospital, not two beds.
15 That's all I have to say.

16 CHAIRPERSON WEPRIN: Thank you,
17 Samuel, and thank you for your service to the
18 city. Next, ma'am? You can go next, make sure to
19 take the microphone. Right here.

20 MS. KRAMER: Thank you. My name is
21 Roslyn Kramer, I have lived near St. Vincent's for
22 almost 50 years. I have seen the hollowing-out of
23 the city generally, but ... and I must say the
24 Rudins have been an integral part of it, for years
25 and generations. I'm a reporter and the first, my

1
2 first effort to write a story was about the Rudins
3 building someplace on the East Side, 3rd Avenue and
4 70th Street, of a remarkably-un-urban building
5 completely dark. For that they kicked out of a
6 used something that the real estate was calling
7 under-utilized housing which meant that the zoning
8 was 15 stories, but the building was only six. So
9 the people who lived there, which might have been,
10 you know, quite a while, not wealth people, they
11 were living with torn-out mailboxes and rats, and
12 something, and the Rudins in all their
13 manifestations, it was terrible, I saw middle-
14 class people being kicked out, they were ... it was
15 okay for them to live there. The same thing is
16 happening now. I recommend that everyone see the
17 movie "Tower Heist", where one of the very
18 important points is that the very wealthy don't
19 need help, they don't need tax things, and things
20 like that, they can live in gated communities.
21 They don't need hospitals, really, because in some
22 way or another, they'll get everything they need.
23 But we're just regular people and this is a city
24 and this is for us, and I think we have to really
25 go over everything, what happened in Albany,

1
2 Albany was just full of itself and giveaways. The
3 hospital was in terrible shape, the board of
4 directors, they were interchangeable, they'd come
5 for a few years and then they'd leave, getting,
6 you know, several thousand dollars, or a \$100,000,
7 that's at St. Vincent's, it was appalling. The
8 Catholic Church was all part of this, they
9 obviously didn't want the hospital any more
10 because they could sell it for a lot of money, and
11 they did. And while ... and they sold it to Rudin,
12 a company that has boasted they only build luxury,
13 only because the luxury that they ... they didn't
14 say about all the ways, all the little deals they
15 were making that helped them build luxury.

16 CHAIRPERSON WEPRIN: Thank you, Ms.
17 Kramer, thank you. Just wait one second, I just
18 want to acknowledge that Jimmy Vacca, who had a
19 competing hearing at the same time we were doing
20 this as well, didn't get to vote on our cafes
21 earlier today, and I'd like to just ask the
22 counsel to call his name so he can cast his vote.

23 MR. HYLTON: Council Member Vacca.

24 COUNCIL MEMBER VACCA: I vote aye
25 on the cafes.

1
2 MR. HYLTON: The vote now stands
3 ten in the affirmative, none in the negative and
4 no abstentions.

5 CHAIRPERSON WEPRIN: Okay, thank
6 you. Now, Ms. Adam.

7 MS. ADAM: Hello, testing, testing.

8 CHAIRPERSON WEPRIN: Get close.

9 MS. ADAM: Hello, my name is
10 Elizabeth Adam, thank you for allowing me to
11 testify, although almost by evening, I've been
12 here since 8:00 a.m., standing out in the cold.
13 Let me see if I can concentrate on all of this
14 now. I come before you today to join my neighbors
15 in voicing our strongest objection to the Rudin
16 development plan for the St. Vincent's site in
17 Greenwich Village. For 160 years St. Vincent's
18 Hospital served our community, but tragically it
19 recently closed its doors. I'm not alone in
20 suspecting a very carefully-crafted conspiracy to
21 defraud the neighborhood, the city and perhaps
22 even the Catholic Church for the biggest real
23 estate land grab in recent history. This last
24 January I marked 50 years of living in the same
25 building on 12th Street, 48 of those trying to

1
2 preserve the neighborhood. I grew up in the wake
3 Jane Jacobs, less than two blocks from the now-
4 closed emergency room. There were three main
5 reasons my parents jumped at the chance to move to
6 the Village: one, we were living ... we were moving
7 to a safe neighborhood from a dangerous area of
8 West Harlem; two, the public schools were better
9 and less crowded, a situation which changed soon
10 after with the baby boomers, and now we're
11 experiencing another overcrowding crisis; three,
12 my mother had a heart condition, and the hospital
13 was close by. I never thought I would hear myself
14 say that I am now afraid to live in Greenwich
15 Village, but having had two major health
16 emergencies in recent years, a heart attack in
17 2006, when St. Vincent's was still in service and
18 they saved my life, and a stroke last March when I
19 was fortunately at my job in Brooklyn, near
20 Maimonides Hospital. I am feeling extremely
21 vulnerable living in an area without a hospital.
22 There has been much disinformation surrounding the
23 Rudin project. Many think of the benefit to the
24 increase in property taxes to the city, but this
25 will increase the cost of living and doing

1
2 business in Greenwich Village. Many residents
3 will be forced to move and we'll lose even more
4 small businesses. Several labor unions have come
5 forth to support the Rudin plan, saying the
6 project will create much-needed long- and short-
7 term jobs. What they don't want us to remember is
8 that 3,500 union jobs were lost when that hospital
9 closed. St. Vincent's served our community for
10 years and cared for us through typhoid, smallpox,
11 cholera epidemics, they cared for the survivors of
12 the Triangle Shirtwaist fire, the Titanic, 9/11,
13 although sadly there were far-too-few survivors.
14 We are concerned that should we face a future
15 crisis, we will not have a health care facility
16 capable of handling such an event. What we are
17 being offered is a glitzed-up urgent care center
18 with two holding beds. This so-called emergency
19 facility will not be able to save the lives of a
20 heart attack or stroke victim, and will not
21 provide a much-needed operating room for those
22 emergencies, but will transfer these patients to
23 full-service hospitals on the Upper East Side,
24 losing critical minutes and losing lives. In
25 recent years we have heard of possible pandemics

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2 hitting the city. What would the North Shore-LIJ
3 facility be able to provide the hundreds of people
4 in need? As I look around this room, I see a
5 vulnerable population, and realize the hospital we
6 lost also served the seat of our city government,
7 the thousands of tourists, people who come to work
8 in the district and college students who passed
9 through the area every year. Each and every one
10 of us in this room right now is vulnerable without
11 a hospital at the St. Vincent's site. The thing
12 we need is more ... the last thing we need is more
13 over-priced luxury condos, increasing the
14 population in the Village and overcrowding our
15 schools. Our community needs many things,
16 primarily a new hospital, maybe a city hospital,
17 schools, affordable housing, an assisted living
18 facility and a nursing home, since our only one
19 was lost to yet another real estate deal. All of
20 these could be easily accommodated at a lesser
21 cost by converting the existing buildings on the
22 site. I urge you in the strongest terms possible
23 to deny this foolhardy and greedy project, and
24 save our neighborhood for future generations.
25 Thank you.

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CHAIRPERSON WEPRIN: Thank you.

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Jim, I believe you're the last. Okay, sergeant-

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at-arms, or Gail is going to grab it. Oh, you

5

want to testify as well? Oh, I was so looking

6

forward to making Jim last, but okay. I'll let

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him go, and then you ... did you fill out a form?

8

No, no, did you fill out a form? All right. This

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is the young lady.

10

MR. FOURATT: He was taken to the

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hospital.

12

CHAIRPERSON WEPRIN: If you want to

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fill out a slip, I'll let you go after Jim. Or if

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the gentleman doesn't want to speak ... okay, just

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see the sergeant-at-arms, you'll fill out a slip

16

and you'll go after Jim. He's just been such a

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good ... he's been such a good audience member the

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whole time, I wanted to keep you for last.

19

MR. FOURATT: Okay, before the

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clock starts, I'd like to ask you a question, if I

21

may.

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CHAIRPERSON WEPRIN: It's

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completely out of order, but sure, go ahead.

24

MR. FOURATT: For the record, could

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you name the Committee people that are not

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present, and if they were excused?

CHAIRPERSON WEPRIN: Everyone was here at one point today, and it's a public record who's on the Committee. People have unfortunately conflicting meetings, some came, some had to leave to go to the other Committees and other places, but you could look it up, the public record of who's on the Committee.

MR. FOURATT: Thank you.

CHAIRPERSON WEPRIN: All right, go ahead and start the clock on Jim.

MR. FOURATT: I too stood outside in the cold, I will tell you one of the awful things that happened, and I think that you, Chairmen of both Committees, should do something about it. We were told by security that we were a fire hazard and that's why we were not allowed into the building. I have been at numbers of Committee meetings here, and we've always been able to go inside the lobby and wait for the ID process to go on. Who was inside the lobby? Police officers, about 20 of them, in uniform. They were warm, they were young. Elizabeth just had a stroke in the last year, she had to stand

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2 outside for three hours. There were many seniors
3 with walkers and disabilities that had to stand
4 outside. So I really, you know, it's not enough
5 to say "I'm sorry", I do think you're sincere, but
6 you need to do something about this for other
7 citizens who come down here. My comments, that
8 took up almost a third of my time. I have a
9 prepared piece here, but I'm not ... most of the
10 points have been made. I don't know the Rudin
11 family, I only know the Rudin Real Estate
12 Corporation and its practice, and that's all that
13 I can talk to. Whether they're good people or not
14 good people, I don't know. So what I'm going to
15 talk about is not personal. I will tell you that
16 they have done nothing, they have given not one
17 single concession to this community, and I've been
18 sitting at tables and meetings, unpaid, unlike the
19 people that are sitting over here who made close
20 to a million dollars, the lawyers and the PR
21 people, make close to a million dollars to sit at
22 these meetings, I and all the other people here
23 are not paid and we showed up. The first time
24 affordable housing was mentioned, the Rudin spin
25 people stood up and said we can't do it because we

1 have to give all the money to the good sisters.
2 Moving forward, when they got this building at a
3 fire-sale price, \$20 million less than what they
4 had on the table originally through the bankruptcy
5 court, so yes they did get it cheaply, and they
6 did give away a \$200 million building, and the
7 property, I believe, because I can't get a
8 straight answer from the Rudin spin team about
9 whether they gave the property to LIJ, but the
10 bottom line is, the bottom line is, I am 70 years
11 old, I have an organization called Seniors Take
12 Action. The bottom line is, people are afraid of
13 dying, that's really what's not being said. And
14 the closer you get to my age and beyond it, the
15 closer you are to realizing how important the
16 minutes it takes to get to a hospital in a health
17 crisis, a critical health crisis. The CEO of the
18 Long Island Jewish Hospital admitted at a public
19 meeting that 10% of the cases that would come into
20 that place could not be taken care of. When I
21 asked him what those cases were, they were heart
22 attacks, strokes, aneurisms, all the critical
23 kinds of cases where minutes matter about, if you
24 survive, the quality of life you will have
25

1
2 afterwards. Please, have Chris Quinn be of
3 service to the people of her community. You are
4 the City Council, the Speaker is in a difficult
5 position, apparently, but you have an opportunity
6 to help her do the right thing. Say no, and
7 Chairman Weprin, we'll go back, we'll figure out
8 something to do. The O'Toole Building could be
9 retooled as a hospital. The Rudins ... I asked for
10 that and the Rudins said no, no.

11 CHAIRPERSON WEPRIN: All right,
12 thank you, Jim. Just on your point, we have one
13 more person, on your point about the hearing and
14 being outside and all that, that obviously has
15 been a theme here, and I'm not happy about it.
16 There is a problem with City Hall still we're just
17 getting back online after the renovation, so I'm
18 hopeful in the future we'll be able to have
19 hearings like this in City Hall, but I'm not happy
20 about it, and I sincerely am upset about it, and I
21 realize, you know, it wasn't our decision.

22 MR. FOURATT: I wrote to Speaker
23 Quinn's office and said there's going to be a
24 large turnout.

25 CHAIRPERSON WEPRIN: Right.

1
2 MR. FOURATT: Why are you having it
3 in a small room? I was given, written back and
4 said it's going to be in a very large room, and
5 there will be supplementary rooms with monitors
6 that people can watch and hear. I have it from
7 her office, it did not happen. I do not know if
8 you were involved in that decision or not, but- -

9 CHAIRPERSON WEPRIN: (Interposing)
10 No, I was not aware of that, but it is something
11 that is of great concern to I know Council Member
12 Comrie and myself, we've been lamenting about it,
13 you know, all day, and I apologize, and I know, we
14 have one more person ... you want questions from the
15 floor too, panel? I can't do it right now, let me
16 just get to this young lady. Let me just get to
17 this young lady. We can talk afterwards, we're
18 going to be done soon. This is Elizabeth Szabo, I
19 believe?

20 MS. SZABO: Yes, that's correct.

21 CHAIRPERSON WEPRIN: Any relation
22 to Ruth Szabo who used to work up in Albany?

23 MS. SZABO: Not that I know of.

24 CHAIRPERSON WEPRIN: Okay, all
25 right. All right, Elizabeth, I think you're the

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last speaker.

MS. SZABO: Thank you so much.

CHAIRPERSON WEPRIN: Okay. Thank you.

MS. SZABO: For letting me come up. We two, a friend of mine and I came here at 8:30 this morning, the same story, but we just got back from New York Downtown Hospital, because he couldn't stand for half an hour in the cold. So I just want to add my voice to that, please make sure this never happens again. I just wanted to say, my friend is here and alive today because when he had a heart attack ten years ago, he got a taxi cab and was at St. Vincent's in a couple of minutes. About a month he had to have his pacemaker replaced, and his doctor who implanted the original is out in St. Vincent's in Staten Island. He actually had to take the subway down to the ferry to the bus, it took two hours for the first check-up and then another two hours back. He had to go for another preparation, the same thing, so when the surgery happened, I rented a car and found myself on Staten Island. It seems not at all acceptable, and so I'm here today to

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2 say I think this is a no-brainer. I grew up in a
3 small town, my dad was the mayor, we had a town
4 council, this is the first time I've ever been to
5 the New York City Council, it's nice to be here.
6 But it was pretty simple, if something was
7 presented, a team was selected, the money people,
8 you go, you find the money for this; the
9 communications people, whatever people, we picked
10 them, and we did it, and we got it done. We
11 always got it done. And the thing that was at the
12 heart of it is that the entire town was involved,
13 the entire town was taken into consideration, the
14 Republicans, the Democrats, the Independents, the
15 seniors, the kids, every single person was
16 factored in to whatever it was we were trying to
17 get done. So to me it is a no-brainer, that we
18 need a full-service hospital right in this area,
19 we need it. So you guys, find the people, get the
20 money people, to find them. We've got a lot of
21 money in this world, go get it, go get us some, so
22 we could put this hospital back to work.

23 CHAIRPERSON WEPRIN: Okay, thank
24 you very much. Go ahead and applaud to your
25 hearts' content now. No, so I want to thank

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2 everybody for coming out here today. Samuel, I
3 just don't want to start in with questions like
4 that.

5 MR. KEGLIAN: I just have one
6 statement, there were over 75 people that left.

7 CHAIRPERSON WEPRIN: Yeah, I know,
8 we lost- -

9 MR. KEGLIAN: (Interposing) That
10 were opposed to the hospital being- -

11 CHAIRPERSON WEPRIN: (Interposing)
12 We lost a lot of people, I know, like I mentioned,
13 they do have other important things in their lives
14 than sitting in a City Council meeting, so I
15 understand. We tried to move this as fast as I
16 could. I mean, we've been here a long time, I
17 made sure everyone was heard. We did hear the
18 important issues today, and I apologize for the
19 one time we were speaking when someone was
20 speaking. I, you know, we will come back. I know
21 the Speaker has staff here, the Rudins have people
22 here, we're hearing what you're saying, we hear
23 the issues, you know, there's going to be some
24 discussions, we're not voting on this issue here
25 today. Well, those people are going to be talking

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2 to the Rudins in order to negotiate. And there
3 are issues that we've tried to resolve, we're
4 going to talk to them and see what we can do, and
5 we'll be moving forward from here. I want to call
6 on Christian Hylton just to recap the things we
7 did vote on today, for the record, and I thank you
8 all for coming out, and I appreciate your patience
9 and your time, and I'm being ... wait, calm down,
10 I'm not almost quite done, hold on one second.

11 MR. HYLTON: LU 566, LU 569, LU
12 571, LU 568, are approved by a vote of ten in the
13 affirmative, none in the negative and no
14 abstentions. LU 567 and LU 559 through LU 563 are
15 laid over.

16 CHAIRPERSON WEPRIN: Terrific, and
17 with that in mind, the meeting is now adjourned.
18 Sergeant-at-arms, can we just put the record back
19 on for one more second? Nick, can you put the
20 record on? Are we on? It's on now? I just want
21 to be clear that I had closed the hearing after
22 everyone had testified, everyone who was here had
23 testified on the Rudin St. Vincent's development.
24 That hearing is closed, and now the meeting is
25 adjourned.

C E R T I F I C A T E

I, Richard A. Ziats, 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 March 19, 2012