

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING  
& MARITIME USES

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HELD AT: Committee Room - 16<sup>th</sup> Floor  
250 Broadway

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

COUNCIL MEMBERS:

Maria del Carmen Arroyo  
Daniel J. Halloran III  
Rosie Mendez  
Annabel Palma  
James Sanders, Jr.  
Jumaane D. Williams

## A P P E A R A N C E S

Jenny Fernandez  
Director of Intergovernmental & Community Relations  
NYC Landmarks Preservation Commission

Dominique Camacho  
Steering Committee Member  
East Village Community Coalition

Amanda Davis  
Director of Preservation & Research  
Greenwich Village Society for Historic Preservation

Simeon Bankoff  
Executive Director  
Historic Districts Council

Carolyn Radcliffe  
Vice President  
Lower East Side Preservation Initiative

Mark A. Silberman  
General Counsel  
NYC Landmarks Preservation Commission

Jerald Johnson  
Attorney  
Wachtel, Masyr & Missry LLP

Bill Appel  
Executive Director  
Gowanus Canal Community Development Corporation

Paul Basile  
President  
Gowanus Alliance

Andrew Feinman  
Vice President  
Gowanus Alliance

2 CHAIRPERSON LANDER: All right, so  
3 we're ready to go here. Good morning, I'm New  
4 York City Council Member Brad Lander, Chair of the  
5 City Council's Land Use Subcommittee on Landmarks,  
6 Public Siting & Maritime Uses, I'm pleased to call  
7 this meeting to order. We're joined this morning  
8 by Council Member Maria del Carmen Arroyo from the  
9 Bronx, Council Member Jumaane Williams from  
10 Brooklyn, Council Member James Sanders from  
11 Queens. We have three items on the agenda this  
12 morning, and we're going to take them slightly out  
13 of order, we're going to first do Land Use #586,  
14 the Williamsburg Branch, Public National Bank, and  
15 then Land Use #589 East 10<sup>th</sup> Street Historic  
16 District, two items on which we only have people  
17 signed up to testify in favor, and we'll vote  
18 after the two of those. And then on the third  
19 item, Land Use #588, the Coignet Stone Company  
20 Building, we have people signed up to testify both  
21 in favor and against, and I don't know that it's  
22 an informal but still a relatively newish policy  
23 in the Subcommittee that when we've got people  
24 testifying on both sides, we're not going to vote  
25 on that same day, so we can take the time to

2 listen, think it over, we do have ... there's a Land  
3 Use Committee meeting tomorrow, so we'll likely  
4 call a Subcommittee meeting in advance of the Land  
5 Use Committee and take it up then. So we will  
6 start with Land Use #586, which is the  
7 Williamsburg Branch, Public National Bank, in  
8 Brooklyn Community Board #1, and it's my pleasure  
9 to call Jenny Fernandez from Landmarks  
10 Preservation Commission up to present it to us.

11 MS. FERNANDEZ: Thank you, Chair  
12 Lander, members of the Committee. My name is  
13 Jenny Fernandez, Director of Intergovernmental and  
14 Community Relations for the Landmarks Preservation  
15 Commission, I'm here today to testify on the  
16 Commission's designation of the Williamsburg  
17 Branch, Public National Bank of New York, now Bank  
18 of America. On March 27<sup>th</sup>, 2011, the Landmarks  
19 Preservation Commission held a public hearing on  
20 the proposed designation as a landmark of the  
21 Williamsburg Branch, Public National Bank of New  
22 York. One person, a representative of the  
23 Historic Districts Council, spoke in favor of  
24 designation. The Commission received a letter in  
25 support of designation from Bank of America. On

2 January 17<sup>th</sup>, 2012, the Commission voted to  
3 designate the building an individual landmark.  
4 The striking neo-Classical style Williamsburg  
5 Branch, Public National Bank of New York at the  
6 corner of Graham Avenue and Varet Street in  
7 Brooklyn, was the first of several Public National  
8 Bank branch bank buildings designed by architect  
9 Eugene Schoen. Although little remembered today  
10 other than as a furniture designer, Schoen (1880 -  
11 1957) was for the first half of the 20<sup>th</sup> century in  
12 the forefront of modern American design and an  
13 esteemed contemporary of many well-known  
14 colleagues. In 1921 Schoen received the lucrative  
15 patronage of the Public National Bank of New York,  
16 and designed many of the firm's branch banks until  
17 1930. Designed in the form of a one-story temple,  
18 and clad in cast stone, the Williamsburg Branch  
19 features rusticated columns and corner piers on  
20 both principal facades, with panels and entrance  
21 surrounds displaying a combination of classical  
22 and Secessionist ornament. This building was  
23 published in *Architecture and Building* in 1923,  
24 and is a rare example in New York City of early  
25 20<sup>th</sup> century Viennese influence. This branch bank,

2 which later served Bankers Trust Co. of New York  
3 and National Westminster Bank and now Bank of  
4 America, remains one of Schoen's most interesting  
5 and intact architectural commissions. The  
6 Commission urges you to affirm this designation.

7 CHAIRPERSON LANDER: Thank you very  
8 much, we've been joined by Council Member Rosie  
9 Mendez from Manhattan. Does anyone have any  
10 questions about the Williamsburg Branch, Public  
11 National Bank of New York? All right, I don't  
12 think there's anyone signed up to testify on this  
13 item, so I'll go ahead and close the public  
14 hearing on this item, and we will move forward to  
15 Land Use #589, the East 10<sup>th</sup> Street Historic  
16 District, in Manhattan Community Board #3, in  
17 Council Member Mendez's district. Do you want to  
18 make a statement?

19 COUNCIL MEMBER MENDEZ: Thank you,  
20 Mr. Chair. I am happy today to have this historic  
21 district coming to the area where I live, just a  
22 block north of the proposed site. That block has  
23 19<sup>th</sup> and 20<sup>th</sup> century homes, it was at one time  
24 built for the wealthy of New York and through ...  
25 from the 1850's to now, the transformation of our

2 community in the uses in those buildings and  
3 homesites there has really transmitted the history  
4 of this incredible, ethnically-diverse and  
5 economically-diverse area. So I am so happy that  
6 we're doing this today. I am in favor and I ... I  
7 am in favor and I hope that all my colleagues will  
8 vote in favor, when we get to that point later,  
9 thank you.

10 CHAIRPERSON LANDER: Ms. Fernandez,  
11 were you going to present the item to us?

12 MS. FERNANDEZ: Thank you, Chair  
13 Lander, and thank you to Council Member Mendez for  
14 all her support of landmarks and historic  
15 districts in her district. Good morning, Council  
16 Members, my name is Jenny Fernandez, Director of  
17 Intergovernmental & Community Relations for the  
18 Landmarks Preservation Commission. I'm here today  
19 to testify on the Commission's designation of the  
20 East 10<sup>th</sup> Street Historic District in Manhattan.  
21 On January 17<sup>th</sup>, 2012, the Landmarks Preservation  
22 Commission held a public hearing on the proposed  
23 designation of the East 10<sup>th</sup> Street Historic  
24 District. The hearing had been duly advertised in  
25 accordance with the provisions of law. Twenty one

2 people spoke in support of designation, including  
3 representatives of City Council Member Rosie  
4 Mendez, Manhattan Borough President Scott  
5 Stringer, Manhattan Community Board #3, State  
6 Senator Daniel Squadron, and State Assembly Member  
7 Brian Kavanagh, as well as the owners of a  
8 property within the district and representatives  
9 of the Bowery Alliance of Neighbors, City Lore,  
10 East Village Community Coalition, Friends of the  
11 Lower East Side Preservation Initiative, New York  
12 Landmarks Conservancy, and the Metropolitan  
13 Chapter of the Victorian Society in America. One  
14 speaker took no position on designation. There  
15 was no testimony in opposition to designation. On  
16 January 17<sup>th</sup>, 2012, the Commission voted to  
17 designate East 10<sup>th</sup> Street a Historic District.  
18 The East 10<sup>th</sup> Street Historic District comprises 26  
19 buildings on the north side of East 10<sup>th</sup> Street  
20 extending along the northern edge of Tompkins  
21 Square Park between Avenues A and B in what is now  
22 known as the East Village neighborhood of  
23 Manhattan. The area first began to experience  
24 sustained development during the 1820's and 30's  
25 when the blocks north of Houston Street near

Broadway and the Bowery were transformed into New York's most fashionable residential district. The design of several of the row houses on East 10<sup>th</sup> Street can be attributed to Joseph Trench, the noted architect also responsible for the A.T. Stewart Department Store and the Odd Fellows Hall, both designated New York City Landmarks. Trench is credited with helping to introduce the Italianate style to the United States, and the row houses on East 10<sup>th</sup> Street may have been among the earliest in New York City to use elements of that mode of architecture. The elegant row houses of East 10<sup>th</sup> Street were built at the beginning of a demographic shift in New York City, and the remaining vacant lots on East 10<sup>th</sup> Street were soon developed with purpose-built tenement buildings designed to house several households, and the formerly single-family row houses were converted into multiple dwellings or boardinghouses. By 1860 the block of East 10<sup>th</sup> Street facing Tompkins Square was nearly complete, with almost every lot improved with a substantial brick building, buildings that survive to this day. A few buildings were erected within the historic

district in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, including the old-law tenements designed by Benjamin Lowe, as well as the Tompkins Square Branch of the New York Public Library, a designated New York City Landmark. Even as the area experienced cultural changes, transforming from a German immigrant district to the heart of the city's Jewish community, to a center of Latin American life, and later to a bohemian artist scene, the buildings on East 10<sup>th</sup> Street remain little changed from the early 20<sup>th</sup> century. In many respects the entire history of the East Village is reflected in the buildings that comprise the historic district, from the neighborhood's early development as a fashionable residential community of architect-designed dwellings, to its subsequent transformation into an immigrant district filled with purpose-built tenements and converted row houses. Even through the modernizations of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the buildings within the East 10<sup>th</sup> Street Historic District have maintained a cohesive architectural character on an important park setting in the historically and culturally

rich East Village neighborhood. The Commission urges you to affirm this designation.

4 CHAIRPERSON LANDER: Thank you very  
5 much, Ms. Fernandez. Now I'll note to Council  
6 Member Mendez how these fashionable row houses on  
7 East 10<sup>th</sup> Street are faring, so these really look  
8 great. Before we do ... we do have a couple of  
9 people signed up to testify, but are there any  
10 questions for Ms. Fernandez before we do that?  
11 No, it doesn't look like there are. Okay, as I  
12 said, we have a couple of people signed up to  
13 testify, we'll just call you all up together as a  
14 panel. We have Dominique Camacho from the East  
15 Village Community Coalition, Amanda Davis from the  
16 Greenwich Village Society for Historic  
17 Preservation, and Simeon Bankoff from the Historic  
18 Districts Council. Yes, you can go in whatever  
19 order you like, and if just one of you will start  
20 and state your name for the record.

21 MS. CAMACHO: Hi, my name is  
22 Dominique Camacho, and I'm here today to speak in  
23 favor of the East 10<sup>th</sup> Street Historic District  
24 designation. The East Village Community Coalition  
25 have long been advocating for this district, and

2 we urge the Subcommittee to affirm, and we thank  
3 them for their work.

4 CHAIRPERSON LANDER: Thank you.

5 MS. DAVIS: All right, good  
6 afternoon, I'm Amanda Davis from the Greenwich  
7 Village Society for Historic Preservation. The  
8 Greenwich Village Society strongly supports  
9 upholding the Landmarks Preservation Commission's  
10 designation of the East 10<sup>th</sup> Street Historic  
11 District. We would also like to take the time to  
12 thank Council Member Mendez for her work in  
13 advocating the designation of this highly-intact  
14 historic district in the East Village. The East  
15 Village is one of the most historically-rich  
16 neighborhoods in New York City, with its  
17 architecture and streetscapes telling the story of  
18 our city's transformation from a Dutch colonial  
19 settlement to a vibrant port city, from a mecca  
20 for immigrants from Europe to a mecca for artists,  
21 writers and musicians from across the country and  
22 globe. That rich heritage is well (inaudible)  
23 protected in terms of landmark status, and as a  
24 result in recent years we have seen much of the  
25 neighborhood's historic fabric and character

destroyed. With the development of what was hoped to be an elegant area surrounding a newly-created Tompkins Square Park was halted by the financial panic of 1837, handsome row houses, subsequently tenement-housed, were constructed on this block north of the park, for the well-heeled in the 1840's and 1850's. In 1891 the distinctive French flats known as the St. Marie and the Bonsall, were erected at 321 and 323 East 10<sup>th</sup> Street. Not more than a decade later the last structure built on this stretch of East 10<sup>th</sup> Street was the Tompkins Square branch of the New York Public Library, a designated New York City Landmark and a Carnegie Library designed by the firm of McKim, Mead and White in 1904. Buildings in this block not only represent the changing housing typology in the East Village, they also speak to its cultural and social history. On this block of East 10<sup>th</sup> Street, a number of institutions were established that reflect the diverse immigrant populations that called this part of New York home. The school for St. Bridget's Roman Catholic Church, located at 313 and 315 East 10<sup>th</sup> Street, educated young Irish girls from 1875 to 1910. Later in these same

2 buildings, benevolent and mutual aid societies for  
3 Hungarian Jews, Russians, Slovakiens and  
4 Ukrainians offered assistance and commodities.  
5 The buildings of East 10<sup>th</sup> Street between Avenues A  
6 and B are architecturally diverse, ranging from  
7 Italianate to Queen Anne and neo-Classical styles,  
8 but nonetheless are harmonious in terms of scale,  
9 setback, fenestration, height and materials with  
10 an unquestionably distinct sense of place. We  
11 were pleased when the Landmarks Preservation  
12 Commission officially designated the East 10<sup>th</sup>  
13 Historic District in January, and we strongly urge  
14 the Subcommittee today to vote in support of this  
15 designation. Thank you.

16 CHAIRPERSON LANDER: Thanks so  
17 much.

18 MR. BANKOFF: Hello, I'm Simeon  
19 Bankoff, Executive Director of the Historic  
20 Districts Council. HDC is a citywide advocate for  
21 New York's historic neighborhoods, we are in  
22 strong support of the proposed historic district,  
23 which comprises a handsome row of buildings  
24 immediately north of Tompkins Square Park. These  
25 buildings historically are remarkably intact, and

their physical presence is a stand-out sight in a neighborhood not lacking for attractive streetscapes. Additionally, the buildings of this row were home to many varied social and community institutions that had an immense impact on the neighboring streets from an early family planning clinic of Margaret Sanger to eastern European and religious groups, as Amanda mentioned, to say nothing of the terrific Tompkins Square Library, designated a New York City Landmark. We would like to thank Council Member Mendez and our community partners for their strong advocacy of this neighborhood, their efforts are incredibly appreciated. Also, just a note, perhaps I missed it, but HDC and GVSHP both did testify in favor of it, I don't know if that was mentioned at the Landmarks Commission. Was it? Okay, thank you.

19 CHAIRPERSON LANDER: It was also  
20 mentioned in the written testimony.

21 MR. BANKOFF: Okay. When this  
22 proposal was first brought forward to LPC, it was  
23 our opinion that the district should be extended  
24 south along Avenue B to encompass this  
25 individually-designated Charley Parker House, the

2 individually-designated PS, public school, 64, as  
3 well as the Christadora Building and St. Bridget's  
4 Church. We suggested this from the perspective of  
5 trying to recognize the shared history of the  
6 immediate area, and we hope that this stretch of  
7 Avenue B will be contemplated in the city's future  
8 preservation efforts in the area. We thank you  
9 very, very much and we urge the Committee to vote  
10 yes on this.

11 CHAIRPERSON LANDER: Thanks very  
12 much, the three of you, for coming out this  
13 morning. Any questions or comments from members  
14 of the Committee? No, okay, thank you very much  
15 for testifying. All right, we're going to proceed  
16 now to vote on the two items we heard thus far.

17 COUNCIL MEMBER MENDEZ: Mr. Chair,  
18 someone else from my community is here to testify,  
19 okay, but she doesn't have written testimony.  
20 You're going to have to (crosstalk)

21 CHAIRPERSON LANDER: Thank you. So  
22 just go ahead and please state your name for the  
23 record.

24 MS. RADCLIFFE: My name is Carolyn  
25 Radcliffe, I live on East 9<sup>th</sup> Street off of Avenue

2 B, right across the street from the park. I've  
3 been an advocate for maintaining that community,  
4 I'm a member of the Lower East Side Preservation  
5 Initiative, I'm the Vice President. I'm also on  
6 Community Board #3, I'm the Chairperson for the  
7 Landmarks Subcommittee. Our neighborhood is very  
8 much in need of this historic district. So many  
9 of our buildings are being demolished rapidly.  
10 Originally before PS 64 was (inaudible), somebody  
11 had envisioned turning it into originally a 29-  
12 story dorm, they then reduced it to 27, then it  
13 went down to 19, and now he wants to put 500  
14 students across the street from where I live. So  
15 we're all in favor, the people in our  
16 neighborhood, the local residents, of having this  
17 area landmarked as an historic district. We feel  
18 that our neighborhood has contributed quite a bit  
19 to the history of New York City. It's been an  
20 area where people have always come as a refuge,  
21 and it is a testament to the immigrant society  
22 that has built this country, and we would really  
23 appreciate your support in designating this  
24 historic district, because we think it's really  
25 important for the survival of the neighborhood.

2 || Thank you.

3 CHAIRPERSON LANDER: Thank you very  
4 much for taking the time to come out this morning.  
5 Unless there's anyone else here to testify, I'm  
6 going to go ahead and close the public hearing on  
7 this item. We've been joined by Council Member  
8 Dan Halloran from Queens, and we're going to  
9 proceed to vote on the two items that we've heard  
10 so far, I've lost their numbers, but Land Uses  
11 #586 and #589, the Chair recommends a vote of aye  
12 on both, and I'll ask our counsel to call the  
13 roll.

14 MR. HYLTON: Christian Hylton,  
15 counsel for the Committee. Chair Lander.

16 CHAIRPERSON LANDER: Aye.

17 MR. HYLTON: Council Member  
18 Sanders.

19 COUNCIL MEMBER SANDERS, JR.: Aye.

20 MR. HYLTON: Council Member Arroyo.

21 COUNCIL MEMBER ARROYO: Aye.

22 MR. HYLTON: Council Member Mendez.

23 COUNCIL MEMBER MENDEZ: I vote aye  
24 on the matter and I am proud to vote aye on the  
25 East 10<sup>th</sup> Street Historic District.

MR. HYLTON: Council Member

3 || Williams.

COUNCIL MEMBER WILLIAMS: Aye.

MR. HYLTON: Council Member

6 Halloran.

COUNCIL MEMBER HALLORAN III: Aye.

8 MR. HYLTON: By a vote of six in  
9 the affirmative, none in the negative and no  
10 abstentions, LU 586 and 589 are approved and  
11 referred to the full Land Use Committee.

12 CHAIRPERSON LANDER: Thank you very  
13 much, Counsel Hylton. We will now proceed to the  
14 public hearing on Land Use #588, the New York and  
15 Long Island Coignet Stone Company Building. LPC  
16 will explain the matter before us, which is  
17 somewhat non-traditional for us to hear as a  
18 landmarks item. Before I proceed to that, I do  
19 want to note that someone left papers, I have a  
20 letter from Council Member Gonzalez that I can  
21 read bits of later, but who is in support of the  
22 LPC-proposed modification today. We'll hear from  
23 the LPC, and then we have a few people who signed  
24 up to testify from Whole Foods Market, and then a  
25 few people both in support and in opposition, and

2 as I mentioned at the outset, we won't be voting  
3 on this item today so we can listen to both sides,  
4 we will most likely, although it's not certain at  
5 this moment, but we will most likely put a  
6 Landmarks Subcommittee meeting on the calendar for  
7 tomorrow for shortly before the full Land Use  
8 Committee meeting, to vote. So with that I ask  
9 Jenny Fernandez to come and present the item to  
10 us.

11 MS. FERNANDEZ: Thank you. Thank  
12 you, Chair Lander and members of the Committee.  
13 I'm joined by Mark Silberman, General Counsel of  
14 the Landmarks Preservation Commission, to help  
15 answer any questions after the testimony is read.  
16 My name is Jenny Fernandez, Director of  
17 Intergovernmental & Community Relations for  
18 Landmarks Preservation Commission, I'm here today  
19 to testify on the Commission's modification of the  
20 designation of the New York & Long Island Coignet  
21 Stone Company Building in Brooklyn. On June 27<sup>th</sup>,  
22 2006, the Landmarks Preservation Commission  
23 designated as a landmark the New York & Long  
24 Island Coignet Stone Company Building, located at  
25 360 Third Avenue, Brooklyn. The landmark site was

2 in existing lot 7. Lot 7 was, and is, part of a  
3 much larger site that Whole Foods was planning on  
4 developing as a supermarket. Subsequently the  
5 Commission received a request from Whole Foods to  
6 modify the boundaries of the landmark site to make  
7 it consistent with the proposed supermarket  
8 design. Without the modification, a part of the  
9 Whole Foods building would be constructed on the  
10 landmark site. The Commission was open to LPC  
11 having to review and approve the design of the new  
12 building, as well as future growth occurring  
13 throughout the supermarket. On December 20<sup>th</sup>, 2011  
14 the Landmarks Preservation Commission had a public  
15 hearing to consider the reduction of the  
16 boundaries of the landmark site. Seven people  
17 testified in opposition to the boundary  
18 modification, including representatives of FARGG,  
19 Friends and Residents of Greater Gowanus, the  
20 Historic Districts Council, and the Society for  
21 the Architecture of the City. One person,  
22 representing the owner, spoke in support of the  
23 modification. The Commission also received a  
24 letter from Brooklyn Borough President Marty  
25 Markowitz supporting modification. On January

2 24<sup>th</sup>, 2012, based on our discussions, nine  
3 commissioners voted unanimously to modify the  
4 landmark site from Brooklyn borough tax map block  
5 978, lot 7, to borough of Brooklyn tax map block  
6 978, lot 7 in part. Some neighborhood and  
7 preservation groups have opposed the modification,  
8 however, it is not unusual for the Commission to  
9 designate only part of a large lot, if the  
10 relation of the lot is unnecessary for preserving  
11 the building being designated. Usually however,  
12 the request to designate only a portion of a lot  
13 is considered at the time of the original  
14 designation. Here, as Whole Foods explained at  
15 the LPC hearing, because they had tentative  
16 approval for a lot subdivision, Whole Foods didn't  
17 realize that the LPC was proposing to designate  
18 the existing lot 7 instead of the smaller,  
19 tentatively-approved lot 7. Once they realized  
20 their mistake, Whole Foods made its request to the  
21 LPC. The Commission responded that the proposed  
22 boundaries would preserve the setting of the  
23 building ... I'm sorry, as a stand-alone structure,  
24 would permit use of the side façade, and would  
25 provide adequate space to insure that the building

2 could be maintained. A map of the new landmark  
3 site is appended hereto. The Commission urges you  
4 to affirm this modification.

5 CHAIRPERSON LANDER: Thank you very  
6 much. I think ... does anyone have any questions at  
7 this time? I think it might be helpful if you  
8 stick around, and then after others have testified  
9 if there are questions that have arisen during the  
10 process, that we can ask them to you afterwards.  
11 All right, thanks very much. What we're going to  
12 do is first call Whole Foods up, and then we'll do  
13 ... then we'll have Simeon Bankoff and then the  
14 other three community members who are signed up to  
15 testify in favor. So from Whole Foods, Mr. Jerry  
16 Johnson is here to testify.

17 MR. JOHNSON: Good morning, Council  
18 members and Chair Lander, my name is Jerry  
19 Johnson, of the firm Wachtel, Masyr & Missry, we  
20 represent ... we're land use counsel to Whole Foods  
21 in this matter. We are here today in full support  
22 of the Landmarks Preservation Commission's  
23 modification of the Coignet Stone Company Building  
24 designation site that will permit the development  
25 of the Whole Foods market to proceed. This

2 modification is supported by Council Member  
3 Gonzalez, as well as Borough President Marty  
4 Markowitz, and unanimously approved by Community  
5 Board #6. It also has the support of community  
6 groups, including the Gowanus Alliance and the  
7 Gowanus Canal Development Corporation. A bit of  
8 history: Whole Foods began working to develop this  
9 site in the early 2000's. In 2004, an agreement  
10 was reached with the owner of the Coignet Building  
11 to purchase a portion of the tax lot upon which  
12 the building is located, lot 7, along with  
13 portions of 1, 16, and 19. At the time, to  
14 effectuate the sale, tentative tax lots were  
15 created, and as is the custom with development  
16 projects, the tax lots were not finalized, pending  
17 the completion of the proposed construction. The  
18 Coignet Building was noted as tentative tax lot 7,  
19 with Whole Foods property becoming tentative tax  
20 lot 16. As part of the purchase, Whole Foods  
21 agreed to restore the Coignet Building, coincident  
22 with the construction of the new store. This was  
23 in 2004. In 2006, when Landmarks designated the  
24 Coignet Building site, Whole Foods believed the  
25 designation was going to tentative tax lot 7, and

2 did not raise an issue, as they were already  
3 restoring the building. When it was noted that  
4 during the (inaudible) process the designated  
5 included a large portion of the property currently  
6 owned by Whole Foods, the remainder of that tax  
7 lot 7, they worked with Landmarks to provide the  
8 appropriate separation between the landmark and  
9 the new Whole Foods Market building. I'd like to  
10 reiterate, Whole Foods remains committed to  
11 completing the restoration of the Coignet  
12 Building, coincident with construction of the new  
13 store, and with the full review and approval of  
14 the Landmarks Preservation Commission. In  
15 addition to the landmark site modification, the  
16 proposal required a variance from the Board of  
17 Standards and Appeals to permit a food store an  
18 access of 10,000 square feet, and zoning floor  
19 area and the BSA granted their approval on  
20 February 28<sup>th</sup>, 2012. The project also requires a  
21 certification for waterfront public access, that  
22 application is currently under review by the City  
23 Planning ... Department of City Planning, and its  
24 approval is expected shortly. A portion of this  
25 site has also been entered into the brownfield

2 cleanup program, which is one of the reasons for  
3 the delay in the development. The cleanup is  
4 complete, the work, the remediation, has been  
5 done, and a final sign-off is in hand. With the  
6 completion of the final land use approvals,  
7 construction will begin and the store is expected  
8 to be opened in the summer of 2013. With your  
9 indulgence, I'll give you a brief description of  
10 the overall proposal, just so you understand what  
11 it is, and then questions. The store itself is a  
12 52,000 square foot food store that abuts and  
13 surrounds the Coignet Stone Company Building, with  
14 a 246-accessory car parking garage, there will be  
15 a rooftop hydroponic greenhouse, which will sell  
16 produce in the store itself down below. It also  
17 will provide educational opportunities for the  
18 community, you can't get more local food than  
19 that. And then we will also be providing a short  
20 public walkway from Third Avenue along the Fourth  
21 Street basin and the Gowanus Canal to Third Street  
22 along the entire edge of the site bordering the  
23 canal. The project itself will produce  
24 approximately 300 construction jobs, and when  
25 complete and fully-operational, approximately 400

2 permanent jobs, 80% of which will be full-time,  
3 all at or above living wage. I would like to add  
4 a special thank you to Landmarks Preservation  
5 Commission and staff, in particular Chairman  
6 Robert Tierney and Counsel Mark Silberman, for  
7 their diligence and support in working to resolve  
8 this issue, to allow this project to proceed.

9 Thank you.

10 CHAIRPERSON LANDER: Thank you very  
11 much for the testimony. As I mentioned to my  
12 colleagues before, Council Member Gonzalez also  
13 sent a letter in support of the project in  
14 general, and in this action that we're considering  
15 here, and I didn't make enough copies, so I'll  
16 pass it around for my colleagues to see. I  
17 wonder, Mr. Johnson, could you say just a word or  
18 two about the preservation ... what you're doing to  
19 ... what the plans are to sort of do, restore the  
20 Coignet Building? We don't normally, usually when  
21 we make a regulatory action, we're saying it has  
22 to be protected, it doesn't automatically go along  
23 with a stewardship plan or a plan to invest in the  
24 building, but you mentioned, and I know from  
25 talking to you and the Whole Foods team in the

2 past that there is a plan to provide resources to  
3 address some of the, you know, issues that are  
4 facing the building currently, could you say a  
5 little bit more about that?

6 MR. JOHNSON: Yes, currently the  
7 building has actually been stabilized, there were  
8 some holes in the roof, those have been patched  
9 and stabilized. And our (inaudible), what we are  
10 doing in coordination with the owner, and through  
11 Landmarks' approval would be to actually restore  
12 the building, the exterior of the building, the  
13 façade, I believe it will be ... it will get rid of  
14 the garden state brick that is currently placed on  
15 the building and will bring it back to the stone,  
16 the Coignet stone condition that it was when it  
17 was first built, and that will be to the exterior  
18 of the building. The interior of the building  
19 will be done by the owner of the building, and  
20 that will proceed after we finish our work on the  
21 exterior.

22 CHAIRPERSON LANDER: And I would  
23 just call to the attention of any Committee  
24 members interested, there's photos in the page  
25 stuff, numbered ... it would be 12 and 13 of both

2 the current look and the original Coignet stone  
3 look. So I'm assuming you won't also restore this  
4 whole tiny style of traffic signal that was at the  
5 corner at the time, but you get a sense of what  
6 the restoration may entail. So thank you. Okay,  
7 so I guess if my colleagues have questions, you  
8 know, this is not a hearing on the broader Whole  
9 Foods development, on the broader planning issues,  
10 on site plan issues, on the Gowanus Canal clean-  
11 up, all of which are fascinating, I'd be delighted  
12 to talk to colleagues off-line, and Council Member  
13 Gonzalez would as well. But if we can confine our  
14 questions to the Landmarks, the narrowing of the  
15 Landmarks line, for today's hearing. Council  
16 Member Sanders.

17 COUNCIL MEMBER SANDERS, JR.: I  
18 will respect the Chair and you can tell me if I'm  
19 out of order with a question of hydroponics.

20 CHAIRPERSON LANDER: No, definitely  
21 no.

22 COUNCIL MEMBER SANDERS, JR.: If  
23 you say I'm out of order, I defer to you.

24 CHAIRPERSON LANDER: No, no, go  
25 ahead.

2

COUNCIL MEMBER SANDERS, JR.:

3

Hydroponics is in here. How many people will be ...  
good morning, how many people will be hired to  
work with the hydroponics, and I trust that those  
people are coming from the local community. And  
how much food do you expect to produce?

8

MR. JOHNSON: Those are details  
that are actually beyond my understanding. I know  
that the ... I believe that the company that's  
already working in Brooklyn and will be ... it's a  
separate lease arrangement with Whole Foods for  
the work, we can get you those details.

14

COUNCIL MEMBER SANDERS, JR.: Would  
you be kind enough to get me those details?

16

MR. JOHNSON: Sure.

17

COUNCIL MEMBER SANDERS, JR.: Thank  
you, Mr. Chair.

19

CHAIRPERSON LANDER: Thank you.  
Questions? Okay, great. All right, thank you  
very much for coming out to testify. We'll call  
up next Simeon Bankoff from the Historic Districts  
Council.

24

MR. BANKOFF: Good afternoon,  
Council Members, Simeon Bankoff, Historic

2 Districts Council. HDC is opposed to the  
3 significant decrease proposed by the LPC to the  
4 landmark site of the New York & Long Island  
5 Coignet Stone Company Building. The five-foot  
6 buffer zone with the 12-foot planters seems to be  
7 inadequate protection for the individual landmark  
8 that frankly deserves more. To begin with, the  
9 notion of a buffer zone is counter to how landmark  
10 designation is practiced in New York City. In  
11 regulating about 28,000 properties, the LPC issues  
12 over 10,000 permits for alteration and new  
13 construction annually. This points to the very  
14 active engagement which the agency has with  
15 property owners about the very serious business of  
16 real estate development. Individual buildings and  
17 sites within historic districts are not treated as  
18 build-never zones, rather, development on the site  
19 is controlled with the greatest scrutiny than  
20 elsewhere in recognition for their acknowledged  
21 municipal significance. The New York & Long  
22 Island Stone Company ... Coignet Stone Company  
23 Building ... you guys need an easier landmark. The  
24 landmark ... yeah, really, if you just stare and  
25 learn, you know, something bad will happen. ... was

2 constructed as a showcase for the manufacturer's  
3 product, what the manufacturer's product could do,  
4 it could create a strong, elegant detailed  
5 building at the cost of less than real stone. In  
6 fact, the Williamsburg Bank Building is using that  
7 type of a capstone, not that style of capstone,  
8 that we earlier designated. It's easy to forget  
9 that this is the earliest-known concrete building  
10 in New York City, one of the earliest in the  
11 country, due to the fact that it has been covered  
12 over by faux brick, which we were very happy to  
13 hear is going to be removed. Errors to the west  
14 and south facades, though, are uncovered, and the  
15 building's reason for being concrete is visible.  
16 While these two walls were certainly secondary to  
17 the main facades on Third and Third, they're not  
18 (inaudible) some of the same details, including  
19 arched windows, quoins, stream courses, are  
20 carried over. The west façade also includes a bay  
21 identical in design to the bays on the primary  
22 façades, I show you the renderings, I've given you  
23 copies and Whole Foods has provided probably much  
24 better renderings. The building would be engulfed  
25 by new structures which under the LPC amendment

2 would be completely unregulated, while the other  
3 half of the block is to be a parking lot.  
4 Obviously, there are other arrangements on this  
5 block that could be more appropriate for the  
6 landmark. For example, although the landmark now  
7 stands alone, buildings were once built up against  
8 it, but as the ghosts on the sidewall show, they  
9 were much shorter than the proposed Whole Foods  
10 development. Other factory buildings on the block  
11 were described by the Brooklyn Daily Eagle in  
12 June, 1872 as 32 feet tall, about 20 feet shorter  
13 than the proposed new buildings. The landmark has  
14 always been allowed to retain its presence on the  
15 block. In an ideal world, we would hope the  
16 Subcommittee would reject this proposal to  
17 decrease the landmark site, and require the LPC to  
18 exercise their expert judgment in regulating  
19 portions of the new development which are at long  
20 last coming to the neighborhood. If this action  
21 seems too extreme or weighted to prevent the  
22 development to the site, which is not at all our  
23 intention, in the spirit of compromise, we  
24 respectfully suggest the landmark site and  
25 attendant LPC oversight be reduced to a reasonable

2 distance of 25 feet from the building. This would  
3 be approximately the equivalent to a standard  
4 building lot, and would be comparable to the  
5 situation with other individually-designated  
6 landmarks. I've included in the handouts a  
7 petition signed by 400 people, many of whom from  
8 the area, most of them, actually, asking you to do  
9 this. I've also brought a visual aid. Currently  
10 the lot is to be reduced to five feet from the  
11 building. So here I am, I am the visual landmark,  
12 and there is a 52-foot building right over there,  
13 all right? this is a huge kind of imposition,  
14 it's in the visual esthetic sense. Now, part of  
15 it goes out to 12 feet, which is slightly  
16 different. Now it is approximately ... it's going  
17 to be a challenge, but I can do this. So 12 feet  
18 would be approximately from myself to Council  
19 Member Mendez, is the distance for three feet into  
20 the lot where the two structures will be  
21 separated. It's our contention that's just not  
22 enough. Thank you.

23 CHAIRPERSON LANDER: Thank you, Mr.  
24 Bankoff, for bringing your visual aid. I  
25 appreciate you enlightening and enlivening our

2 hearing. Do members have questions for Mr.  
3 Bankoff? Okay, thank you very much for  
4 testifying, and again for providing the visual  
5 aid. We'll do the three remaining folks here to  
6 testify as a panel, as they're all in support of  
7 the action, Bill Appel from the Gowanus Canal CDC,  
8 and Paul Basile and Andrew Feinman from the  
9 Gowanus Alliance.

10 MR. APPEL: Chairman Lander,  
11 distinguished Committee members, my name is Bill  
12 Appel from the Gowanus Canal Community Development  
13 Corporation. First off the top, we wholly support  
14 the Whole Foods building on the said lot. When  
15 this project first came to light, I had a full  
16 head of hair. I mean, ten years is a long time,  
17 even in New York, and I want to thank Whole Foods  
18 for staying the course. If any of you on the  
19 Committee are familiar with the site, it's a  
20 definite bound, somewhat industrial area, when  
21 Whole Foods builds, it will be uniting two vibrant  
22 communities, Park Slope to the east, Carroll  
23 Gardens and other communities to the west. Most  
24 importantly, it creates hundreds of paying, good-  
25 paying jobs, and the bottom line on this, it

2 creates hundreds of taxpayers to pay into the city  
3 and to sustain this city as we would like to see  
4 it sustained. I haven't heard anybody in the  
5 neighborhood against this, and it also creates  
6 competition among stores, and that's what we like  
7 to see, and I do hope you vote yes on this much-  
8 needed project. Thank you.

9 CHAIRPERSON LANDER: Thank you.

10 MR. FEINMAN: Good morning, my name  
11 is Andrew Feinman, and I am here on behalf of the  
12 Gowanus Alliance, and I want to thank Chairman  
13 Lander and the Committee members for allowing us  
14 to speak this morning. We would like to urge the  
15 Committee to vote in favor of this modification.  
16 Obviously, Whole Foods is going to be a tremendous  
17 asset to the neighborhood, but there's another  
18 point. The Coignet Building itself, a vote to  
19 modify is in effect a vote to save that building,  
20 because what people don't realize is the fact that  
21 I spent my entire life in that neighborhood, it's  
22 in a terrible state of disrepair. As Whole Foods  
23 testified, they repaired holes in the roof that  
24 had been there for many, many years. There's only  
25 a certain amount of time that can elapse where a

1 building is in a state of disrepair before it  
2 becomes structurally unsound, and if this is not,  
3 the modification is not approved, Whole Foods  
4 cannot go ahead with their project, not only is it  
5 detrimental to the neighborhood, job creation,  
6 shopping, all of the above, the Coignet Building  
7 will remain in disrepair, and years from now it  
8 will end up being demolished, because it will not  
9 stand, the water getting in, and the damage done  
10 to it, it will lose, instead of having a landmark  
11 with five feet, as opposed to 25, even if it left  
12 ... and that's my entire life, better than 40 years  
13 in the neighborhood, I've never seen that  
14 (inaudible) state of disrepair. So I can only  
15 imagine years going by, it would be unrepairable,  
16 so on behalf of the Coignet Building and to  
17 preserve it, in the interest of preserving it, I  
18 urge you to vote in favor of this modification.  
19 Thank you very much.

20  
21 MR. BASILE: My name is Paul  
22 Basile, I'm also with the Gowanus Alliance, and  
23 thank you for the opportunity to speak to you.  
24 What hasn't been enough in our community is the  
25 commitment and desire to see something like this

2 happen, and Whole Foods has shown that commitment,  
3 and the modification of this tax lot is the exact  
4 thing that's going to breathe life back into this  
5 building and give it the history that it deserves.  
6 And we see it as an opportunity to bring old and  
7 new together, and that's what happened, that's  
8 what's happening in our neighborhood, there's a  
9 lot of talk about the canal, which we're not going  
10 to get into now, but this site, a very difficult  
11 site, presents a perfect opportunity for old to  
12 meet new, and bring this community forward. We  
13 need this to help this community see the next ten  
14 years, the next 20 years, and the future, so we  
15 urge the Committee to look favorably on this and  
16 help this community move forward. Thank you.

17

CHAIRPERSON LANDER: Thank you so

18

much, and thanks to all of you for making the time  
this morning to come out and testify. Do my

19

colleagues have any questions for this panel?

20

Seeing none, we'll thank you, and are there any  
questions at this time that you'd like to ask the

21

LPC who I asked to stick around in case the

22

testimony on either side raised any issues? It

23

does not look like it, and no one else has signed

24

25

2 up to testify, so at this point we'll go ahead and  
3 close the hearing on this land use item, and we'll  
4 stand in recess until 9:30 tomorrow morning, the  
5 Land Use Committee meeting is at 10:00, but in  
6 this we'll have our meeting here at 9:30. All  
7 right, thanks so much. We're in recess.

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 \_\_\_\_\_ April 10, 2012 \_\_\_\_\_