

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND  
MARITIME USES

-----X

May 13, 2013  
Start: 11:52 a.m.  
Recess: 12:23 p.m.

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Rosie Mendez  
Annabel Palma  
Jumaane D. Williams

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

Jenny Fernandez  
Landmarks Preservation Commission

Thomas Murphy  
Concerned Citizen

1  
2 CHAIRPERSON LANDER: Alright. Good  
3 morning. We are at last ready to start with my  
4 apologies for tardiness. I am New York City  
5 Council Member Brad Lander pleased to call this  
6 meeting of the City Council's Land Use  
7 Subcommittee on Landmarks, Maritime Uses and  
8 Public Sitings to order. We are joined this  
9 morning by Council Members Maria del Carmen Arroyo  
10 from the Bronx, myself and Council Member Jumaane  
11 Williams from Brooklyn, who I believe this is the  
12 first day that he was the first member of the  
13 committee to get here, so we are giving him his  
14 gold star.

15 [crosstalk]

16 CHAIRPERSON LANDER: For those of  
17 you who follow along the whole series, we have  
18 reduced our quorum from four to three because we  
19 are down from seven members to five members of  
20 this committee as part of our miniseries drama.  
21 On the calendar this morning the proposed land  
22 marking of five firehouses all around the city of  
23 New York. Let me read them all together even  
24 though we will handle them one by one just because  
25 they are broadly in the same category. We have

1  
2 Land Use number 805, Fire Engine Company 268 in  
3 Council Member Ulrich's district, Land Use number  
4 806, Fire House Engine Company 46 in council  
5 Member Rivera's district in the Bronx, Land Use  
6 number 807, Fire Engine Company 73 in Council  
7 Member Arroyo's district in the Bronx.

8 COUNCIL MEMBER ARROYO: And the  
9 owner is not opposed.

10 CHAIRPERSON LANDER: And the owner  
11 is not opposed.

12 [laughter]

13 CHAIRPERSON LANDER: We will see.  
14 Still a few minutes for them to show up I guess.  
15 Land Use number 808, Fire Engine Company 28 in  
16 Council Member Gonzalez's district in Brooklyn,  
17 and last but certainly not least Land Use number  
18 809, Fire House Engine Company number 40 in my  
19 district, also in Brooklyn. We will invite Jenny  
20 Fernandez from Landmarks Preservation Commission  
21 up to present them to us.

22 JENNY FERNANDEZ: Thank you, Chair  
23 Lander, members of the Subcommittee. My name is  
24 Jenny Fernandez, director of intergovernmental and  
25 community relations for the Landmarks Preservation

1  
2 Commission. I am here today to testify on the  
3 Commission's designation of Firehouse Engine  
4 Company 268, Hook and Ladder Company 137 in  
5 Queens. On December 11<sup>th</sup>, 2012, the Landmarks  
6 Preservation Commission held a public hearing on  
7 the proposed designation as a landmark of the  
8 Firehouse Engine Company 268, Hook and Ladder  
9 Company 137. There was one speaker in favor of  
10 designation, a representative of the Historic  
11 Districts Council. There were no speakers in  
12 opposition to designation. The Commissioner  
13 received one letter in support of designation from  
14 the Fire Department of the city of New York. On  
15 February 12<sup>th</sup>, 2013, the Commission voted to  
16 designate the building a New York City individual  
17 landmark. The imposing three story Firehouse  
18 Engine Company 268, Hook and Ladder Company 137 in  
19 the Rockaway Park section of Queens was  
20 constructed in 1912, '13 to serve the growing  
21 population of the Rockaway Peninsula, which had an  
22 increasing number of permanent residents following  
23 the completion of a train tunnel under the East  
24 River connecting Queens to Manhattan. This is one  
25 of three firehouses that were designed by

1  
2 prominent Brooklyn architect Frank Helm with  
3 covered gardens for exercise. The firehouse  
4 designed in the colonial revival style with arts  
5 and crafts elements combines elements of these two  
6 popular 20<sup>th</sup> century architectural styles. The  
7 firehouse continues to serve the Rockaway Park  
8 community today. The Commission urges you to  
9 affirm this designation.

10 CHAIRPERSON LANDER: Thank you very  
11 much. Right, we have one person signed up to  
12 testify on the two Brooklyn firehouses, so we will  
13 go through all five and then invite public  
14 comment. But I wonder if you wouldn't mind, this  
15 obviously seems in some ways like where we have  
16 the federal style buildings there clearly was some  
17 interest on the part of the LPC to look at  
18 firehouses, so do you mind just saying one word  
19 about the firehouse, what could have led the LPC  
20 to have this broader interest in how you picked  
21 these five?

22 JENNY FERNANDEZ: Sure. The  
23 Commission periodically does look at things, and  
24 some in a thematic sort of way, and so there was a  
25 close look at firehouses throughout the city and

1  
2 these five were part of--we also did a few last  
3 year if you recall, and these firehouses are good  
4 representation or excellent representations of  
5 firehouses throughout the city that represent - -  
6 during different commissions and campaigns that  
7 were held throughout the city when these things  
8 were being erected.

9 CHAIRPERSON LANDER: Thank you.

10 Okay. So go ahead. You can just do the rest of  
11 them in succession. - - all our questions if we  
12 have them at the end.

13 JENNY FERNANDEZ: Thank you, Chair  
14 Lander. My name is Jenny Fernandez, director of  
15 intergovernmental and community relations for the  
16 Landmarks Preservation Commissioner. I am here  
17 today to testify on the Commission's designation  
18 of Firehouse Engine Company 46, Hook and Ladder  
19 Company 17 in the Bronx. On December 11<sup>th</sup>, 2012,  
20 the Landmarks Preservation Commission held a  
21 public hearing on the proposed designation as a  
22 landmark of Firehouse Engine Company 46, Hook and  
23 Ladder Company 17. There were two speakers in  
24 favor of designation, including a representative  
25 of Bronx Borough President, Ruben Diaz, Jr. and a

1  
2 representative of the Historic Districts Council.  
3 There were no speakers in opposition. In  
4 addition, the Commission has received a letter  
5 from the Fire Department of the city of New York  
6 in support of designation. On February 12<sup>th</sup>, 2013,  
7 the Commission voted to designate the building a  
8 New York City individual landmark. Fire Engine  
9 Company 46, Hook and Ladder Company 17 was  
10 designed by prominent architectural firm of  
11 Napoleon Le Brun and Sons, architects for the fire  
12 department between 1879 and 1895. Erected in two  
13 campaigns, the first building was complete in 1894  
14 and the second in 1904 as the population and  
15 number of buildings expanded in the Bathgate  
16 Section of the Bronx. This renaissance revival  
17 style building is an excellent example of Le  
18 Brun's numerous - - block houses for the fire  
19 department, reflecting the firm's careful  
20 attention to materials, stylistic detail, plan and  
21 setting. Le Brun's firm helped to define the fire  
22 department's expression of civic architecture both  
23 functionally and symbolically in more than 40  
24 buildings it designed during a period of intensive  
25 growth in northern Manhattan and the Bronx. This

1  
2 firehouse with its classical details such as  
3 garland - - panels, - - , medallions and corbels  
4 [phonetic] represents the city's commitment to the  
5 important civic character of essential municipal  
6 services. Over the years, the building has housed  
7 several engine and hook and ladder companies as  
8 well as the offices of the fire marshal and Bureau  
9 of Fire Communications, and is currently the home  
10 of Engine Company 46, Hook and Ladder Company 17.  
11 The Commission urges you to affirm this  
12 designation. For the record, my name is Jenny  
13 Fernandez, director of intergovernmental and  
14 community relations for the Landmarks Preservation  
15 Commission. I am here today to testify on the  
16 Commission's designation of Firehouse Engine  
17 Company 73 and Hook and Ladder Company 42 in the  
18 Bronx. On December 11<sup>th</sup>, 2012, the Landmarks  
19 Preservation Commission held a public hearing on  
20 the proposed designation as a landmark of the  
21 Firehouses Engine Company 73 and Hook and Ladder  
22 Company 42. There were two speakers in favor of  
23 designation, representatives of Bronx Borough  
24 President Ruben Diaz Jr. and the Historic  
25 Districts Council. There were no speakers in

1  
2 opposition to designation. In addition the  
3 Commission received a communication from the fire  
4 department of the city of New York in support of  
5 designation. On February 12<sup>th</sup>, 2013, the  
6 Commission voted to designate the buildings as New  
7 York City individual landmarks. The two story  
8 northern European renaissance revival style  
9 firehouse Engine Company 73 in the Longwood  
10 section of the Bronx was constructed in 1900 to  
11 the design of architects Horgan and Slattery  
12 [phonetic]. The main façade is clad in brick,  
13 limestone and terra cotta, and features a second  
14 story enframement [phonetic] with a scrolled  
15 pediment. The adjacent firehouse Hook and Ladder  
16 Company 42 was built in 1912 to the design of  
17 Hopkin and Cohen [phonetic], partners who had  
18 worked in the firm of McKeed, Mean and White  
19 [phonetic], and whose most prominent commission  
20 was the New York City police headquarters in 1905  
21 through '09. This three story neoclassical style  
22 structural was a standardized design simple and  
23 dignified and without any unnecessary elaboration.  
24 Engine Company 73 and Hook and Ladder Company 42  
25 continue to serve the Longwood neighborhood today.

1  
2 The Commission urges you to affirm this  
3 designation.

4 CHAIRPERSON LANDER: Thank you.

5 JENNY FERNANDEZ: I will try to  
6 keep it fun, but it's hard.

7 CHAIRPERSON LANDER: I want to know  
8 whether they still have a garden at that first  
9 one.

10 JENNY FERNANDEZ: Oh. That is a  
11 good question. My name is Jenny Fernandez,  
12 director of intergovernmental and community  
13 relations for the Landmarks Preservation  
14 Commission. I am here today to testify on the  
15 Commission's designation of Firehouse Engine  
16 Company 28, now Engine Company 228 in Brooklyn.  
17 On December 11<sup>th</sup>, 2012, the Landmarks Preservation  
18 Commission held a public hearing on the proposed  
19 designation as a landmark of the Firehouse Engine  
20 Company 28, now Engine Company 228. There was one  
21 speaker in favor of designation, a representative  
22 of the Historic Districts Council. There were no  
23 speakers in opposition to designation. The  
24 Commission received a letter from the fire  
25 department of the city of New York in support of

1 designation. On February 12<sup>th</sup>, 2013, the  
2 Commission voted to designate the building a New  
3 York City individual landmark. Engine Company 28,  
4 now Engine 228 was organized in 1890 in response  
5 to the growing population in the Sunset area of  
6 Brooklyn. The restrained, yet imposing Romanesque  
7 revival style building with stone and brick  
8 façade, decorative moldings and unifying round  
9 arched openings has remained relatively unaltered.  
10 The firehouse for Engine Company 28 was built  
11 along a prominent street to bolster service to the  
12 Sunset Park community. The firehouse designed in  
13 the Romanesque revival style complimented the  
14 existing 68 Police Precinct Station House and  
15 Stable located on 4302 Fourth Avenue. The  
16 firehouse has been a recognizable presence on the  
17 busy streets of Sunset Park since the 1990s when  
18 the neighborhood first developed along with the  
19 increased construction of commercial and  
20 residential buildings. The existence of this  
21 continuously operating firehouse provides a strong  
22 civic and architectural presence in this section  
23 of Brooklyn. The Commission urges you to affirm  
24 this designation.  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON LANDER: Thank you.

You are doing great.

JENNY FERNANDEZ: And last but not least--good morning, Council Members. My name is Jenny Fernandez, director for intergovernmental and community relations for the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of Firehouse Engine Company 40, Hook and Ladder Company 21, now Engine Company 240, Battalion 48 in Brooklyn. On December 11<sup>th</sup>, 2012 the Landmarks Preservation Commission held a public hearing on the proposed designation as a landmark of the Firehouse Engine Company 40, Hook and Ladder Company 21. One speaker representing the Historic Districts Council spoke in support of designation. There was no testimony in opposition to designation. In addition, the Commission received a letter from Joseph - - , assistant commissioner facilities for fire department, expressing the fire department's support for designation. On February 12<sup>th</sup>, 2013 the Commission voted to designate the building a New York City individual landmark. The firehouse for Engine Company 40,

1  
2 Hook and Ladder Company 21 was built in 1895 to  
3 serve the growing community of Windsor Terrace  
4 located at the western edge of Flatbush between  
5 Prospect Park and Greenwood Cemetery and replaced  
6 the firehouse - - the Windsor Hose Company, a  
7 volunteer fire company, which had been in  
8 operation since 1888. The building was designed  
9 by the noted architect Peter Lauritsen [phonetic],  
10 a Danish immigrant, who practiced in Washington  
11 D.C. before moving to Brooklyn and establishing  
12 an office in Manhattan in 1883. It is one of  
13 eight firehouses he designed for the Brooklyn Fire  
14 Department between 1894 and 1897 and is his finest  
15 in the Romanesque revival style. The building's  
16 imposing limestone and brick façade features an  
17 asymmetrical design and the quality of the  
18 building's materials, workmanship and details  
19 distinguish it from the residential and commercial  
20 buildings in the neighborhood and were intended to  
21 create a sense of civic pride. Engine Company 40,  
22 now Engine Company 240, has been housed in this  
23 building and has served the Windsor Terrace  
24 neighborhood with distinction for over a century.  
25 Since 1978, the building has also been home to

1  
2 Battalion 48, which oversees fire departments  
3 within Park Slope, Windsor Terrace and Borough  
4 Park. The Commission urges you to affirm this  
5 designation.

6 CHAIRPERSON LANDER: Alright.

7 Thank you very much for that testimony. I was  
8 spending it reading about the history of  
9 firefighting in New York City, which is also  
10 interesting and I note in all of these as well and  
11 that I do encourage people to look at the  
12 designation reports because part of what we are  
13 doing here is about the buildings themselves and  
14 part of what we are doing is thinking about the  
15 role of firehouses and firefighting in New York  
16 City. So thank you for all of that. Are there  
17 questions, Council Members Arroyo or Williams,  
18 that you have about any of these firehouses in  
19 particular? Council Member Williams?

20 COUNCIL MEMBER WILLIAMS: Thank  
21 you. They are not related to what is the issue at  
22 hand, but thank you very much. How are you,  
23 Jenny? Just two questions. There is an  
24 application that was in--I just want to make sure  
25 it was received I believe it was--from Flatbush

1  
2 Development Corporation.

3 JENNY FERNANDEZ: Yes.

4 COUNCIL MEMBER WILLIAMS: Do you  
5 know any timeline in terms of those six  
6 neighborhoods that are seeking..

7 JENNY FERNANDEZ: I don't have a  
8 specific timeline right now, Council Member  
9 Williams, but we did receive the extensive and  
10 well put together proposal and the Commission has  
11 begun a review of the material, but we will be in  
12 touch with you very soon to let you know at least  
13 the initial response in terms of--it's a lot of  
14 information, of course, so the staff is taking a  
15 look at it as we speak.

16 COUNCIL MEMBER WILLIAMS: Any  
17 timeline of when you get in touch with me?

18 JENNY FERNANDEZ: I can actually--I  
19 will get back to you this afternoon. I will check  
20 back in with our office to let you know when I can  
21 give you an answer on that. I will give your  
22 staff a call.

23 [crosstalk]

24 COUNCIL MEMBER WILLIAMS: And then  
25 I have a - - I think tomorrow a formal application

1  
2 for the Jackie Robinson House, so it has been in  
3 the news. You may have seen it. But that is also  
4 another priority for me, so if you can please look  
5 out for that that would be very helpful.

6 JENNY FERNANDEZ: Absolutely.

7 COUNCIL MEMBER WILLIAMS: Thank  
8 you.

9 CHAIRPERSON LANDER: Alright. So  
10 we have one person signed up to testify, and that  
11 may raise questions that we want to ask you, so  
12 stick around. We may call you back up after Mr.  
13 Murphy. Okay. It is now my pleasure to call up  
14 Tom Murphy, who I know well from Community Board 7  
15 and his activism in Sunset Park and Windsor  
16 Terrace. He signed up to speak specifically to  
17 Land Use numbers 808 and 809, which are the two  
18 Community Board 7--

19 [crosstalk]

20 CHAIRPERSON LANDER: But both in  
21 Board 7, I think. So Mr. Murphy, please introduce  
22 yourself for the record, and go ahead and give  
23 your testimony.

24 THOMAS MURPHY: My name is Thomas  
25 Murphy. I live at 413 43<sup>rd</sup> Street once upon a time

1 listed a landmark, but I got that corrected. I  
2 live next to two landmarks, one being the  
3 Magistrate's Court at 403 43<sup>rd</sup> Street and the other  
4 being 4302 what is left of the 68 precinct. I  
5 want to address two points. I don't know if you  
6 noticed in her testimony, Ms. Fernandez listed no  
7 opposition, no one spoke against any of these  
8 landmarks. Now a couple of months ago these two  
9 firehouses were announced to Community Board 7--  
10 excuse me, it wasn't announced. It was in the  
11 newspaper the Landmarks Preservation had approved  
12 them, and I asked the community board had they  
13 been notified about anything, and the district  
14 manager said after the fact they were informed  
15 that there had been a meeting. They were not  
16 asked for their input. Nobody was asked for  
17 input, which leads me to my second point, which is  
18 that the Landmarks Preservation Commission, which  
19 I don't believe has revenue producing parts is  
20 loading the city with unfunded mandates in that  
21 all of these firehouses, which are owned by the  
22 city of New York must be maintained perpetually.  
23 In perpetuity they must be kept up in first class  
24 condition, which probably - - if they are never  
25

1  
2 needed again and get - - by the city, there is no  
3 buyer because they can't afford the maintenance.  
4 The courthouse next to me had maybe ten million  
5 dollars' worth of exterior improvements on it  
6 since it was landmarked. Excuse me, a point I  
7 missed, the following month at our community  
8 board, a woman came and gave public testimony as  
9 to how many firehouses or how fire companies were  
10 to be closed in Mayor Bloomberg's budget, and I  
11 want to ask the question, are we losing firemen  
12 because of the maintenance factor of landmark  
13 firehouses? Is the fire department required to  
14 come up with the revenues to pay for the increased  
15 maintenance and in perpetuity of these firehouses  
16 while they lose personnel? Does a landmarked  
17 firehouse provide better fire service to a  
18 community? I would also like to bring up a factor  
19 that I have with--on the precinct, the former 68  
20 precinct at 4302. 4302 was city property and this  
21 community tried to reuse it when the police left  
22 for 65<sup>th</sup> Street as a community center. It failed  
23 because of various factors, which I will go into  
24 at some other time, but subsequently, 40 years  
25 subsequently, nothing has happened to it. It was

1  
2 landmarked. Now I don't remember the name of the  
3 architect of that building, but he designed  
4 several structures, which are similar to the 68  
5 precinct council, and all of them that survive to  
6 this day are doing famously as private structures.  
7 None of them are landmarked. The only landmarked  
8 one is falling down, and it has a price tag of  
9 millions of dollars just to fix up the exterior,  
10 which is the landmark. Now I think that that City  
11 Council in light of the fact that we do have a  
12 hole in the budget should stop allowing unfunded  
13 mandates to be admitted to the budget until you  
14 have recognized the revenues to pay for them,  
15 preferably not from taxpayer dollars.

16 CHAIRPERSON LANDER: So Mr. Murphy,  
17 I always enjoy your thoughtful presentations. I  
18 will give a couple of thoughts of mine because I  
19 agree with one piece of what you said, and I do  
20 want to clarify that, and that is sort of on the  
21 notice and process piece. Let me say a few  
22 things, and then I will invite Ms. Fernandez up to  
23 respond as well. So just a few things first on  
24 the budget questions. Land marking a building  
25 doesn't require to be just so you understand kept

1  
2 up or maintained to any standard. All land  
3 marking does is if you want to do work on the  
4 building, it has requirements that you get it  
5 approved and do it within the--do it  
6 appropriately, so if the city wants to improve  
7 these firehouses or do any additional work on them  
8 or God forbid, if they would get closed and sold  
9 off and a subsequent owner did, those would have  
10 to be approved, but unfortunately you can let your  
11 landmarks for the most part--you are not required  
12 to do work on the building. They can't  
13 deteriorate past a certain standard where there is  
14 code requirements, but landmarks is about if you  
15 do work on the building, so I don't think this  
16 imposes a significant or even a meaningful  
17 maintenance increase. Second if there is the city  
18 is going to do work on these buildings. It is  
19 going to be paid for out of capital funds, which  
20 are not in any way the fire department's operating  
21 funds. I can guarantee that that if capital work  
22 went into these buildings, they would be paid for  
23 out of city capital. So I don't believe that we  
24 are in any way... And third, the mayor's proposal to  
25 close firehouses doesn't have anything to do with

1  
2 the maintenance on the buildings. The mayor  
3 believes we need less fire protection than the  
4 City Council believes, and the City Council has  
5 worked very, very hard as you know to make sure  
6 that those companies don't close. So I don't  
7 believe that we are actually putting any  
8 meaningful unfunded mandate or in any way  
9 jeopardizing fire protection by the land marking  
10 of these buildings. I will say two more things.  
11 I mean, you are right that what has long been  
12 thought of as the future home of the Brooklyn  
13 Music School is sitting there deteriorating, and  
14 it could I suppose be being turned into new condos  
15 if it weren't landmarked, and someone could have  
16 demolished it and built a new condo building, and  
17 people could debate about whether that would be  
18 better or worse. The landmarks protection of that  
19 building, which is not related to today's actions,  
20 so that is a debate for another time. It is not  
21 topical to today's hearing. Finally though you  
22 know I do agree with you that the process for  
23 visible and timely consideration for putting  
24 clearly what it is up on the web where each  
25 application is and when it is being considered for

1  
2 making notice; therefore, easier to members of the  
3 public including community boards and elected  
4 officials is problematic at the Landmarks  
5 Preservation Commission. It is something that I  
6 have taken up with - - , with Ms. Fernandez, that  
7 I believe is timely actually for legislation  
8 because I don't think the LPC has proven able to  
9 do it itself though it has expressed some interest  
10 in doing so. So the notice provisions trouble me,  
11 and I agree with you that there was so little  
12 testimony on these things that the LPC board is  
13 actually troubling to me the notion that only the  
14 Historic Districts Council seems to have known  
15 about any of it is distressing. It isn't the best  
16 public process, but I do assure you that we are  
17 attending to the budget matters and that today's  
18 action will preserve these five buildings whether  
19 the city continues to own them or whether again  
20 God forbid, and I think we will fight hard against  
21 any reduction in fire protection certainly  
22 included the closing of these firehouses, which  
23 will be made harder not easier by this action  
24 because it diminishes their value to future  
25 potential buyers for some of the very reasons that

1  
2 you are talking about. So I don't believe  
3 anything we are doing jeopardizes fire protection  
4 today, but we appreciate your coming down to  
5 testify. Let me just ask Ms. Fernandez to come up  
6 and give answers as well.

7 THOMAS MURPHY: Just one final  
8 vote, I just want to say I am speaking for myself,  
9 not for the Board, not for my Councilwoman, nor  
10 for you.

11 CHAIRPERSON LANDER: We welcome  
12 members of the public coming to testify on both  
13 the specifics of individual buildings and the  
14 broader questions. I think sometimes it is a  
15 specific question of is this building meritorious  
16 and sometimes it is a question of what is a  
17 judicious use of the City Council, the city's and  
18 the LPC's land marking power, and you raised an  
19 important set of questions. There is no doubt  
20 that if we landmarked all of the buildings that  
21 are potentially meritorious that the city of New  
22 York owns, it would have a set of consequences for  
23 what the city could do and what the financial  
24 implications would be over time. This is  
25 obviously a tiny number of firehouses that I am

1  
2 sure people in communities would like to see  
3 receive protection either on the hopes that it  
4 would help make sure that they were preserved as  
5 firehouses or if they weren't - - .

6 THOMAS MURPHY: [interposing] We  
7 will never know, will we?

8 [crosstalk]

9 THOMAS MURPHY: The Historical  
10 Districts Council seems to know about all of these  
11 actions.

12 CHAIRPERSON LANDER: they watch the  
13 website closely. Alright, Ms. Fernandez?

14 JENNY FERNANDEZ: Thank you, yes,  
15 Chair Lander. To the main point and the one that  
16 you are concerned about in terms of notification  
17 when the Commission calendars a hearing, calendars  
18 a building for a future public hearing, it is  
19 placed on our agenda, and we did begin about a  
20 year and a half ago, almost two years now, the  
21 process of sending it out to our listserv an  
22 agenda showing the actions that the Commission has  
23 taken on a specific day, and it would reflect any  
24 calendarings for future public hearings, so that  
25 is the first sort of notification, and that is

1  
2 also placed on our website. Secondly, for any  
3 items that are coming up for public hearing, we  
4 are actually--we have to by notification, law and  
5 rules, give sufficient notification, put it on the  
6 city record and all of that. In addition, we send  
7 the Council Member, all the elected officials and  
8 including the community board, a notification, it  
9 is about a month before the actual public hearing,  
10 which is when the official notification goes out,  
11 letting them know the official action of the  
12 public hearing and inviting them to submit any  
13 testimony and letting them know the date and time  
14 of the hearing.

15 CHAIRPERSON LANDER: I am sure you  
16 met the letter of the law on all of these matters.  
17 To me, I feel I would say two things. First, I  
18 feel fairly certain that if we pulled the Council  
19 Members, the Community Boards and the neighbors of  
20 those buildings--three potentially relevant  
21 constituents--almost none of them would be aware  
22 that this took place even if the legal notice  
23 requirements were met, so even if they were, that  
24 is not the kind of community participation and - -  
25 civic participation that I think we'd want to

1  
2 have, and moreover, I think it is just sort of  
3 shown by the total lack of any comment of any kind  
4 again, which we could make easier, right? You  
5 shouldn't necessarily need to come to a hearing or  
6 get a mailed notice or send a letter. There are  
7 many ways that the Commission could choose, and I  
8 know the mythical website improvements may make it  
9 easy. I would imagine. I would hope. I have no  
10 idea whether it is going to be there or not that  
11 citizens for example could sign up to be notified  
12 when something was going to happen, when any  
13 action within a community board or a council  
14 district or a borough were going to take place.  
15 You get an e-mail notification. It's not rocket  
16 science. It's the modern world. As you know, I  
17 am disappointed with how long that is taking and  
18 in the interim, yes, you meet a set of technical  
19 requirements, but engaged opportunity for people  
20 to know what is going on and engage more  
21 proactively and inclusively in civic ways isn't in  
22 my opinion anywhere close to being met by the LPC,  
23 so I don't doubt that you meet the letter of the  
24 law, but the spirit of engagement that I would  
25 hope would invigorate government, especially when

1  
2 we are saying this matters so much to us as a city  
3 that we are willing to impose police power,  
4 regulatory power. Anyway, I think when we hear  
5 people that say my community board didn't even  
6 know, it doesn't make our jobs easier.

7 JENNY FERNANDEZ: Certainly, I was  
8 speaking specifically about the complaint that the  
9 community board had received no notification, so I  
10 just wanted to address that specific point. I  
11 mean in addition, we do send out the blurbs and  
12 statements of significance to our listserv, people  
13 who sign up to find out are agenda, things that  
14 are coming up, we do send information like that,  
15 but of course, continued outreach and things like  
16 that are things that we are always looking forward  
17 to working on and doing, so I just wanted to  
18 clarify that point.

19 CHAIRPERSON LANDER: Thank you very  
20 much. Any other questions from any of my  
21 colleagues? Seeing none, anyone else here from  
22 the public signed up or interested in testifying  
23 on any of the five hearings on today's calendar?  
24 Seeing none, we will close the public hearing on  
25 Land Use numbers 805 through 809, and we will move

1  
2 forward to a vote on the five items on today's  
3 calendar. So we will couple Land Use items 805,  
4 806, 807, 808, and 809 into one vote.

5 COUNSEL: Chair Lander?

6 CHAIRPERSON LANDER: Aye on all.

7 COUNSEL: Council Member Arroyo?

8 COUNCIL MEMBER ARROYO: Aye.

9 COUNSEL: Council Member Williams?

10 COUNCIL MEMBER WILLIAMS: Aye.

11 COUNSEL: By a vote of three in the  
12 affirmative, no negatives and no abstentions, Land  
13 Use items 805, 806, 807, 808, and 809 are approved  
14 and referred to the full Land Use Committee.

15 CHAIRPERSON LANDER: Thank you very  
16 much. This meeting is adjourned.

C E R T I F I C A T E

I, Kimberley Campbell 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

Kimberley CampbellDate 06/11/13