

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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June 19, 2013  
Start: 10:03 a.m.  
Recess: 2:10 p.m.

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.  
Daniel R. Garodnick  
Robert Jackson  
Jessica S. Lappin  
Diana Reyna  
Joel Rivera  
James Vacca  
Albert Vann  
Vincent M. Ignizio  
Ruben Wills

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

John Young  
Director of the Queens Office  
New York City Department of City Planning

Deborah Carney  
Deputy Director of the Queens Office  
New York City Department of City Planning

Frank Toner  
President  
Rocky Hills Civic Association

Richard Hellenbrecht  
Zoning Chair  
Community Board 13

Lawrence Burian  
Executive Vice President, General Counsel and  
Secretary  
Madison Square Garden Company

Joel Fisher  
Executive Vice President of Sports and Arena  
Transformation  
Madison Square Garden Company

Elise Wagner  
Land Use and Zoning Counsel  
Kramer, Levin, Naftalis and Frankel

Signe Nielsen  
Urban Design Consultant  
Mathews Nielson

Ann Harakawa  
Signage Consultant  
212

Bob Yaro  
President  
Regional Plan Association

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

Vin Cipolla  
President  
Municipal Arts Society of New York

Bob Master  
Legislative and Political Director  
Communications Workers of America

Dan Canter  
Working Families Party

Spike Lee  
Filmmaker

Kathy Wylde  
President and CEO  
Partnership for New York City

James Claffey, Jr.  
President  
Local 1 International Alliance Theatrical Stage  
Employees

Richard Andersen  
President  
New York Building Congress

Michael Slattery  
Real Estate Board of New York

Jim Corian  
Concerned Citizen

Stefano Trevisan  
Community Board 5

Enrique Lopez  
Office of State Senator Brad Hoylman

Jinny St. Goar  
Community Board 5

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

Chris Erikson  
Business Manager  
Local 3 IBW

Dan Beaderman  
President  
34<sup>th</sup> Street Partnership

Malcolm Shaw  
District Council of Carpenters

Jennifer Hensley  
Executive Director  
Association for a Better New York

Paul Fernandez  
Chief of Staff  
Building and Construction Trades Council of Greater  
New York

William Shay  
Concerned Citizen

Joe Cutrufo  
Tri State Transportation Campaign

Daly Revil  
Community Board 5

John Curtis  
Community Board 5

Pattie Smith  
Managing Director  
Robin Hood Foundation

Jeffrey Lefrancoise  
Office of Assembly Member Richard Gottfried

Devon Russell,  
Executive Vice President  
Women's Housing and Economic Development Corp

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

Michael Carolan  
Executive Vice President  
Meyers Parking Incorporated

Tom Dilan  
President and CEO  
Bettina Restaurant Group

Rosemin Fletcher  
Director of Programs  
Design Trust for Public Space

Brian Nesson  
Concerned Citizen

James Lima  
Concerned Citizen

1  
2 CHAIRPERSON WEPRIN: Good morning  
3 everyone. My name is Mark Weprin. I chair the  
4 Zoning and Franchises Subcommittee, and I want to  
5 welcome you all here today. I know we have a very  
6 busy agenda today, and I am delighted to be joined  
7 by the following members of the subcommittee:  
8 Diana Reyna, Leroy Comrie, Ruben Wills, Dan  
9 Garodnick, Jessica Lappin, Did I forget anybody?  
10 One, two, three, four, five, six. Okay, that is  
11 about right, and we will be joined by other  
12 members as we move along here. Today like I said,  
13 we had a busy agenda. We are going to start with  
14 a couple--for one item in Queens before we get to  
15 the main event, which I know a lot of people are  
16 here for on Madison Square Garden. Before we get  
17 to that, we must start first I want to let you  
18 know on the agenda we have Land Use 821, which is  
19 the telecommunication authorization resolution,  
20 which is going to be laid over until our next  
21 meeting, and now we are going to consider Land Use  
22 number 850, which is the Bellerose, Floral Park,  
23 Glen Oaks rezoning, which happens to be in Council  
24 member Weprin's district, so we are going to give  
25 that the utmost respect, and it's delighted to

1  
2 call the following people from City Planning, who  
3 are here today, Deborah Carney and John Young from  
4 the Queens City Planning Office. Welcome to you  
5 both. We will try to get through this as quick as  
6 possible. It has been a long journey here, so  
7 most of our issues have been taken care of  
8 already, but this is obviously a very important  
9 rezoning to the residents of eastern Queens, which  
10 I am privileged to represent. I am just - - to  
11 you guys already, and then for the members of the  
12 committee what we are going to do once we hear  
13 this rezoning, we are going to take a vote on this  
14 rezoning, and then we will move to Madison Square  
15 Garden, which we will hear. The hearing today we  
16 will not be voting on Madison Square Garden today,  
17 and we have been joined by Council Member Robert  
18 Jackson. Mr. Young, who is going to start. Okay,  
19 whenever you are ready.

20 JOHN YOUNG: Good morning, Chair  
21 Weprin, Chair Comrie, Council Members, ladies and  
22 gentlemen. My name is John Young, and I am  
23 director of the Queens Office for the Department  
24 of City Planning and on behalf of Planning  
25 Director, Amanda Burden, I am very pleased to be

1 here this morning to introduce the Bellerose,  
2 Floral Park, Glen Oaks rezoning. I am joined by  
3 Deborah Carney, the Queens' Office's Deputy  
4 Director, who will actually present the proposal  
5 to you. This proposal is the 44<sup>th</sup> neighborhood  
6 rezoning since 2002 that our office has had the  
7 privilege of crafting for communities across the  
8 borough in order to protect their distinct and  
9 cherished residential qualities and ensure more  
10 orderly and sustainable growth. To date, zoning  
11 changes have been implemented for more than 6200  
12 Queens's blocks. As Debbie will describe for you,  
13 today's rezoning proposal is a very large and  
14 comprehensive one. It encompasses more than 400  
15 blocks and over 900 residential lots, and it is  
16 proposing nine new zoning districts to reinforce  
17 the low density suburban built character found in  
18 this part of eastern Queens. It is bordered on  
19 two sides by Nassau County. I want to  
20 particularly note that we could not have  
21 successfully crafted this proposal without the  
22 feedback from our community advisory committee  
23 that was organized with the assistance of Council  
24 Member Weprin and had participation from the  
25

1 leadership of Community Board 13, dedicated  
2 members of area civic and cultural groups and  
3 representatives of other area officials.  
4

5 Following the February 19<sup>th</sup> certification of the  
6 proposal, we are gratified to have received the  
7 support and favorable recommendations from  
8 Community Board 13 and Queens borough president,  
9 Helen Marshal. In her recommendation, the borough  
10 president asked City Planning to reexamine the  
11 proposed zoning on one block within the rezoning  
12 area, and on May 22<sup>nd</sup>, the City Planning Commission  
13 approved the zoning changes with a modification to  
14 an existing R3A zoning for the full western  
15 portion of that block, which is bounded by 239<sup>th</sup>  
16 Street, 86<sup>th</sup> and 87<sup>th</sup> Avenues and 241<sup>st</sup> Street, and  
17 Debbie will note that once she describes the  
18 proposed zoning changes to you. We certainly hope  
19 that you will support this finely tuned rezoning  
20 initiative to reinforce the built character and  
21 land use patterns that make up these  
22 quintessential Queens neighborhoods, and now  
23 Debbie will present the proposal.

24 DEBORAH CARNEY: Thank you, John.

25 It is my pleasure to be here to present this

1  
2 proposal to you this morning. As John said, this  
3 is a zoning proposal that will affect 411 blocks  
4 on properties in the section of northeastern  
5 Queens right at the border of Nassau County. The  
6 boundaries for the rezoning area are generally the  
7 Grand Central Expressway to the north, Nassau  
8 County to the east and to the south and to the  
9 west an irregular boundary between Springfield  
10 Boulevard and 229<sup>th</sup> Street. The commercial streets  
11 running through the area and along the peripheries  
12 include Union turnpike, Hillside Avenue, Jericho  
13 turnpike and Braddock Avenue. The purpose of this  
14 rezoning is to protect the lower density character  
15 of these communities, and the predominant  
16 character in these communities is detached  
17 housing. On the eastern half, it is single family  
18 detached housing that predominates, and on the  
19 western half there tends to be a greater mix of  
20 one and two family detached houses, but it is the  
21 detached housing characteristic that is important  
22 here. The predominant zoning in the area on the  
23 eastern half is R2 and this is a zone that  
24 requires development to be single family detached  
25 houses on wide lots. The issue with this rezoning

1  
2 is that it is flexible. There is no fixed height  
3 limit. There is no front yard lineup provision.  
4 While there is a minimum front yard requirement  
5 there is no maximum front yard requirement, and  
6 also the perimeter wall height requirement is a  
7 bit higher than what is the norm in this area, and  
8 so as a result you can get homes that are  
9 significantly larger than the context of the area  
10 referred to as the McMansion [phonetic] types, so  
11 the issue on the eastern half is that of scale.  
12 On the western portion of the area, there is a mix  
13 of low density general residence districts that  
14 permit all types of housing including multi-  
15 family, and also lower density contextual zones  
16 that do not reflect the housing type, again the  
17 detached configuration that is predominant here.  
18 Detached homes--single family detached homes I  
19 should have mentioned make up 81 percent of the  
20 housing types in this area. Two family detached  
21 homes make up another nine percent and all of the  
22 other housing types, semi-detached, attached, make  
23 up nine percent, and the brown coloring that you  
24 see is the multi-family development--makes up  
25 about one percent, so the issue in the western

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2 half is really a building type and density. We  
3 have certainly - - come up with new tools, new  
4 zoning tools to help protect neighborhoods, and we  
5 are proposing nine new zoning tools in this area  
6 to protect the detached character. I would like  
7 to run through them very very quickly with you.  
8 The R12A is proposed up in the Royal Ranch area  
9 and also at the western edge of the rezoning area.  
10 The R12A is a zone that limits to single family  
11 detached, but the lot widths are wide. They are  
12 at least 60 feet wide. What the R12A will  
13 accomplish is that it will provide a height max.  
14 it will also provide a front yard lineup  
15 requirement. The perimeter wall height is very  
16 similar to what is there today, but these tend to  
17 be larger homes on wider lots. The R2A is being  
18 proposed over--this will be the predominant zone  
19 in the area. It will replace much of the R2 that  
20 is there today, and also will extend the single  
21 family zone will extend further westward into  
22 zones where you have the lower density general  
23 residence districts and also the lower density  
24 non-contextual districts to date where the housing  
25 tends to be single family detached. What the R2A

1 accomplishes again is a maximum height of 35 feet.

2 It provides a front yard line up. it actually

3 provides a lower perimeter wall height that is

4 closer to what is there today in this area in the

5 single family detached houses, and what the R2A

6 does is it provides a predictability to what can

7 be developed in this area so that it is keeping

8 with the context of the area. At the same time,

9 the R2A allows homeowners to make improvements on

10 their homes that comply with the new R2A zone.

11 The next zone is an R2. Actually we are extending

12 an existing R2 onto a portion of one block and the

13 reason we are doing that is because there is an

14 existing R2 right at the edge. This block that we

15 are extending it to is currently an R4. It was

16 developed with single family detached homes. It

17 makes sense to extend that onto that portion of

18 the block to protect those homes. The R3A is

19 proposed pretty much in the area to the south

20 where you have an R32 today and also an R31

21 district. The R3A is a zone that permits single

22 family detached homes, but on narrow lots. Again,

23 there is a height limit. There are line up

24 requirements, and then on the R3X is very similar

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2 to the R3A. it is proposed up to the north, and  
3 also in areas to the south. This is very similar  
4 to the R3A. it limits the single family and two  
5 family detached houses, but it has wider lots than  
6 the R3A. The R31 will restrict to one and two  
7 family detached and semidetached houses, and that  
8 is proposed in a very small part to the north,  
9 just north of Union turnpike. The R32 is a  
10 general residence district and is being proposed  
11 along Hillside Avenue, where you have a mix of  
12 housing types, and so this will reflect that mix  
13 of housing types along Hillside Avenue, which is  
14 today zoned R2. The R41 is a zone that restricts  
15 to one and two family detached and semi-detached.  
16 It is also proposed on a very small part of the  
17 rezoning area reflecting the one and two family  
18 detached and semi-detached houses there, and then  
19 lastly, there is an R4 extension along Jericho  
20 turnpike. There are currently two block fronts  
21 currently zone C81. We are extending an R4 that  
22 exists to the west and we are applying a  
23 commercial overlay to reflect--to give it similar  
24 treatment to those properties that are also found  
25 to the west of that property. It will allow for a

1  
2 future mixed use development commercial as well as  
3 residential. The current zone does not allow  
4 residential at all. Finally, we had speakers at  
5 the City Planning Commission public hearing that  
6 wanted one modification which would affect one  
7 block--a portion of one block on the west side of  
8 239<sup>th</sup> Street between 87<sup>th</sup> and 86<sup>th</sup> Avenues, and  
9 these are homeowners who wanted us to retain an  
10 R3A that is in place today so that they could  
11 develop or convert to two family in the future,  
12 and so that is a small modification that is now in  
13 this zoning proposal to you.

14 CHAIRPERSON WEPRIN: John, you got  
15 to add anything?

16 JOHN YOUNG: Just again, we want to  
17 thank everyone who has participated in this. As  
18 you can see from the proposal with all of these  
19 zones we went block by block. It was a finely  
20 crafted proposal to make sure we were more closely  
21 matching the building context and land use  
22 patterns.

23 CHAIRPERSON WEPRIN: I just want to  
24 raise two quick points just to be sure they are  
25 clear. You might have mentioned this Debbie, and

1  
2 I may have missed it. The commercial--the 150  
3 feet to 100 feet, did you describe that?

4 DEBORAH CARNEY: Oh, I am sorry.  
5 That is something that I neglected to mention.  
6 Sorry. Thank you for catching that. We also  
7 noticed that many of these commercial overlays  
8 which were mapped in 1961 particularly along  
9 Hillside Avenue were mapped at a depth of 150  
10 feet. It intruded into the residential blocks and  
11 was deeper than the commercial properties, so we  
12 have reduced those to 100 feet for the most part.

13 CHAIRPERSON WEPRIN: Yeah. We had  
14 the issue of people taking single family homes and  
15 turning them into commercial businesses into a  
16 residential block and that was a concern to the  
17 community, and then finally I know that City  
18 Planning, and I will just make this as a statement  
19 you can agree with or disagree with it. One of  
20 the issues we had raised from some of the people  
21 who had been moving into the areas is they were  
22 afraid they could not build their houses bigger  
23 than they are now. City Planning did an extensive  
24 search of the area and many of those houses, even  
25 the bigger ones would be okay under the current

1 zoning under the R2A zoning, some of them would  
2 not be, but could easily be amended. Is that  
3 true? I just want to be clear. Some of them could  
4 easily be amended if they were to be built again  
5 and still fit within the R2A.

7 DEBORAH CARNEY: Yeah, many of the  
8 news homes that are going up today would fit  
9 within the R2A. So it is not impossible to  
10 comply. We are giving enough room for compliance.

11 JOHN YOUNG: We think the envelope  
12 is flexible enough and reasonable enough. The key  
13 point that Debbie said, it allows people to  
14 upgrade their homes, but to do so in a predictable  
15 envelope.

16 CHAIRPERSON WEPRIN: Absolutely,  
17 and I just wanted to make that clear for the  
18 record since there were some community people who  
19 were afraid this was going to limit their ability  
20 to make their homes larger or to do things on  
21 their home, and this does not do that. Alright.  
22 Well, I want to thank you very much. Does anyone  
23 on the panel have any questions? Mr. Comrie? The  
24 only one who might have, I think.

25 COUNCIL MEMBER COMRIE: I just

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wanted to ask you to just illuminate for the Council Members, what is the typical lot size for the R2A, the house lot size for the R2A area?

DEBORAH CARNEY: The R2A, you said the lot size? 40 feet wide.

COUNCIL MEMBER COMRIE: 40 feet wide?

DEBORAH CARNEY: 100 feet deep, minimum lot area of 3800 square feet.

COUNCIL MEMBER COMRIE: And the lot size for the R3As and Xs, what are those lot sizes?

DEBORAH CARNEY: For the R3A is 25 feet. For the R3X it is 35 feet.

COUNCIL MEMBER COMRIE: Part of this abuts the Queens County Farm Museum that-- part of the rezoning abuts the Queens County Farm Museum and the Long Island Jewish Medical Center. Were they able to participate in this rezoning? Are they aware of it?

JOHN YOUNG: We certainly had representatives from those organizations and the rezoning process let everyone mutually agree on where the boundaries for the rezoning were set.

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2 COUNCIL MEMBER COMRIE: I just want  
3 to say--I just want to compliment you both on  
4 doing your usual thorough job of making sure that  
5 all the community's issues were concerned. John  
6 and Deborah have been great administrators of city  
7 planning and are ensuring that community  
8 involvement is kept at a high level, and I just  
9 want to congratulate you on all of your work to  
10 getting this plan put together. I know that this  
11 is an area that has been suffering from McMansion  
12 building, and I think this will go a long way to  
13 help ensure that building there is kept to a  
14 height and a level that is compatible with the  
15 existing housing in the area because it is  
16 important for the residents in Council Member  
17 Weprin's district to maintain that type of  
18 traditional housing, so congratulations to Council  
19 Member Weprin too for putting together an advisory  
20 board working with Community Board 13. I know  
21 that the Land Use Committee Chair is here, Richard  
22 Hellenbrecht. Are you testifying, Richard? Oh  
23 okay, well, we were hear from Richard in a minute.  
24 Thank you.

25 CHAIRPERSON WEPRIN: Sorry. Thank

1  
2 you, Mr. Comrie. Anyone else have any questions?  
3 Well, thank you very much. We do have two members  
4 of that advisory board who are also going to  
5 quickly testify after this, so we are going to  
6 excuse you. You can leave the sign up for a  
7 second just in case our next speakers want to  
8 reference it. I'd like to call on Frank Toner  
9 [phonetic] the president of the Rocky Hills Civic  
10 Association and Richard Hellenbrecht, who is the  
11 zoning chair of Community Board 13. I think that  
12 is the title he is going with today, although he  
13 has many. These two gentlemen are important civic  
14 leaders in my area and have been very involved in  
15 this process. A lot of the issues we have dealt  
16 with in the past and over the last couple of years  
17 we have been dealing with this issue, so  
18 gentlemen, I welcome you and whenever you are  
19 ready just please state your name for the record  
20 and whenever you want to start you decide who goes  
21 first.

22 RICHARD HELLENBRECHT: Thank you  
23 very much, Mr. Chair, both chairs. I appreciate  
24 you having us here this morning. I am very  
25 pleased to be here representing Community Board

1  
2 13. My name is Richard Hellenbrecht. I am chair  
3 of Land Use Committee at Community Board 13, and  
4 we have been working on this project for many,  
5 many years now. I am here really to support the  
6 project. I am here to commend the work of  
7 yourself and pulling together myself and about a  
8 dozen of our colleagues and several cultural  
9 organizations and the community advisory group  
10 that has been mentioned. It has been a tremendous  
11 opportunity to get everybody's input and to come  
12 up with truly an extraordinary zoning plan that  
13 really takes everything into consideration, and  
14 the community is thrilled I believe by all of the  
15 changes that have been made. The R2A is an  
16 excellent match for the construction and  
17 development that is in place already and to the  
18 western end all of those contextual zones that  
19 have been placed really will help to resolve some  
20 of the difficulties that we have had with over  
21 expansion and overdevelopment over the past couple  
22 of years. It was pointed out that there is an  
23 overlay issue on Hillside Avenue and Union  
24 turnpike that will be resolved. That has been a  
25 significant issue, and we thank you for pointing

1  
2 that out. It was very important, and most  
3 importantly, I would like to thank the City  
4 Planning Commission Queens Office for the hard  
5 work and the diligent effort that they have put  
6 into this. This is truly a surgical plan that  
7 they have put together, and I am pleased that it  
8 has received the positive support from everybody  
9 that has spoken on it so far. I have submitted by  
10 e-mail a testimony from Angela Gugliero [phonetic]  
11 who is president of the Queens Colony Civic  
12 Association. She was unable to be here today, but  
13 she did want to make sure that her testimony was  
14 considered, so that has been submitted by e-mail,  
15 and I think I can speak, and I know Frank will  
16 speak on behalf of all of the civic leaders in  
17 eastern Queens. Thank you all for this, and we  
18 hope that it goes forward without any further  
19 difficulty.

20 CHAIRPERSON WEPRIN: Thank you,  
21 Richard. I appreciate that. Frank?

22 FRANK TONER: Thank you. My name  
23 is Frank Toner. I am the president of the Rocky  
24 Hill Civic Association. Thank you, Mr. Chair,  
25 chair, council members. My association represents

1  
2 about 900 homeowners in the area of Bellerose  
3 Manor, and I just wanted to say that I also  
4 support the proposal and I thank you, and all of  
5 the--and City Planning for their hard work. In  
6 particular for my area, which is the western area  
7 here and south of Hillside Avenue that area hadn't  
8 been rezoned in over 50 years, so the area, the  
9 present zoning that they had that allowed row  
10 houses in those city blocks was completely against  
11 the character of the community there, so we are  
12 very glad that we got that changed 'cause most of  
13 those homes there south of Hillside Avenue in that  
14 western area there are one family or two family  
15 homes. Under the new zoning, there is actually  
16 some of the--a couple of the blocks there that had  
17 allowed for row houses, but were still all one-  
18 family homes. They were just about one-family  
19 homes, and they are appropriately being rezoned  
20 one-family, so basically, I just want to say that  
21 we were very much in need of having this process  
22 done. I have also put this information as the  
23 other civic leaders have into our monthly  
24 bulletins for the last year. We have had meetings  
25 on it. I personally don't know anyone in my

1  
2 community who opposes the changes that are being  
3 made. Everybody is in favor, and sometimes I went  
4 door to door and asked people. So I just want to  
5 thank you for this and tell you that for my  
6 feeling and dealing with the other community  
7 members and I have family members who live nearby  
8 Bellerose in that area that all support this.  
9 Anyone I've ever talked to are very much in favor  
10 of this, and we are just glad that there will not  
11 be in the future any kind of chance of having row  
12 houses there with all of the additional parking  
13 problems that were going to occur. So thank you  
14 very much.

15 CHAIRPERSON WEPRIN: Thank you,  
16 Frank. I want to again thank you for all of the  
17 help you have been in putting this together and  
18 working out the issues that we had along the way.  
19 Please thank Angela and the other civic leaders  
20 for me for their input. Mr. Comrie, anybody have  
21 any questions for these two gentlemen? Seeing  
22 none, we thank you very much for coming down. We  
23 thank City Planning as well, and we are actually  
24 going to move to close this hearing. I am very  
25 supportive of this project. The community as you

1  
2 heard is very supportive of this project, so as  
3 the member representing this area, I would hope  
4 that we can pass this down zoning. So with that  
5 in mind, we are actually going to vote on this  
6 item right now, and I am going to call on Ann to  
7 please call the roll for Land Use number 850.

8 Ann?

9 COUNSEL: Chair Weprin?

10 CHAIRPERSON WEPRIN: Aye.

11 COUNSEL: Council Member Reyna?

12 COUNCIL MEMBER REYNA: I vote aye.

13 COUNSEL: Chair Comrie?

14 COUNSEL: Chair Comrie?

15 COUNCIL MEMBER COMRIE: I vote aye.

16 Congratulations, Council Member Weprin and to City  
17 Planning and to all of the people that were  
18 involved in getting the project done.

19 COUNSEL: Council Member Garodnick?

20 COUNCIL MEMBER GARODNICK: Aye.

21 COUNSEL: Council Member Lappin?

22 COUNCIL MEMBER LAPPIN: Aye.

23 COUNSEL: Council Member Wills?

24 COUNCIL MEMBER WILLS: Aye.

25 COUNSEL: By a vote of six in the

1  
2 affirmative, no abstentions and no negatives, Land  
3 Use item number 850 is approved and referred to  
4 the full Land Use Committee.

5 CHAIRPERSON WEPRIN: Yeah, so we  
6 are going to leave this roll open until the end of  
7 the meeting today. If anyone else comes in, they  
8 can vote at that time. We are now going to move  
9 the next item, which is why most of the people in  
10 the room are here today. This is the Madison  
11 Square Garden item. That is Land Use number 847,  
12 848, and 849 for Madison Square Garden. Let me  
13 just lay the lay of the land here, what we are  
14 going to be doing. We are going to hear from the  
15 applicant and their negotiating them on this item.  
16 They are going to have as much time as they need  
17 to answer the questions of the panel and to make  
18 their presentation. Following that we will have  
19 panels come up in opposition to this project and  
20 in favor depending on how long we last. Now this  
21 is just unfair now. I am going to call on Council  
22 Member Jackson to vote while we are waiting. I  
23 want to finish with the ground rules as soon as  
24 Council Member Jackson votes.

25 COUNSEL: Council Member Jackson?

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COUNCIL MEMBER JACKSON: I vote  
aye.

COUNSEL: The vote now stands seven  
in the affirmative, zero negative, zero  
abstentions, Land Use 850.

CHAIRPERSON WEPRIN: So again, I  
would like to welcome everybody including the back  
court, and we are going to deal with this item.  
We are going to have to limit people who are  
testifying to three minutes. We are going to set  
a clock up, not for the first panel because we  
have questions for you. They have a lot of our  
answers that I know are going to be raised later  
on, but those who are going to be testifying  
afterwards if in your minds you can try to limit  
your testimony to three minutes. I also want to  
acknowledge the fact that we are here today on  
this special permit for Madison Square Garden  
which expired in January. We are here with the  
other issues involved in that to do with the plaza  
and the other zoning issues there. We are not  
here for any other companies owned by Madison  
Square Garden. We are not here on tax abatements  
to do with Madison Square Garden. We have no role

1  
2 to play over that in this committee. So if you  
3 are going to talk about it, you are wasting your  
4 three minutes. That is what this issue is about.  
5 I know people are here to show support on a lot of  
6 different issues, but that is why we are here  
7 today in order to best accomplish what we want to  
8 accomplish here today. Let's try to stick to the  
9 topic, which is the special permit that is being  
10 proposed to be renewed. So with that in mind, I  
11 am going to call up the first panel, who are  
12 already here in their places. Lawrence Burian  
13 [phonetic], Joel Fisher[phonetic], Elise  
14 Wagner[phonetic], Signe Nielsen [phonetic], and  
15 Ann Harakawa [phonetic]. Who is missing? Oh, you  
16 are all here. Can we get an extra chair up there  
17 for her? Just a little closer to the action for  
18 Ms. Harakawa. So whenever you are ready. For the  
19 record, so if anyone is transcribing this hearing  
20 we know who is speaking, so before you speak,  
21 please state your name. And whenever you are  
22 ready, we will get started. Thank you.

23 LAWRENCE BURIAN: Good morning,  
24 Chairman Weprin and Chairman Comrie, members of  
25 the Zoning and Franchises Subcommittee and council

1 staff. My name is Lawrence Burian. I am  
2 executive vice president, general counsel and  
3 secretary of the Madison Square Garden Company.  
4  
5 Joining me today are my colleague, Joel Fisher who  
6 is an executive vice president of sports and arena  
7 transformation for the company, Elise Wagner, who  
8 is MSG's land use and zoning counsel--she is a  
9 partner at the law firm of Kramer, Levin, Naftalis  
10 and Frankel, Signe Nielsen, who is MSG's urban  
11 design consultant--she is a partner at Mathews  
12 Nielsen, a firm that specializes in projects that  
13 improve the urban environment including the  
14 transformation of Lincoln Center's public spaces  
15 and the Hudson Square streetscape and Ann  
16 Harakawa, MSG's signage consultant and principal  
17 of 212, a design firm that specializes in complex  
18 signage and way finding projects and who worked  
19 closely with the mayor's office on PlaNYC and  
20 destinations like Citi Field and Rockefeller  
21 Center. I meant to say good morning to the  
22 adorable and well-behaved young man on the panel.  
23 I would like to start by saying that today's  
24 discussion is extremely important to all of us at  
25 the Madison Square Garden Company, and we do very

1  
2 much appreciate the opportunity to be heard and to  
3 share our perspective and answer your questions on  
4 this matter. As you know, we are here for your  
5 consideration on several land use actions. These  
6 include our application for a special permit to  
7 continue our ongoing use of the arena without a  
8 term of years. in addition MSG has presented  
9 plans to improve the plazas surrounding Penn  
10 Station fully at MSG's expense and to bring our  
11 exterior signage up to date and to make it  
12 consistent both with the surrounding area as well  
13 as other sports and entertainment complexes both  
14 in New York City and throughout the country.

15 Before we start the formal presentation, I just  
16 want to frame some what we believe to be important  
17 context to keep in mind. MSG has operated as a  
18 sports and entertainment arena at the current  
19 location for more than 45 years. in that time,  
20 our use as an arena has not changed. City  
21 Planning in its report has already confirmed that  
22 MSG meets and satisfies all requirements for the  
23 issuance of a special permit, and it is current  
24 practice not to impose a term of years on special  
25 use permits. If a term of years were to be

1  
2 imposed, Madison Square Garden would be the only  
3 area or stadium in New York that would be subject  
4 to a term on its use. Many of the issues and  
5 concerns that have been raised and that will no  
6 doubt be raised by others during this proceeding  
7 are separate and apart from the zoning  
8 requirements that are required to be applied in  
9 this context, including many of the issues you are  
10 likely to hear regarding Penn Station, and in any  
11 event improvements to safety and the access and  
12 circulation in Penn Station can be made without  
13 limiting our special permit, and MSG has always  
14 been and will continue to be a willing and eager  
15 participant in those discussions. So today, my  
16 colleagues and I will discuss our applications  
17 after which we would be happy to answer any  
18 questions. I would now like to turn things over  
19 to Joel Fisher, who will begin our presentation  
20 with an overview of the Madison Square Garden  
21 Company.

22 JOEL FISHER: Thank you, Lawrence.  
23 My name is Joel Fisher, and I have worked at the  
24 Garden for over 25 years, which gives me a unique  
25 perspective that I look forward to sharing with

1  
2 you today. The Garden has been a premiere sports,  
3 civic and entertainment arena in New York since  
4 1879--

5 LAWRENCE BURIAN: [interposing]  
6 There is a presentation on the screen that goes  
7 with his comments.

8 JOEL FISHER: --inspiring more than  
9 a century of greatness and enduring moments that  
10 have enhanced the city is calls home. The  
11 greatest athletes and entertainers in the world  
12 have graced the halls of Madison Square Garden and  
13 have become part of the fabric and energy of New  
14 York City. I'd like to take a moment to recognize  
15 a few of the Garden legends that are here with us  
16 today to lend their support: Walt Clyde Frasier  
17 recognized by the NBA as one of the 50 greatest  
18 players of all time and a member of the basketball  
19 hall of fame, Clyde Frasier led the Knicks to the  
20 NBA championships in 1970 and 1973. Earl the  
21 Pearl Monroe, he is also a member of the  
22 basketball hall of fame and was also selected as  
23 one of the greatest, 50 greatest players of all  
24 time. He and Clyde won an - - championship with  
25 the New York Knicks in 1973 and like Clyde, Earl's

1  
2 number 15 hangs from the Garden rafters. John  
3 Starks [phonetic], he played eight memorable  
4 seasons for the New York Knicks and in 1994 as an  
5 NBA all-star made one of the most memorable plays  
6 in Kicks history, the legendary dunk over Michael  
7 Jordon in the 1993 Eastern Conference Finals.  
8 Finally, Rod Gilbert, his number 7 was the first  
9 number to be retired by the New York Rangers  
10 organization, the only player to record more than  
11 1,000 points as a blue shirt, and spent his entire  
12 hall of fame career as a Ranger. It's athletes  
13 like these that have made the Garden the world's  
14 most famous arena and why today more than four  
15 million people continue to come to the heart of  
16 New York City to be part of over 400 annual events  
17 held at the Garden each year. The Garden is a  
18 vital economic driver and spending for the area  
19 and the theater alone generates nearly 530 million  
20 in economic impact for New York City. Patrons who  
21 travel to MSG from outside of the city contribute  
22 at an incremental 200 million to the New York City  
23 economy in offsite spending that includes dining,  
24 shopping, lodging and parking. In addition, the  
25 arena employs nearly 6,000 fulltime, part time,

1  
2 seasonal and per diem employees and works with 27  
3 unions. The Garden is currently in the last phase  
4 of a three year, nearly one billion dollar self-  
5 funded transformation. This transformation  
6 created approximately 3700 union construction jobs  
7 in a time when our city needed it most. It should  
8 be noted that we embarked on this transformation  
9 after spending millions of dollars and almost  
10 three years exploring a move to the Farley  
11 Building. That relocation plan did not work out  
12 for reasons outside of our control. Like our  
13 award winning restorations of Radio City Music  
14 Hall and the Beacon Theater, the transformation  
15 will ensure that the Garden continues to attract  
16 premiere events and maintains its position as the  
17 world's most famous arena for years to come. MSG  
18 is equally proud of its commitment to the  
19 community through the work of the Garden of Dreams  
20 Foundation. MSG works with children from  
21 organizations like the Children's Aid Society, the  
22 Police and Fire Widows and Children's Fund and  
23 wounded warriors to host 500 events a year. In  
24 addition, the Garden has played a leading role in  
25 response to local, national and global tragedies.

1  
2 This has included the Concert for New York City  
3 following 9/11, from the Big Apple to the Big Easy  
4 for Hurricane Katrina and the recent 12/12/12  
5 benefit concert to aid victims of Hurricane Sandy.  
6 This fall we look forward to unveiling our  
7 completely transformed arena, which will ensure  
8 that MSG remains a global icon that reflects the  
9 unique excitement of our city. We expect that our  
10 economic impact will undoubtedly increase as the  
11 transformation allows us to attract even more high  
12 caliber events, but securing events requires years  
13 of planning, which is one reason why we are so  
14 concerned about our limit on our special permit.  
15 The term limit introduces a level of uncertainty  
16 that would negatively impact the operations of any  
17 business. For MSG it harms our ability to secure  
18 lasting commitments as well as our attempts to  
19 make the garden a long term home for events like  
20 the NCAA tournament and the Westminster Dog Show.  
21 This undermines the Gardens, the city's economic  
22 and New York's reputation as a sports and  
23 entertainment destination. I will now turn things  
24 over to Elise Wagner who will provide the zoning  
25 and land use context along with specifics about

1  
2 MSG's application that are before you today.

3 ELISE WAGNER: Good morning. My  
4 name is Elise Wagner. I am a member of the firm  
5 of Kramer, Levin, Naftalis and Frankel, and I am  
6 here today on behalf of Madison Square Garden. As  
7 Lawrence and Joel have already states, we are here  
8 to discuss the applications to extend Madison  
9 Square Garden's special permit and to provide  
10 enhancements to the open space and signage. In  
11 January 1963, when the permit was granted for a  
12 term of 50 years, the property was subject to a 50  
13 year lease from the Penn Central Railroad. Since  
14 1985, MSG has owned the land and the building  
15 where it has been operating as a sports and  
16 entertainment complex for 45 years. The new  
17 special permit would in essence extend the  
18 existing special permit. MSG has agreed to  
19 improve the open areas on the site to make the  
20 spaces more attractive and inviting for  
21 pedestrians, particularly at the 8<sup>th</sup> Avenue  
22 corners. The plan includes seating, lighting and  
23 decorative paving with a design that takes into  
24 account the high volume of pedestrian traffic.  
25 The cost of these improvements will be borne by

1  
2 Madison Square Garden. Lastly, MSG would like to  
3 replace the existing signage with a state of the  
4 art integrated signage program with digital  
5 content, including images of historic Garden  
6 moments, promotions for upcoming events at MSG's  
7 New York City venues and messages by its sponsors.  
8 The existing signage regulations are designed for  
9 office buildings and do not take into account that  
10 MSG is an arena. On May 22<sup>nd</sup>, the City Planning  
11 Commission approved the applications, but with  
12 some very significant modifications to MSG's  
13 proposal. First, City Planning imposed a 15 year  
14 term on the special permit. Under City Planning's  
15 formulation the term of years may be eliminated  
16 only if MSG and the railroads reach an agreement  
17 to relocate MSG and redevelop Penn Station or MSG  
18 and the railroads reach an agreement that  
19 facilitates enhanced access to an egress from Penn  
20 Station by providing easements into MSG's property  
21 for new Penn Station entrances, including new ADA  
22 entrances and by improving compliance by Penn  
23 Station with national fire safety standards as  
24 well as making improvements to MSG's loading  
25 operation. This is an extremely high standard to

1  
2 be met. MSG believes City Planning's conditions  
3 are inappropriate for several reasons that that  
4 the permit should be extended without a term and  
5 without conditions. With respect to the condition  
6 regarding relocation of the Garden, as MSG has  
7 made clear on numerous occasions a term of years  
8 that is intended to force a relocation of MSG is  
9 illegal and outside the scope of the special  
10 permit. MSG has always been willing to explore a  
11 move to another location at any point if it makes  
12 business sense regardless of the special permit.  
13 MSG's current location above a transportation hub  
14 means that most visitors travel by public  
15 transportation, which limits the noise, air  
16 pollution and traffic impacts that would otherwise  
17 be associated with an arena. This would not be  
18 true of any other potential location. The idea  
19 that relocating MSG will result in a new Penn  
20 Station is completely divorced from reality. Any  
21 major improvements to Penn Station would require a  
22 concerted effort by three levels of government,  
23 which would need to bring the railroads together  
24 to create a plan for Penn Station and would need  
25 to provide billions of dollars in funding. Even

1  
2 if the arena's special permit expires, that will  
3 not mean that Penn Station is free to expand on to  
4 MSG's property. MSG would be entitled to  
5 repurpose the building and tenant it with as of  
6 right uses, build a different building on the site  
7 or for that matter leave the existing building  
8 vacant. The denial or expiration of the special  
9 permit would not make the property available for  
10 an expansion of Penn Station. With respect to the  
11 condition opposed by City Planning in Connection  
12 with the term limit, City Planning confirmed that  
13 MSG meets all of the required findings for the  
14 special permit. Since that is the case, there is  
15 no reason for a term of years. moreover from a  
16 business perspective, a term of 15 years would  
17 damage any business' ability to operate, plan and  
18 invest effectively for the future. We believe  
19 this is an issue of fundamental fairness. It has  
20 been the practice and policy of City Planning not  
21 to impose a term of years, and today virtually all  
22 special permits are granted without term limits.  
23 In addition, no other stadium or arena in the city  
24 operates pursuant to a special permit with the  
25 exception of the Staten Island Yankees whose

1  
2 special permit has no term. These provisions  
3 similarly impose conditions that are not  
4 appropriate to be demanded of a private property  
5 owner through the special permit process. In any  
6 event there is no indication that the railroads  
7 are able to develop an actionable funded plan for  
8 on-site improvements to Penn Station to serve as  
9 the foundation of an agreement within the  
10 prescribed timeframe. While MSG continues to  
11 believe that the 15 year term is unreasonable and  
12 that the conditions put an unfair burden on MSG,  
13 the Garden has a long history of cooperating with  
14 the railroads and expects to continue to do so.  
15 City Planning also required certain modifications  
16 to MSG's signage program. MSG agreed to reduce  
17 the size of the proposed digital signs by 43  
18 percent including a reduction in signage on the 8<sup>th</sup>  
19 Avenue façade to match the size of the existing  
20 marquis, which means there would be no additional  
21 impact from the updated signage on the Farley post  
22 office. City Planning also states that the  
23 signage on the 8<sup>th</sup> Avenue corners may not be  
24 installed until Penn Station identification signs  
25 are installed. MSG should be allowed to install

1  
2 signs irrespective of the timing of installation  
3 of Penn Station signs. MSG has provided easements  
4 to Amtrak to install the signage, and it is unfair  
5 to tie MSG to the actions of the railroads. We  
6 also wish to emphasize that sponsorship is an  
7 integral component of the business model of modern  
8 sports and entertainment venues as illustrated by  
9 numerous venues including Citi Field and the  
10 Barclays Center. I will now turn things over to  
11 Signe Nielsen who will discuss MSG's open space  
12 plan.

13                   SIGNE NIELSEN: My name is Signe  
14 Nielsen, a partner in the firm of Mathews Neilsen.  
15 Our streetscape design balances the dynamic  
16 setting with a design approach that provides  
17 clarity and identity for both MSG and Penn  
18 Station. Here is a current view of 33<sup>rd</sup> Street and  
19 8<sup>th</sup> Avenue. These corner plaza spaces experience a  
20 high volume of pedestrian traffic and lack design  
21 coherence. The streetscape improvements have been  
22 designed to address the full perimeter of Madison  
23 Square Garden. The plan transforms the two  
24 corners on 8<sup>th</sup> Avenue where we are seeking to  
25 balance enormous volumes of pedestrians with new

1  
2 improvements to make the spaces more attractive  
3 and inviting. New paving will create a more  
4 welcoming threshold and reflect the powerful  
5 circular form of Penn Station, which will be  
6 further enhanced with new lighting, Pedestrian  
7 space will remain clear of obstructions to provide  
8 unimpeded pedestrian movement at these critical  
9 entrance locations. There will be significantly  
10 improved way finding signage for Penn Station and  
11 MSG. The 31<sup>st</sup> Street Plaza that you see here  
12 utilizes the same forms and palate of materials  
13 described for the north corner. Here you see the  
14 image of improvements including new pavement, way  
15 finding, benches as well as vitrines to enliven  
16 the façade. Another significant component of our  
17 plan is to improve the interior driveway between 2  
18 Penn Plaza and Penn Station. It is currently an  
19 unattractive environment with insufficient  
20 lighting. Improvements to the interior driveway  
21 include new lighting and new pavement and also  
22 decorative pavers. In summary, the streetscape  
23 improvements speak to the dynamic, fast-paced  
24 environment surrounding Penn Station and the  
25 Garden. Let me now turn it over to Ann Harakawa,

1  
2 who will discuss the signage improvements. Thank  
3 you.

4 ANN HARAKAWA: Thank you, Signe.  
5 Our signage design is part of a larger  
6 comprehensive streetscape plan that has been  
7 thoughtfully conceived, coordinated and designed.  
8 Just to create some context, it is clear that  
9 signage plays a dominant role in this urban  
10 context. This is the current signage plan  
11 reflecting feedback from City Planning and other  
12 stakeholders. We studied the signage at major  
13 arenas and stadiums around the country with a  
14 focus on the New York City area, and it is obvious  
15 that the exterior signage is an integral part of  
16 modern stadiums and arenas. Now I am going to  
17 take you through our signage proposal showing you  
18 existing conditions, our original plan and the  
19 current plan reflecting feedback from City  
20 Planning. Our first - - is the view from 8<sup>th</sup>  
21 Avenue and 33<sup>rd</sup> Street looking south, and you can  
22 see that there is an existing projected digital  
23 display and theater identification on 8<sup>th</sup> Avenue.  
24 You can see sort of further in the back there on  
25 the very right hand side. our original signage

1  
2 proposal envisioned fully enlivening the two  
3 elevator towers and the façade of the theater with  
4 the returns facing 31<sup>st</sup> and 33<sup>rd</sup> Streets. This  
5 scheme is lively, engaging and fits with the  
6 neighborhood's urban context. Also notice that  
7 the Penn Station and Amtrak entrances are clearly  
8 marked with much larger signage. MSG is providing  
9 space to the railroads on its buildings for the  
10 railroads to design, build and install entrance  
11 signage. The current proposal significantly  
12 reduces the size of the signage by 43 percent from  
13 approximately 17,500 square feet to about 10,000  
14 square feet. We reduced the height of the signage  
15 on all four elevator towers from 66 feet high to  
16 44 feet. We also replaced the 8<sup>th</sup> Avenue media  
17 display that extended the full length of the  
18 theater façade with a three-sided projecting sign.  
19 The proposed three-sided sign is identical to the  
20 size and square footage of the existing 8<sup>th</sup> Avenue  
21 marquis. This is the current view from 7<sup>th</sup> Avenue  
22 looking down west 33<sup>rd</sup> Street. The 7<sup>th</sup> Avenue  
23 corridor is extremely active and vibrant. This  
24 was our proposed plan with signage on the MSG  
25 elevator towers facing 7<sup>th</sup> Avenue and consistent

1  
2 with the 8<sup>th</sup> Avenue towers, the signage has been  
3 reduced from 66 by 44 feet to 44 by 44 feet,  
4 reducing the height of the signage. We have  
5 incorporated feedback on our signage proposal from  
6 the community, elected officials, City Planning,  
7 Moynihan [phonetic] Station Development  
8 Corporation, the railroads and others, and we  
9 believe that the significant reductions in the  
10 size of the current signage reflect that input. I  
11 will turn it back to Lawrence Burian who will  
12 conclude our presentation.

13 LAWRENCE BURIAN: Thank you, Ann.

14 Just before we turn it over to Q & A I just wanted  
15 to summarize some of the highlights that you heard  
16 from the presentation as well as some important  
17 context that we hope that Council Members will  
18 keep in mind through the rest of the proceedings.  
19 As Joel presented, MSG is a vital cultural  
20 contributor and a major economic driver to New  
21 York City, creating thousands of jobs. The  
22 current location for MSG is ideal given the  
23 proximity to public transportation. As Elise  
24 presented as a matter of practice terms of years  
25 on these kinds of permits are not imposed. City

1  
2 Planning has already confirmed that we satisfy all  
3 of the legal findings that are required to be  
4 found in order to issue the special permit, that a  
5 term of years designed to force the relocation of  
6 MSG is outside the permissible scope of a special  
7 permit process and as a number of us have said,  
8 MSG has always in any event been willing to  
9 explore other options at any point in time if it  
10 makes business sense to do so. Ann and Signe  
11 presented our plaza improvements and signage plans  
12 that we believe are both tasteful and full reflect  
13 the feedback we received from City Planning. So  
14 just some important context that we would like to  
15 just present as we go into the Q & A. MSG owns  
16 the building. We own the arena, and we own the  
17 land on which it sits. The special permit is a  
18 zoning process as you well know and it relates  
19 solely to our use of that building as an arena.  
20 It does not in any way affect MSG's rights as a  
21 land owner to use that building in other ways to  
22 repurpose that building. More important even  
23 without a special permit Madison Square Garden  
24 would be fully free as a legal matter without any  
25 special permit to build an office tower on that

1  
2 property. We could have two and half million  
3 square feet of office space on that site, and that  
4 tower would sit right above Penn Station with or  
5 without a special permit. The perception  
6 therefore that relocating MSG would somehow result  
7 in the imminent construction of a new Penn Station  
8 is simply false. We should know. We spent  
9 several years and millions of dollars exploring a  
10 possible relocation to the Farley post office  
11 building across the street as part of the Moynihan  
12 Station development plan, and as Joel said that  
13 plan fell through for reasons having nothing to do  
14 with MSG. Even City Planning has recognized that  
15 large scale public projects such as this would  
16 take at least a generation to materialize as it  
17 would require massive effort on all levels to  
18 plan, coordinate and fund, and I think that the  
19 situation at Moynihan Station is particularly  
20 instructive. It has been more than 30 years since  
21 the late senator, Daniel Patrick Moynihan's  
22 original vision to develop that into a train  
23 station, and today 30 years later, after plans  
24 that have changed over and over and over the  
25 funding is in place for only the minimal first

1  
2 phase, and what is going on at the Moynihan  
3 Station has nothing to do with Madison Square  
4 Garden. Madison Square Garden doesn't sit on top  
5 of that location, and yet the public is not able  
6 to develop a new train station. In the meantime,  
7 what is proposed here is the imposition of an  
8 arbitrary deadline on a successful, thriving  
9 business that is a major economic contributor to  
10 the city. Companies must be able to invest in  
11 their businesses and make long term commitments  
12 with confidence in the fairness and predictability  
13 of the regulatory environment. MSG recently  
14 invested nearly one billion dollars into our arena  
15 that we feel benefits not only MSG, but the entire  
16 city of New York, and it is precisely that kind of  
17 continued investment and forward thinking that  
18 allows businesses such as MSG to success and grow  
19 and to help New York City grow its economy and  
20 create jobs, and that is activity that this  
21 committee should want to encourage. The Garden is  
22 just one stakeholder in a much larger conversation  
23 about Penn Station's future. Right now we are  
24 simply seeking to continue to operate our business  
25 in the ordinary course having always been a

1 willing partner with many of the other  
2 stakeholders needed at the table to determine Penn  
3 Station's future. So in conclusion just to  
4 summarize what it is that we are requesting, we  
5 are requesting a renewal of our special permit  
6 without a term of years, and we certainly don't  
7 want to go backwards from what City Planning has  
8 approved. We are seeking the signage plan to be  
9 approved consistent with the limited size that was  
10 approved by City Planning and to allow us to use  
11 those signs consistent with how other arenas and  
12 stadiums operate. We have already provided the  
13 railroads with easements onto our property to  
14 install signs on our buildings, those large Penn  
15 Station and Amtrak signs are on our property. We  
16 have already made that available to them to build  
17 and install signs. We do not believe it would be  
18 fair to make our signs contingent on them actually  
19 doing so. And of course we would plan to do the  
20 improvements to the train station perimeter that  
21 were previously presented, and were fully worked  
22 out with City Planning.

24 CHAIRPERSON WEPRIN: Thank you very  
25 much. I am going to ask a couple of questions,

1  
2 and I know I have members of the committee who  
3 have some questions. Let me start out by first  
4 just making a statement. We do appreciate the  
5 special guests you brought. We are happy they are  
6 here; however, our decisions obviously are made on  
7 what is best for the city and the future of the  
8 city, but we are happy to have them here, and I  
9 will confess I even had one of their pictures on  
10 my wall once upon a time. You guys can just guess  
11 who, but it was before Monroe got there. We want  
12 to just make sure that this decision is made  
13 obviously on the merits and what is most important  
14 for the city and we want to all work together on  
15 this. Everyone in this room we want to make sure  
16 that the Garden exists in New York City. These  
17 gentlemen wouldn't be here today if you were to  
18 build an office tower on top of the way the Garden  
19 is now. I don't think Mr. Starks would be here or  
20 any of these gentlemen for that. I am sure Mr.  
21 Lee wouldn't be coming every day to watch the  
22 office tower. We want to be careful. We ought to  
23 watch our rhetoric 'cause even a comment like  
24 saying fixing up Penn Station is divorced from  
25 reality is a little bit of an overstatement

1  
2 because while you're right--three branches of  
3 government coming together does seem almost  
4 impossible, it is not impossible. It is not  
5 something that is out of the realm of possibility  
6 if the right people get behind it, and it is  
7 something we would like to see is a state of the  
8 art train station there if it was possible. We  
9 just want to make sure we lay the groundwork here--  
10 -just not to up the rhetoric, to make sure we stay  
11 on the issue on hand. We want to see Madison  
12 Square Garden in New York City, and we just have  
13 to see what makes the best, most sense for the  
14 city and whether things can change in the future.  
15 So I just want to be clear about that. Let me ask  
16 a question 'cause you had mentioned that Farley--  
17 you had talked about going to Farley at one point  
18 and you said that it didn't work out. Can you  
19 describe why it didn't work out at Farley?

20 LAWRENCE BURIAN: Sure. I will  
21 start with that because it was several years of my  
22 life trying to make that happen and millions of  
23 dollars. Fundamentally, the problem was an issue  
24 of both the coordination among the railroads, the  
25 post office and all the various government

1 agencies not to have the funding necessary to  
2 actually build what was planned. MSG had an  
3 agreement in place, a letter of intent with the  
4 developers to move. Our deal was not at issue,  
5 but fundamentally to build a project of that scale  
6 required billions of dollars of government  
7 investment, and the dollars weren't there. They  
8 are not there today, and they weren't there then.

10 JOEL FISHER: We had a fully vetted  
11 100 percent architectural plans, and we were ready  
12 to go.

13 CHAIRPERSON WEPRIN: What we can  
14 establish by that is that given the right  
15 circumstances, given the right venue it would be a  
16 possibility to possibly move the Garden again.

17 LAWRENCE BURIAN: Sure. If it  
18 makes economic sense.

19 CHAIRPERSON WEPRIN: Okay, and that  
20 is the point. When you do speak make sure to  
21 identify yourself when you speak. I'm being  
22 yelled at. I also want to be clear that I know  
23 you mentioned that you own the property above  
24 grounds you can build what you want there. I do  
25 believe in certain circumstances Amtrak has to be

1  
2 involved and give approval on some building. You  
3 can't just build whatever you want there. I  
4 believe that is the case. Is that true?

5 LAWRENCE BURIAN: I don't think so,  
6 Mr. Chairman. We own the fee interest. We own  
7 the building. There would be certainly  
8 coordination that would have to take place with  
9 the railroads below given that we have columns  
10 that go down there, but that would be a regular  
11 coordination of construction, and again, to your  
12 point, we are not planning on building an office  
13 tower.

14 CHAIRPERSON WEPRIN: You are  
15 absolutely right. Our research had that, but you  
16 are right. We don't want to go there. We would  
17 rather not even discuss the possibility of  
18 anything, but having a Garden there for the near  
19 future and the Garden in the city as long as we  
20 can.

21 LAWRENCE BURIAN: I apologize if  
22 there was rhetoric. It was really just to make  
23 more of the legal contextual point which is the  
24 zoning process and the considerations that are  
25 supposed to be made are supposed to be looking at

1  
2 this use, and that the assumptions that denying  
3 this use means that magically the building  
4 disappears and Penn Station gets redeveloped, that  
5 was the point, not to say that it was impossible  
6 or that we were planning to build an office tower.

7 CHAIRPERSON WEPRIN: I got it. Let  
8 me call on some members of the Committee who I  
9 know have questions. I am going to start with  
10 Council Member Ruben Wills from Queens.

11 COUNCIL MEMBER WILLIS: Good  
12 morning. I am going to try to stick to the three  
13 minute rule, if I can have my questions answered  
14 in that. I believe most of my questions are going  
15 to be directed to your land use expert, Ms.  
16 Wagner, so if you can just give her the mic so we  
17 can start. First, when did the one billion or 981  
18 million dollar renovation start?

19 ELISE WAGNER: That is actually a  
20 question for Mr. Fisher.

21 LAWRENCE BURIAN: What we would  
22 request is if we could--

23 COUNCIL MEMBER WILLIS: You can  
24 alternate.

25 LAWRENCE BURIAN: We will answer as

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they--

COUNCIL MEMBER WILLS: It doesn't  
matter--

CHAIRPERSON WEPRIN: Just state  
your name before you answer.

JOEL FISHER: Hi. Joel Fisher. We  
have been planning this for a number of years, and  
we actually started construction three years ago,  
and we are right in the last phase of that now,  
the last summer.

COUNCIL MEMBER WILLS: When did  
your conversations with City Planning start  
regarding this special permit?

ELISE WAGNER: I believe the  
conversations started at least a year ago if not  
more.

COUNCIL MEMBER WILLS: So City  
Planning was already under the clear understanding  
that you had invested most of the 981 million, one  
billion dollars into the project already when you  
were going into the discussions for the special  
permit?

ELISE WAGNER: I am sorry. Gale  
reminded me I am Elise Wagner from Kramer Levin.

1  
2 You are asking whether the plans for the  
3 transformation occurred prior to the time that we  
4 went into City Planning to talk about the renewal  
5 of special permit. Yes, that is accurate.

6 COUNCIL MEMBER WILLS: Okay. Is  
7 there a difference technically in the language of  
8 an arena or stadium?

9 ELISE WAGNER: The zoning  
10 resolution requires a special permit for an arena  
11 or a stadium of more than 2500 seats, so from a  
12 zoning point of view, they are treated the same.

13 COUNCIL MEMBER WILLS: Is there  
14 anywhere else in the city that actually needs this  
15 special permit or have this special permit in  
16 place?

17 ELISE WAGNER: Only the Staten  
18 Island Yankees minor league stadium. All of the  
19 other arenas or stadiums are either located on  
20 state land or in parks and therefore are not  
21 subject to the zoning or in some cases zoning has  
22 been overridden by state authorities.

23 COUNCIL MEMBER WILLS: Okay, so to  
24 say that you are the only one being targeted for  
25 the special permit, how does that work?

1  
2 ELISE WAGNER: Other than the  
3 Staten Island Yankees, which has a special permit  
4 with no term, Madison Square Garden is the only  
5 arena or stadium with a special permit in the city  
6 of New York?

7 LAWRENCE BURIAN: Can I just  
8 clarify? It is Lawrence Burian. I think it is an  
9 important--

10 CHAIRPERSON WEPRIN: [interposing]  
11 Name?

12 LAWRENCE BURIAN: Lawrence Burian.  
13 I think it is an important question that the  
14 Council Member is asking. Whether it be Yankee  
15 Stadium or Citi Field or the Barclay Center, those  
16 facilities were all built on government land, and  
17 in addition to the various other dynamics at play  
18 there by having government land provided to them,  
19 they were exempt from zoning, all zoning,  
20 including the special permit, and therefore, they  
21 didn't require a special permit and don't have a  
22 term of years. the one facility that was not in  
23 that case other than us is this Staten Island  
24 Yankees that received its special permit in  
25 perpetuity. MSG is in the unfortunate position of

1  
2 actually not having government land, and therefore  
3 owning its own property, and therefore being  
4 subject to the zoning.

5 COUNCIL MEMBER WILLS: City  
6 Planning has stated to you that you meet all of  
7 the requirements for the special permit. What was  
8 their reasoning stated--insinuated or stated  
9 reason for them saying that they want to have this  
10 special permit with terms and conditions on it if  
11 they already said you met all of the requirements?

12 ELISE WAGNER: As we stated in our  
13 presentation, we respect--Elise Wagner from Kramer  
14 Levin. As we stated in our presentation, we  
15 respectfully disagree with City Planning that it  
16 is appropriate for them to issue a term of years  
17 despite the fact that we do meet all the findings.

18 COUNCIL MEMBER WILLS: No, Ms.  
19 Wagner. I understand that you disagree. I  
20 disagree, but what I am asking you is what was  
21 their reasoning behind if they already said that  
22 you met the requirements now trying to give you  
23 terms and conditions on the special permit.

24 LAWRENCE BURIAN: I think to the  
25 extent that their reasoning is stated, it is in

1  
2 their report. To the extent it is not in their  
3 report, it would be hard for us to speculate as to  
4 their deliberations.

5 COUNCIL MEMBER WILLS: What was the  
6 reasoning stated?

7 LAWRENCE BURIAN: Again, I really  
8 would not want to speak for City Planning. City  
9 Planning issued a comprehensive report. They  
10 imposed a term of years. We do not believe that  
11 that is appropriate, but that is a question for  
12 City Planning.

13 COUNCIL MEMBER WILLS: Ms. Wagner,  
14 you also testified that the special term would be  
15 eliminated--the special term and the conditions  
16 would be eliminated if certain benchmarks were  
17 met. By whose authority would they be, would the  
18 terms and conditions be eliminated?

19 LAWRENCE BURIAN: So City Planning  
20 in its report--Lawrence Burian--issued in its  
21 report two alternatives. One, an alternative  
22 whether MSG would relocate and reach agreement  
23 with the train stations to improve Penn Station  
24 even though we were relocating, and if we were to  
25 do that, the special permit would be extended.

1  
2 COUNCIL MEMBER WILLS: Extended to  
3 what, in perpetuity?

4 LAWRENCE BURIAN: Until we  
5 relocate.

6 COUNCIL MEMBER WILLS: Okay.

7 LAWRENCE BURIAN: And the second  
8 alternative laid out in their report is that if  
9 MSG reaches agreement with all of the stakeholders  
10 on the property including New Jersey transit, Long  
11 Island Railroad, Amtrak, et cetera to achieve a  
12 list of very high hurdles, all sorts of  
13 obligations such as providing potential easements  
14 onto our property to improve ingress and egress to  
15 Penn Station, to improve ADA access to Penn  
16 Station, to improve Penn Station's ability to  
17 comply with various codes, fire codes and the  
18 like, to coordinate--the list is quite extensive,  
19 if we are able to do that and the train stations  
20 are able to get all of the necessary public  
21 approvals to reach that agreement because they  
22 have a whole series of public approvals and there  
23 are certifications and all sorts of other  
24 requirements. Then it goes back to City Planning  
25 for them to confirm that that has occurred, and if

1  
2 all that occurs then we are no longer subject to a  
3 term of 15 years.

4 COUNCIL MEMBER WILLS: So City  
5 Planning wants you to after first investing  
6 upwards of a billion dollars in the property go  
7 into negotiations, backtrack and go from a 50 year  
8 term that you had to a 15 year term, give you  
9 hurdles that have to be met with a multi-partner  
10 agreement and try to extract the City Council out  
11 of the process? Because if it goes back to them,  
12 and only them to wipe out the terms and conditions  
13 after all of these benchmarks are met, which is  
14 not divorced from reality, but near impossible  
15 sometimes when you have all of those multi  
16 partners, and then on top of that the City Council  
17 has no say so in the next set of special permits  
18 that you would have to go for?

19 LAWRENCE BURIAN: I hear the  
20 question. From our perspective, we don't want the  
21 term of years to begin with let alone 15 years,  
22 let alone this whole process of requiring us to  
23 give up property or rights to a consortium of  
24 train stations, so I can't speak to what that  
25 interplay is between City Council and City

1  
2 Planning, but you know, City Planning issued its  
3 report.

4 CHAIRPERSON WEPRIN: You are going  
5 to have to--every time you speak, say your name.

6 COUNCIL MEMBER WILLIS: So Mr.  
7 Chair, I am asking you. Is that our understanding  
8 that City Planning is trying to extract the City  
9 Council out of the process at the end of this?

10 CHAIRPERSON WEPRIN: I am not sure  
11 that was their motivation but the way that the  
12 City Planning had ruled does not involve the City  
13 Council.

14 ELISE WAGNER: I would just  
15 suggest--Elise Wagner, Kramer Levin--that City  
16 Planning stated that they believe that that  
17 determination at that point would be  
18 administrative. It would be made by the  
19 Department of City Planning, not by the City  
20 Planning Commission, and that if certain  
21 conditions were met then the term would go away  
22 and the permit would be in perpetuity, so I  
23 believe they did not see it as cutting the Council  
24 out; they saw it as an administrative  
25 determination by the Department of City Planning.

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2 COUNCIL MEMBER WILLIS: But again,  
3 at the--you came off of a 50 year term, invested  
4 almost a billion dollars, then they forced or are  
5 trying to push a multi-partner agreement with high  
6 benchmarks, then it would be--

7 ELISE WAGNER: [interposing]  
8 Exactly, and I would say we expected the special  
9 permit to be renewed as a matter of course as most  
10 special permits are, and so you know although I  
11 would say we started talking to City Planning  
12 about a year and a half ago, it was certainly with  
13 the expectation that there would be a renewal and  
14 the idea of the term is something that really came  
15 as a surprise to us, and as we have said numerous  
16 times, think it is inappropriate. Elise Wagner,  
17 Kramer Levin. Thank you.

18 COUNCIL MEMBER WILLIS: Thank you,  
19 Mr. Chair. I yield my time.

20 CHAIRPERSON WEPRIN: Thank you, Mr.  
21 Wills. Before we call on the next questioner,  
22 first I want to acknowledge Vincent Ignizio from  
23 Staten Island is in the room, a member of the  
24 committee. We have also been joined the group in  
25 the back from P.S. 94 in the Bronx, the student

1  
2 government of Oliver Koppell's district. There  
3 they are.

4 [applause]

5 CHAIRPERSON WEPRIN: Any of you  
6 guys basketball fans? I would now like to call on  
7 Council Member Garodnick, who has some questions,  
8 followed by Council Member Comrie.

9 COUNCIL MEMBER GARODNICK: Thank  
10 you very much, Mr. Chairman, and I will start off  
11 by just noting that I appreciate the need for some  
12 predictability here, and also the very significant  
13 investment that you all made, but I also think it  
14 is worth pointing out that Madison Square Garden  
15 is different here because of your location, both  
16 atop a transportation hub and also your location  
17 in the heart of one of the mostly densely occupied  
18 areas of the city, which is why I think we have  
19 this conversation about term in the connection  
20 with the special permit. I wanted to focus my  
21 questions on that specifically because I  
22 understand that you all want the special permit to  
23 be renewed in perpetuity. There are proposals,  
24 community boards said you should have it for ten  
25 years, City Planning says 15 with some conditions,

1  
2 and we in the Council are now in the position of  
3 trying to sort out precisely what is fair and  
4 reasonable for you all. Is it possible for you to  
5 actually achieve any of the obligations that City  
6 Planning set out for you, relative to the  
7 railroads? They gave you a whole list of things  
8 that you need to accomplish. Is that possible? Is  
9 it something that you can achieve within 15 years?

10 LAWRENCE BURIAN: Lawrence Burian.

11 One observation and one response, the most recent  
12 arena to be built in New York City sits in a  
13 densely populated area in Brooklyn on top of an  
14 incredibly busy transportation hub and does not  
15 have any kind of term. Yes, it is possible, and  
16 in fact, with or without the special permit term  
17 way before this process even started, we have been  
18 working closely with the railroads and their  
19 Pennvisioning [phonetic] group to collaborate with  
20 them to make improvements to Penn Station. It is  
21 in everyone's interest to do so. The patrons that  
22 come through Penn Station every day are also our  
23 customers, and it is good for everyone to have  
24 that occur. We believe that in coordination with  
25 those groups, real and significant improvements to

1  
2 Penn Station can be made. We don't think a  
3 special permit process is the right process to  
4 force that or create leverage for that, but yes,  
5 undoubtedly, it can be done.

6 COUNCIL MEMBER GARODNICK: If the  
7 Council would see fit to renew your special permit  
8 without a term and then at some point down the  
9 line saw changes in circumstances needs for Penn  
10 Station, needs for the railroads, et cetera, there  
11 is no way for us to dial that back at that point,  
12 is there?

13 LAWRENCE BURIAN: Not in terms of  
14 zoning. I am sure there are other ways to address  
15 that. Lawrence Burian, sorry. It's hard. I  
16 would say though City Planning came out in its  
17 report with some very important findings about  
18 that possibility. In particular, Penn Station is  
19 currently at maximum capacity given the tracks  
20 below, and therefore, the number of commuters and  
21 the demands on Penn Station are at the most they  
22 will ever be. Accordingly, whether it is today,  
23 tomorrow or 20 years from now, those capacity  
24 issues will not get worse. They can only get  
25 better, particularly given the plans for Moynihan

1  
2 Station to alleviate much of that pressure, so as  
3 a Zoning matter, given that we meet all of the  
4 requirements of the special permit today,  
5 including all of the environmental and other  
6 considers, there is no reason to believe that when  
7 it comes to Penn Station or otherwise that that is  
8 going to get worse. If anything, it will get  
9 better. I hope that answers your question.

10 COUNCIL MEMBER GARODNICK: I think  
11 it does. You also made a comment about how this  
12 is outside the permissible scope of the special  
13 permit process. Do you think that it is not  
14 proper for the Council or for City Planning to be  
15 imposing a term in connection with a special  
16 permit?

17 LAWRENCE BURIAN: We do think that  
18 that would be improper.

19 COUNCIL MEMBER GARODNICK: Okay.  
20 Let's talk about the ULURP process for the moment.  
21 I think that Council Member Wills was getting to  
22 this point before, which is if there is a general  
23 acknowledgement which I understand that Madison  
24 Square Garden will never agree with that there  
25 should be a term of years, and in connection with

1  
2 that term of years, some entity whether it is  
3 Department of City Planning or the Council or any  
4 combination therein should have the ability to  
5 evaluate the progress at the end of 15 years. why  
6 shouldn't that be the City Council as opposed to  
7 the Department of City Planning?

8 LAWRENCE BURIAN: I will turn that  
9 over to land use counsel, Elise Wagner.

10 ELISE WAGNER: I certainly feel  
11 that that is certainly something that could  
12 happen, but from our point of view then there is  
13 no reason for the condition. The whole point of  
14 the condition is that there are a series of steps  
15 that must be undertaken, and if we fulfill those,  
16 then there is a determination that all of those  
17 things have been fulfilled, and there is no need  
18 for a further public process. If there is a  
19 process that comes back to the City Council with  
20 all due respect then it becomes a public process  
21 and it is as if there were simply a 15 year term  
22 limit without this requirement for negotiation.

23 COUNCIL MEMBER GARODNICK: If City  
24 Planning at the end of 15 years decides that if we  
25 were to go the route that they proposed that you

1  
2 did not in fact satisfy either of the prongs that  
3 they put forth to you, then the special permit  
4 ends and you need to go through a ULURP process  
5 again, right, or the special permit process again?

6 ELISE WAGNER: Yes.

7 COUNCIL MEMBER GARODNICK: So  
8 essentially, you more or less have that anyway.  
9 It is just that you get the special permit  
10 opportunity to--you get an opportunity through  
11 City Planning to forgo the Council after 15 years  
12 if you satisfy those two prongs. Is that fair?

13 ELISE WAGNER: Yes. You have an  
14 opportunity without a city public process. That  
15 is the concept I believe.

16 LAWRENCE BURIAN: Just to clarify--  
17 it is Lawrence Burian--I think that the dynamic at  
18 play is that City Planning through the ULURP  
19 process is identifying the goals that it wants to  
20 have achieved and is setting up a process  
21 administratively to confirm that the goals have  
22 been achieved. If the goals are achieved to their  
23 determination, there is no reason for a term of  
24 years, and therefore, they are simply saying this  
25 is our understanding of what City Planning is

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2 saying is that if the goals are achieved that if  
3 those goals were achieved today we would give it  
4 in perpetuity, so if they are achieved tomorrow,  
5 it is automatically in perpetuity, we just need to  
6 certify that they have been achieved. If they are  
7 not achieved then as you said as the councilman  
8 said, the permit would expire and we would go  
9 through a new ULURP to seek a new permit.

10 COUNCIL MEMBER GARODNICK: Last  
11 question from me, I know that I am probably past  
12 my time here. The issue of predictability. I  
13 think that is an easy one to wrap your mind  
14 around. On the subject of future events to be  
15 planned--Westminster Dog Show or NCAA tournament--  
16 do you not have any of those events booked for  
17 2014, '15 or '16 at this present moment?

18 LAWRENCE BURIAN: Lawrence Burian.  
19 We certainly do. I will get it by the end. We  
20 certainly do, but I think it is important to  
21 understand that until this whole process occurred  
22 and as Ms. Wagner said, nobody certainly not us  
23 anticipated that the term of years or the special  
24 permit at all would be anything but a simple  
25 routine. We are Madison Square Garden, we are

1  
2 operating as an arena, we always have, nothing has  
3 changed. Why wouldn't we have the zoning continue  
4 to do so? It has certainly not been a public  
5 discussion or one that has been raised by any  
6 business partners or perspective partners 'cause  
7 it has not been on anybody's consciousness. I  
8 have no doubt that out of this process, it will  
9 be.

10 JOEL FISHER: Joel Fisher. I would  
11 like to add to just answer your question that we  
12 do have some events booked, but for these events  
13 and these big events that the city and all of us  
14 want, there are certain production elements and  
15 planning that are necessary to be able to house  
16 these events with the uncertainty of not knowing  
17 potentially what the building is if we were forced  
18 to move they can't make commitments to us and  
19 therefore to the city and that is the planning  
20 that we are talking about.

21 COUNCIL MEMBER GARODNICK: Thank  
22 you, Mr. Chairman, for the opportunity.

23 CHAIRPERSON WEPRIN: Thank you, Mr.  
24 Garodnick. I would like to call on Council Member  
25 Comrie now from Queens.

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COUNCIL MEMBER COMRIE: Thank you.  
Good morning, everyone. I just want to ask you, why are you not building a tower there? It's an iconic property in the middle of one of the busiest areas, the most traveled areas. Everyone comes to the Garden. Why not build a hotel tower with luxury rooms to help the MSG continue with the job development as well, but also with the economics of the building? Why not build a hotel tower? I am sure Mr. Starks or Mr. Frasier wouldn't mind having a second home above the tower.

LAWRENCE BURIAN: It's Lawrence Burian. That is really not the business we are in, and we have no current plans to do that. Maybe it is a good idea. We haven't really explored it.

COUNCIL MEMBER COMRIE: It just seems to me that that location there is no doubt that with the traffic there coming from Penn Station and coming from Amtrak and the location and the traffic there, it seems to me that a tower would make sense, especially in light of all of the issues that you are concerned regarding the

1  
2 cost of doing business there. I don't see why it  
3 is not being done. That is just in my particular  
4 opinion. I just wanted to raise that first. Just  
5 to go back to the special permits since everybody  
6 is beating that to death, I might as well join in  
7 also. You know, I just want to register my  
8 opinion to cut to the chase. Clearly, the need to  
9 make sure that Penn Station stays viable and stays  
10 current to whatever the needs are for the century  
11 that we are in is something that is going to  
12 continue to be a problem whether it is now or ten  
13 years from now or 20 years from now. Penn Station  
14 is a transportation hub that the city is going to  
15 need, so I think that that is why everybody is  
16 concerned about having a process that will make  
17 sure that MSG is going to be responsible partner  
18 to that, not that you haven't' been. You have put  
19 a lot of money into trying to do the Farley  
20 building. I forget what the amount was, but it  
21 was a significant amount, but there is always a  
22 concern I think among people that there will be a  
23 continued commitment from MSG to ensure that  
24 whatever happens at Penn Station there is a full  
25 commitment and buy in from your organization, so I

1  
2 think that is the reason for the special permit,  
3 not that--I understand that other areas don't have  
4 a special permit, but I think that this particular  
5 area is even more critical to the long term  
6 lifeblood of the city, and so I think that the  
7 need for a special permit only because we need to  
8 have a check and balance is something that we have  
9 to consider, and I hope that as we move through  
10 this process we can find a way to come to some  
11 term on that that will meet the needs of MSG and  
12 meet the needs of the city.

13 LAWRENCE BURIAN: Mr. Chairperson,  
14 we 100 percent share the goal. We would 100  
15 percent assure the Council that MSG has every  
16 interest and will continue to have every interest  
17 in working with the railroads to try to do  
18 everything possible to improve Penn Station in a  
19 collaborative and appropriate way.

20 COUNCIL MEMBER COMRIE: But the  
21 problem is, Mr. Burian, that MSG is owned by a  
22 group now, but there may be a Brooklyn owned group  
23 by Spike Lee that owns it that wants to make sure  
24 that Barclays is the best stadium and they might  
25 want to make sure that not anything happens. I am

1 just putting Brooklyn putting Brooklyn people--

2 [crosstalk]

3 COUNCIL MEMBER COMRIE: But all  
4 jokes aside, there may be another business that  
5 buys MSG and doesn't have the same protection of  
6 the needs for Penn Station in mind. I understand  
7 what you are saying about MSG wanting to be a good  
8 partner, but I think the idea of the city having  
9 some checks and balance in perpetuity is key,  
10 especially at a location that is that critical. I  
11 would hope that at the end of the day we come to  
12 some discussion and determination on that. I just  
13 wanted to exercise my opinion. I don't want to  
14 beat that dead horse today anymore, but that is an  
15 issue that really has to come up. Let me just  
16 shift on the signage for me. In your  
17 presentation, how large is that sign that is above  
18 the Bank of America subway sign, the display that  
19 is above the Bank of American subway sign? If you  
20 look at the existing conditions, 33<sup>rd</sup> and 7<sup>th</sup>  
21 Avenue--yeah, there you go. Back up. There you  
22 go. Does anyone know how large that green sign is  
23 that looks like an iPhone.

24 MALE VOICE: We don't know the  
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exact size.

COUNCIL MEMBER COMRIE: Do you think it is larger than what is being proposed--

JOEL FISHER: It is more than twice the size of what is being proposed.

COUNCIL MEMBER COMRIE: I am sorry. You have to say your name.

JOEL FISHER: I am sorry. Joel Fisher. That sign is more than twice the size of what we are proposing.

COUNCIL MEMBER COMRIE: And how long has that sign been there?

JOEL FISHER: As long as I can remember. It has been there for a long time.

COUNCIL MEMBER COMRIE: And also just to go back to your other--so that sign has been there. It is twice as large as what you are asking for, and so it would be three times as large as what the city is planning on giving you, correct?

JOEL FISHER: Just about. Yes.

COUNCIL MEMBER COMRIE: And the visuals from that sign--is that right on 34<sup>th</sup> Avenue where that Bank of America is?

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2 JOEL FISHER: Joel Fisher. It is  
3 on 33<sup>rd</sup> Street and 7<sup>th</sup> Avenue.

4 COUNCIL MEMBER COMRIE: 33<sup>rd</sup> and 7<sup>th</sup>.  
5 Okay. So I just wanted to note that for the  
6 record 'cause I kind of agree with the issues on  
7 the signage. I don't understand why we would have  
8 signs in that area, especially on 34<sup>th</sup> Street and  
9 33<sup>rd</sup> Street that are larger than the signs that you  
10 are asking for - - I think that having that visual  
11 again would add to your income generation. I  
12 think that that is something that should be  
13 reconsidered by the Council, and I also kind of  
14 like the large sign that you presented for--let me  
15 make sure I have the right--the current plan for a  
16 tower on 8<sup>th</sup> Avenue.

17 LAWRENCE BURIAN: That is the  
18 current one approved by City Planning.

19 COUNCIL MEMBER COMRIE: I like the  
20 original plan as well. I think it gives a better-

21 -

22 LAWRENCE BURIAN: [interposing] So  
23 did we.

24 COUNCIL MEMBER COMRIE: I am just  
25 stating my opinion here since we are still in

1  
2 America, so--last I heard. Just to talk about the  
3 signage, I think that the need for the signage and  
4 the ability to ensure that the signage is  
5 maintained and kept and the illumination that I  
6 think would create some protection for Farley as  
7 well with the better visual at night over there  
8 because I remember there was a stabbing there a  
9 couple of years ago--maybe a year and a half ago.  
10 To have that visual for Farley, I think would be  
11 good, and it could be even iconic utilizing that  
12 sign, even do movies for people at a particular  
13 point in time, so I am not against the idea of  
14 having the original conditions for the signs. I  
15 just wanted to again to be brief since a lot of  
16 the other questions were asked by my colleagues  
17 regarding the special permit, regarding the need  
18 for Penn Station, acknowledging the work that you  
19 have done to try to help with the Farley Station  
20 before. there was one other major question I  
21 wanted to ask. Have you looked at any or do you  
22 own any other property in the area, MSG?

23 LAWRENCE BURIAN: MSG, we own the  
24 arena with the theater that is part of it. We  
25 have a long term lease and operate Radio City

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Music Hall in New York City, also a major contributor to the city's economy. We have a long term lease of the Beacon theater on the Upper West Side, similarly very successful both fully renovated by us at our cost, but we do not have any other owned property in New York City.

COUNCIL MEMBER COMRIE: Nothing on the West Side?

LAWRENCE BURIAN: No.

COUNCIL MEMBER COMRIE: But you would never look at tearing down Radio City Music Hall and building a new MSG there?

LAWRENCE BURIAN: We don't own that property. It is a lease.

COUNCIL MEMBER COMRIE: It's a long term lease.

LAWRENCE BURIAN: It is also landmarked.

COUNCIL MEMBER COMRIE: I did forget that. I am sorry. We were part of that landmark. What was I thinking? Again, have you had any recent discussions with the Amtrak or the Long Island Railroad or New Jersey Transit regarding where they are with the Penn Station

1  
2 upgrades? You mentioned something about your  
3 frustration with it. Could you detail if there  
4 has been any recent discussions or any idea on a  
5 timeline that you can bring to us today?

6           LAWRENCE BURIAN: Sure. Lawrence  
7 Burian. We have has extensive discussions with  
8 those agencies. They have been collaborative.  
9 They have been productive. We coordinate with  
10 them the signage proposal for example. We  
11 coordinate with them and continue to explore all  
12 sorts of ways to try in a mutually beneficial way  
13 to improve Penn Station. The biggest issue over  
14 and over with these things is not us. It is the  
15 inability to have the funding, the government  
16 funding frankly to do the improvements. In fact,  
17 I think it is just illustrative. We granted to  
18 the train stations space on our building to put  
19 those signs up, gave it to them. It is theirs to  
20 put up and City Planning was so concerned about  
21 them not having the funding to put up a sign let  
22 alone to renovate that that is why they put the  
23 conditions on us on the signage. It is the issues  
24 of coordination among multiple government agencies  
25 and their lack of funding. If I could just

1  
2 observe, Mr. Chairman, the observation you made  
3 before about the look see [phonetic] and making  
4 sure about given the importance of the space that  
5 there is always an opportunity, one observation we  
6 would make is the pressure that is being brought  
7 to bear by a term of years is being brought to  
8 bear on the one party that can't actually achieve  
9 the goal. It is being put on the private owner,  
10 but ultimately not on the train stations that are  
11 the ones that actually would have to get their act  
12 together, actually have to develop a plan,  
13 actually have to agree among themselves on the  
14 priorities of that plan and get the funding to do  
15 it, yet the leverage is being put on us, and that  
16 is why the case of Moynihan Station was so  
17 illustrative because there there is no MSG, there  
18 is no special permit, and yet the plan has changed  
19 dozens of times. First it was Amtrak, then it was  
20 Long Island Rail Road, then it was New Jersey  
21 Transit, then it was one phase, then it was three  
22 phases and at the end of the day, it is not  
23 happening. Only phase one is happening, so the  
24 leverage of the special permit doesn't make these  
25 things happen.

COUNCIL MEMBER COMRIE: I

understand that argument, and I would say only in response to that argument that we do need to do more to ensure that the government does its share. We do need to figure out a way to make sure that there is a final plan from the government and that there is a better way to ensure that the government can get its act together on those federal levels and to fund money for it, but I think there is a major concern as you know from tradition and one of the reasons why City Planning Commission was created because Grand Central Station was almost torn down, and the need to ensure that we have a transportation hub is I think a real concern which is why we are stuck with this special permit. There is no other way to ensure long term involvement unless there is some kind of that would transition new ownership, and I think that is the major concern, not the ownership that is there today, but the ownership that may be there tomorrow at MSG, so I understand that you are frustrated about that, but I think that there is a larger issue that we need to deal with the special permit as well. So I just want

1  
2 to thank you. I would still suggest building the  
3 hotel because I think that as I said earlier, your  
4 legacies would definitely especially since they  
5 are still broadcasting there, they could just go  
6 up in the evening as opposed to driving back to  
7 wherever they live at the moment. Thank you.

8 Thank you, Mr. Chair.

9 CHAIRPERSON WEPRIN: Thank you, Mr.  
10 Comrie. I am just going to call quickly on  
11 counsel to call the roll on Land Use number 850,  
12 which you heard before. Vinny Ignizio wants to  
13 vote.

14 COUNSEL: Council Member Ignizio?

15 COUNCIL MEMBER IGNIZIO: I vote  
16 aye.

17 CHAIRPERSON WEPRIN: Great. Thank  
18 you. I'd now like to call on Council Member Diana  
19 Reyna, who is joined by her son Adrian, and his  
20 hat over there has a blue and orange sash. I want  
21 to be clear has nothing to do with the Knicks.  
22 Council Member Diana Reyna from Brooklyn and  
23 Queens.

24 COUNCIL MEMBER REYNA: How  
25 appropriate. Thank you so much, Mr. Chair. I

1  
2 just wanted to take a moment. There was a lot of  
3 clarity by the line of questioning regarding the  
4 special permit and the number of years, and  
5 highlighting the fact that it is not about current  
6 ownership, but the future, and that is the dilemma  
7 in city government we always have is to be able to  
8 bring back parties that have to be brought  
9 together to have discussions for the betterment of  
10 our city. I just want to go through for the  
11 record, Staten Island Yankees are an arena more  
12 than 2500 seats, which would require a special  
13 permit and has no term limits on it. Correct?

14 LAWRENCE BURIAN: That is correct.

15 Lawrence Burian.

16 COUNCIL MEMBER REYNA: The Coney  
17 Island Cyclones, Mets also an arena of 2500 seats  
18 or more has no term limits as well. Correct?

19 LAWRENCE BURIAN: They didn't  
20 require a special permit.

21 COUNCIL MEMBER REYNA: The require  
22 a special permit and have no special permit term  
23 limit?

24 ELISE WAGNER: Elise Wagner. I am  
25 not familiar specifically with that stadium. I

1

2 can tell you certainly most of these other  
3 stadiums such as Citi Field is located in a city  
4 park. That may be true of the cyclones. I  
5 apologize. I don't know the answer that  
6 specifically.

7

LAWRENCE BURIAN: It has been  
8 clarified. It's Lawrence Burian. The cyclones--

9

COUNCIL MEMBER REYNA: If you could  
10 just state your name for the record, so the back  
11 and forth cane--

12

LAWRENCE BURIAN: Lawrence Burian.  
13 The cyclones are built on a city park, and  
14 therefore are exempt from zoning and therefore  
15 have no zoning requirements and certainly have no  
16 special permit or term.

17

COUNCIL MEMBER REYNA: Thank you  
18 very much. Ms. Wagner, you were mentioning Citi  
19 Field as an arena.

20

ELISE WAGNER: Elise Wagner. Yes.  
21 Citi Field would require a special permit if it  
22 were not located in a park. Parks are not zoned,  
23 and therefore it was able to be built without a  
24 special permit.

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COUNCIL MEMBER REYNA: And we have

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the Yankee Stadium--

ELISE WAGNER: Elise Wagner.

Yankee Stadium I believe is also built on parkland, and so it is in the same situation as Citi Field.

COUNCIL MEMBER REYNA: And Barclay Center.

ELISE WAGNER: The Barclay Center was built pursuant to a state, Empire State Development general project plan, so ESDC is a state agency and they were able to override the zoning, and that is why a special permit was not required for the Barclay Center with no terms.

LAWRENCE BURIAN: Lawrence Burian.

In each case, each of those other properties are either built on city parks or on government land with all the other dynamics at play and don't have a term of years.

COUNCIL MEMBER REYNA: And I just wanted to ask is there any other example of arenas that have not been mentioned with no special permit with no terms?

ELISE WAGNER: Elise Wagner. This requirement was put into the zoning resolution in

1  
2 1961. We did the research. The only special  
3 permits that we found were--

4 [background conversation]

5 ELISE WAGNER: There is no other  
6 arena. There was one other special permit that  
7 was granted in the past for a convention center  
8 type facility that was never built. Other than  
9 that, Madison Square Garden and the Staten Island  
10 Yankees are the only ones.

11 COUNCIL MEMBER REYNA: As far as  
12 the transit systems are concerned, right now is  
13 there any dollar budgeted amount that would give  
14 you the indication that conversations can continue  
15 in relationship to upgrading what would be Penn  
16 Station, rebuilding Penn Station?

17 JOEL FISHER: Joel Fisher. Nothing  
18 that we know of. And as Lawrence stated earlier,  
19 we have been meeting well over a year with the  
20 Pennvisioning group on plans and we have been very  
21 cooperative with them, but there is no funding.  
22 They don't have any funding to do anything. As  
23 Lawrence stated, they don't even have funding to  
24 put up the signage that we have given--

25 LAWRENCE BURIAN: [interposing]

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2 They say they do. I would also just note that all  
3 of the improvements that you saw here to the  
4 plazas to improve Penn Station is at MSG's  
5 funding.

6 COUNCIL MEMBER REYNA: So the Penn  
7 Station consortium of the different railways have  
8 not contributed to any of the upgrades at this  
9 moment?

10 LAWRENCE BURIAN: Not at - -

11 JOEL FISHER: Joel Fisher. None at  
12 all.

13 COUNCIL MEMBER REYNA: And any  
14 further upgrades below what would be the MSG site  
15 are not budgeted for any improvements or  
16 renovations of sorts to your knowledge?

17 JOEL FISHER: Joel Fisher. To our  
18 knowledge, no.

19 COUNCIL MEMBER REYNA: And--

20 LAWRENCE BURIAN: [interposing] I  
21 would say--it's Lawrence Burian--Pennvisioning  
22 submitted a letter to City Planning laying out  
23 their vision of improvements that could be done in  
24 collaboration with Madison Square Garden and that  
25 letter was submitted just a few weeks ago. We

1  
2 have been working them and collaborating with them  
3 to see what is achievable, but that letter to my  
4 knowledge does not articulate any source of  
5 funding for them to actually achieve anything that  
6 is proposed.

7 COUNCIL MEMBER REYNA: And the  
8 proposal is coming from...?

9 LAWRENCE BURIAN: Lawrence Burian.  
10 It is called a group called the Pennvisioning  
11 Group, which is a group organized by the three  
12 railroads at Penn Station to try and collaborate a  
13 vision for improving Penn Station with MSG at the  
14 location.

15 COUNCIL MEMBER REYNA: Do we have a  
16 copy of that letter? Thank you very much.

17 ELISE WAGNER: Elise Wagner. That  
18 letter is in the record of the City Planning  
19 Commission and certainly we would be happy to  
20 provide that to you, but it is in the record to  
21 the City Planning Commission.

22 COUNCIL MEMBER REYNA: Thank you  
23 very much. at this moment I have no further  
24 questions.

25 CHAIRPERSON WEPRIN: Thank you,

1  
2 Council Member Reyna. I would like to now call on  
3 Council Member Vincent Ignizio for a quick  
4 question.

5 COUNCIL MEMBER IGNIZIO: Thank you,  
6 Mr. Chairman, and thank you all for being here. I  
7 am sitting here with my colleagues and I am trying  
8 to have an understanding of why we would put a  
9 term on Madison Square Garden--why the city would  
10 desire or seek to, and really, the only thing I  
11 can come up with is that City Planning and overall  
12 city government wants more control over the site,  
13 and to have you have to come back every 15 years  
14 or 20 years or ten years, whatever the number is,  
15 sounds to me like it is city government flexing  
16 their muscle to have more control over the overall  
17 site. The only thing I am going to look at and  
18 the way I am going to cast my vote is based on  
19 what I think is in the best interest for New York,  
20 so I am going to pose that question to you as if  
21 you were sitting here. What is in the best  
22 interest for the citizens of New York to have in  
23 terms of Madison Square Garden in terms of your  
24 agreement, thinking not just as MSG  
25 representatives, but thinking about the public,

1  
2 those who use Penn Station and those who traverse  
3 the area every day for work, and those who live in  
4 the community.

5                   LAWRENCE BURIAN: I am so thrilled  
6 that--it's Lawrence Burian--I am so thrilled that  
7 you asked that question because I'd like to answer  
8 it in a number of ways. I think what is good for  
9 New York is number one, for the citizens of New  
10 York and the businesses in New York and the  
11 private property owners in New York to have  
12 confidence in the fair and non-arbitrary  
13 disposition of the laws of New York, and that  
14 folks should not have a view that a zoning process  
15 with specific requirements all of which have been  
16 satisfied by any measure and it's not an issue  
17 would not be used or abused to try to achieve  
18 other objectives that are unrelated to the issue  
19 that is supposed to be resolved, so I think that  
20 the confidence in our government institutions and  
21 the ability for private owners and businesses to  
22 invest in New York and grow New York with  
23 confidence is a very high priority. Number two, I  
24 would say that the term of years and the other  
25 things we are talking about are actually

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2 counterproductive to achieving the goal of  
3 improving Penn Station because it creates a  
4 dynamic where the railroads may feel that they  
5 have undue leverage to say that now we can sit  
6 back and wait for MSG to someone help solve our  
7 problems as opposed to saying that we are not  
8 going to use the levers or the police power of the  
9 state to impose on a private property owner so  
10 that the parties at the table who have been  
11 negotiating for years and working out these things  
12 collaboratively do so without an imprint of a  
13 government process that is unrelated, so we  
14 actually think it is counterproductive to those  
15 negotiations. Finally, Madison Square Garden  
16 itself is a thriving business and cultural icon in  
17 the heart of New York and I would suggest that the  
18 notion that MSG would be or that New York would be  
19 better off with MSG not in the heart of New York,  
20 not on its current location would be misguided,  
21 and in fact, I would assume that if MSG was here  
22 proposing any other site in Manhattan this room  
23 would be to more overflow capacity when people  
24 think about traffic and noise and environmental  
25 and the issues. We think New York is incredibly

1  
2 well-served by the fact that Madison Square Garden  
3 Sits on Penn Station and is able to provide the  
4 least disruption to New York in terms of traffic  
5 and environment ad all the other conveniences that  
6 it provides to sell out that building and to drive  
7 revenue and economics to New York so for all of  
8 those reasons we think that sitting in your chair  
9 the best outcome here is to treat this as any  
10 other zoning process and not to let the process be  
11 infected by other goals and issues that are  
12 unrelated and to recognize those overriding goals  
13 for New York.

14 COUNCIL MEMBER IGNIZIO: Thank you,  
15 and I agree. I don't think that should be taken  
16 into consideration notwithstanding the arguments  
17 or merits of anyone's position vis-à-vis your  
18 leadership role or union dispute or anything like  
19 that. I think what really ought be discussed is  
20 the process here, and that is what the Zoning  
21 Committee does. Do you believe or is it the  
22 position of Madison Square Garden that the special  
23 permit is a ministerial process that if you make  
24 the findings that it should be an automatic no  
25 term permit?

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LAWRENCE BURIAN: Lawrence Burian.  
I don't believe technically it is ministerial. I  
could turn that over the Elise, but I think that  
there are a list of--

COUNCIL MEMBER IGNIZIO:  
[interposing] I am just asking for your  
interpretation of it.

LAWRENCE BURIAN: I will turn that  
over to Land Use counsel.

ELISE WAGNER: It is clearly a  
discretionary process, but the City Planning  
Commission in its report stated that based on its  
discretionary view that we had made the funding so  
therefore, we believe that it is appropriate for  
us to obtain a special permit without a term.

COUNCIL MEMBER IGNIZIO: Can you  
tell me in your meetings with City Planning where  
the discussion of terms began and how that  
developed?

LAWRENCE BURIAN: Lawrence Burian.  
I think that the first we ever heard of this  
concept was through the ULURP process when it was  
recommended by the community board and the borough  
president raised the issue in their reports and

1  
2 therefore it became at issue in the City Planning  
3 Process. I am turning to Elise. I believe that  
4 is where it came from, and so it became a matter  
5 of public record. It became part of the ULURP  
6 process, and then it became with all due respect a  
7 big public and political dynamic.

8 COUNCIL MEMBER IGNIZIO: Okay. I  
9 appreciate your time, and I apologize to my  
10 colleagues because I said I was going to ask one  
11 question, particularly to Jessica, and I asked  
12 more than that. Listen, I just think that this -  
13 - and everybody I have spoken to on this side of  
14 the table wants and believes in Madison Square  
15 Gardens and what they bring to the city, and I  
16 just think that we are better served as a city for  
17 having Madison Square Garden there and ultimately  
18 the economic impacts - - but my colleagues most of  
19 which are concerned about is what if there is a  
20 better mousetrap we could build ten, 15, 20, 30  
21 years down the road and don't want to be hamstrung  
22 in saying we can no longer do that because a  
23 special permit was in perpetuity. Perhaps if  
24 there was a way you can term it then you have more  
25 leverage to discuss those things. that is what I

1  
2 think I am hearing on the opposite side of the  
3 spectrum that if there is a better way to build a  
4 better mass transit hub, perhaps this special  
5 permit would allow us to pursue that in a more  
6 concise and a more better way for the public than  
7 just having Madison Square Garden have that permit  
8 in perpetuity so you understand. Thank you very  
9 much, Mr. Chairman. I will wait to hear your  
10 response, but I am going to end my turn.

11 LAWRENCE BURIAN: First we very  
12 much appreciate your comments and whether it be 15  
13 years from now, or five years from now or 25 years  
14 from now, if there is a better mousetrap and there  
15 is funding and there is a plan that makes sense  
16 for everybody that is also respectful of us as a  
17 private business and is signed on by the various  
18 stakeholders and railroads, we would participate.  
19 We did that without a special permit dynamic and  
20 spend millions of dollars to try to do that at  
21 Moynihan Station, and we will participate with or  
22 without a special permit term to try and improve  
23 Penn Station. It is in our interest to make a  
24 more welcoming entrance to our building. It is  
25 just the issue or the fallacy that the special

1  
2 permit impacts that one way or another. 15 years  
3 from now we will just be back here having  
4 satisfied all the terms and conditions. We will  
5 have just spent millions of dollars in legal fees  
6 and costs and hearings and process, but at the end  
7 of the day, MSG will satisfy the conditions in 15  
8 years, and will just be at it again but it doesn't  
9 solve Penn Station's issues to put a term.

10 JOEL FISHER: I would like to add  
11 that in addition to the recent conversations we  
12 had about Farley and moving this is the fourth  
13 location of Madison Square Garden. We have proven  
14 over the years different owners that if it made  
15 business sense, we would move.

16 LAWRENCE BURIAN: I would say--  
17 Lawrence Burian--if there is an issue about a  
18 concern that Madison Square Garden wouldn't be  
19 owned by the Madison Square Garden company and how  
20 that might affect the special permit and I don't  
21 know what the legalities are of that consideration  
22 and the process, so I am not opining on it, but  
23 there are more simple ways to address that issue  
24 than a term of years.

25 CHAIRPERSON WEPRIN: Okay. I am

1  
2 going to call on Council Member Lappin from the  
3 east side of Manhattan and then we are going to  
4 try to wrap up on this panel.

5 COUNCIL MEMBER LAPPIN: So much has  
6 been said and asked and so I guess just to sort of  
7 pick up where Council Member Ignizio left off, I  
8 think there is--I understand this idea that it  
9 doesn't solve the problem of the Penn Station  
10 issue, but there is a feeling and a sense that it  
11 closes the door, and that it does make it much  
12 more difficult if not impossible to have some of  
13 these discussions, and the idea that I think it is  
14 great that you say that you would be willing to  
15 continue to discuss, but it is a different dynamic  
16 and this is a very unique space, Penn Station, and  
17 that has to inform the discussion, and I do think  
18 it is appropriate for us to be discussing this  
19 application in that context of what you sit over  
20 and what that means to the city, so I am not sure  
21 there is a helpful kind of round and round and  
22 round for us to go although I mean--feel free to  
23 say something, but--

24 LAWRENCE BURIAN: Lawrence Burian,  
25 I don't know if I am allowed to ask a question

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back, so--

COUNCIL MEMBER LAPPIN: You're not.

LAWRENCE BURIAN: I will ask it rhetorically. I am not sure in what way a special permit closes any doors, and that is the crux of the issue.

COUNCIL MEMBER LAPPIN: The idea that you would be sort of in perpetuity able to not be part of those discussions makes it more difficult for us to have the kind of discussion around planning over the next ten years that we should have.

LAWRENCE BURIAN: Let's just dissect that for a moment, right. It's Lawrence Burian. Thank you. If the notion is to use the special permit to keep open the door of potentially forcing MSG to change locations that is not a legal consideration for this process-- just as a matter of law. If the idea is that it is going to help pressure MSG to work with the railroads, there are serious issues of law there as well, and it is counterproductive. The question--

COUNCIL MEMBER LAPPIN:

1 [interposing] I don't see how it is  
2 counterproductive at all, and you said that  
3 before, and I actually think it is productive.  
4

5 LAWRENCE BURIAN: Let me give you  
6 an example. We are a private property owner. The  
7 railroads instead of taking the initiative and  
8 coming up and pushing for funding and coming up  
9 with a plan is now going to sit back and say  
10 alright, MSG, you want a special permit, you try  
11 to come up with the plan. That is backwards. It  
12 is dysfunctional. It is not the way it should  
13 work. They are now going to feel potentially  
14 emboldened to make asks of us that we couldn't  
15 possibly give and turn the dynamic into a leverage  
16 negotiation rather than a collaborative one. It  
17 is not--as soon as you put a thumb on the scales  
18 or an implied threat to a private business dealing  
19 with third parties, it changes the dynamic of  
20 those discussions. They have been nothing but  
21 collaborative. They have been nothing but  
22 productive, and we think it would be  
23 inappropriate.

24 COUNCIL MEMBER LAPPIN: I guess we  
25 will just agree to disagree on that point. I did

1  
2 want to ask about the signage and I know there was  
3 some back and forth about this, but I just want to  
4 know in simple terms is your current proposal  
5 conforming with what the borough president and the  
6 community board asked for?

7 ELISE WAGNER: Elise Wagner. When  
8 we met with the community board and the borough  
9 president, they suggested that perhaps the signage  
10 could be made smaller, and we have significantly  
11 reduced the size of the signage, so...

12 COUNCIL MEMBER LAPPIN: So it is  
13 now in conformance with what the borough president  
14 was seeking when his disapproved this application?

15 ELISE WAGNER: The borough  
16 president didn't provide a specific size. He  
17 requested it be substantially reduced, and that is  
18 what we have done.

19 COUNCIL MEMBER LAPPIN: So in your  
20 view, you are complying with the borough  
21 president's request?

22 ELISE WAGNER: Yes, we are  
23 consistent with the borough president's request.

24 COUNCIL MEMBER LAPPIN: Okay.  
25 Thank you.

1  
2 CHAIRPERSON WEPRIN: Thank you very  
3 much. Any other members of the panel have a  
4 question? Alright. We are going to finish up with  
5 this panel. Thank you very much. we are going to  
6 excuse you guys. We are going to move on. Now I  
7 just want to remind everybody about the ground  
8 rules. We are going to limit speakers from here  
9 on in to three minutes apiece, so if you can try  
10 to limit your remarks in your head we will try and  
11 be as strict as possible on that, and again, we  
12 are going to try to limit it to the topic at hand,  
13 which is the special permit. We can't discuss who  
14 the next point guard should be or anything like  
15 that as we decide. So I'd like to call up a panel  
16 in opposition, and then we will alternate to a  
17 panel in favor after this. I'd like to call on  
18 Dan Canter [phonetic], Bob Master from CWA, Bob  
19 Yaro [phonetic]. I have got one more, and the  
20 gentleman from the Municipal Arts Society I  
21 thought was on the list. I lost him. Here you  
22 are. Vin Cipolla [phonetic]. Are you here, Vin?  
23 I put you under paper. So gentlemen, whenever you  
24 are ready. The four of you we are going to try to  
25 limit you to three minutes, so you guys can decide

1  
2 who goes first. Okay. Whenever you are ready,  
3 Mr. Yaro, you want to start?

4 BOB YARO: Thank you very much,  
5 Council Weprin. Bob Yaro president of Regional  
6 Plan Association. Thanks for the opportunity to  
7 speak today to testify today. We urge the Council  
8 to deny the Garden's request for a permit in  
9 perpetuity and instead grant MSG a ten year  
10 special permit to provide time for redesigning  
11 Penn Station in conjunction with the new arena in  
12 another midtown location. A ten year permit will  
13 catalyze the public and private sectors to act now  
14 and work together to find a solution. We also  
15 strongly urge the Council to eliminate the  
16 loophole contained in the City Planning  
17 Commission's findings that would allow the Garden  
18 to strike a private deal with the railroads that  
19 operate within Penn Station and obtain a permit in  
20 perpetuity despite recommendations by city  
21 officials. This loophole would only require the  
22 sign off of the planning department avoiding any  
23 public review of a deal that would permanently  
24 saddle our city with a failed Penn Station. By  
25 approving a ten year permit would no loophole, the

1 Council will send a clear message that the  
2 continued location of the Garden over Penn Station  
3 should not be permanent and that a new and  
4 expanded station is urgently needed to meet the  
5 transportation and economic development needs of  
6 the city, the metropolitan area and the northeast.  
7 City Council has a unique opportunity to  
8 reenvision the future of Penn Station and Madison  
9 Square Garden, two of our city's most vital public  
10 spaces. The Alliance for a New Penn Station led  
11 by Regional Plan Association and my colleague, Vin  
12 Cipolla here from the Municipal Arts Society  
13 believes that New York deserves a world class  
14 train station and a world class arena. Currently  
15 we have neither. Some half a million commuters  
16 and visitors pass through Penn Station every  
17 weekday. It works out to about the same number of  
18 people who go to the Garden every year go through  
19 the station in less than a week. They grapple  
20 with severe overcrowding, grim corridors,  
21 unpleasant and indeed unsafe public area. The New  
22 York Metropolitan region has endured this  
23 depressing state of affairs for nearly half a  
24 century. Since the current makeshift Penn Station  
25

1  
2 was built in 1960s passenger volumes have  
3 increased to almost half a million daily trips and  
4 additional people go through the station. We  
5 expect that that number is in fact going to  
6 increase by 2030. We also believe that there is  
7 an opportunity to build a new station that the  
8 first step in the process is in fact for the City  
9 Council to make it very clear that the public  
10 policy of the City of New York is that the Garden  
11 does need to relocate, that we do need to get  
12 going with the design and construction of both a  
13 new Penn Station and a new Garden. You can't  
14 achieve that without relocating the Garden. The  
15 current problem is that we have 1163 columns that  
16 hold up the Garden that were there to hold up the  
17 original Penn Station that were not removed when  
18 the original Penn Station was demolished, and  
19 given the increase in passenger volumes, given the  
20 dramatic change in the way people travel today,  
21 the wheely bag [phonetic] is this great  
22 technological innovation of recent years was not  
23 anticipated when the station was designed, and  
24 imagine a thousand passengers getting off an  
25 Amtrak train and 800 of them, many of them senior

1  
2 citizens with wheely bags trying to maneuver  
3 around the 1153 columns on the platforms that are  
4 about half the width of current design standards,  
5 so as little 17 feet. The current design standard  
6 is 30 feet, so in any event unless you remove the  
7 columns, remove the garden, redesign the  
8 platforms, there is no potential to create new  
9 capacity in the station - - only limited  
10 potential. We believe that if the Garden would be  
11 relocated it creates the opportunity to design a  
12 new Penn Station to build a new Penn Station. The  
13 City has the opportunity to initiate this process.  
14 There is a federal railroad administration master  
15 plan being developed for the entire northeast  
16 corridor. Penn Station is the hub. At the  
17 moment, that master plan is proposing to design  
18 and finance new stations in Washington, Boston,  
19 Philadelphia, Baltimore--everywhere but here. You  
20 need to start the process now of getting us a new  
21 station and a new arena. Thank you.

22 CHAIRPERSON WEPRIN: Thank you, Mr.  
23 Yaro. Gentlemen, who wants to go next? State your  
24 name. The reason we are sticklers on the record  
25 is that someone is going to transcribe this, and

1  
2 they may have to read it later, and they need to  
3 know who is talking, and they won't hear the  
4 voices just so you know.

5 VIN CIPOLLA: Good morning. I am  
6 Vin Cipolla, president of the Municipal Arts  
7 Society of New York, and I want to thank our  
8 partner here, Bob Yaro and the Regional Plan  
9 Association. Much of what I am going to cover Bob  
10 has gone through as well in detail. Madison  
11 Square Garden sits on top of the most important  
12 train station in North America. Its presence has  
13 effectively frozen Penn Station in time. It  
14 stifles the station's growth, prevents significant  
15 improvements, and forces over a half million  
16 people a day to navigate the confusing, cramped,  
17 subterranean quarters of what is left of Penn  
18 Station. A better future for Penn is vital to the  
19 economic health and wellbeing of New York City and  
20 it is not a question of if we will need a new Penn  
21 Station, but when? Today we are confronted with  
22 what is a historic choice, what is the fate of the  
23 most important train station in North America and  
24 of Madison Square Garden? New York City deserves a  
25 first rate Penn Station and a first rate MSG. in

1  
2 order to ensure that we plan for the long term  
3 economic health of our city, we urge the City  
4 Council to take two specific actions: one, to  
5 create a ten year term limit on the special  
6 permit; two, to remove the loophole the City  
7 Planning Commission created, which would allow  
8 MSG, the three railroads and the Department of  
9 City Planning to make a determination about the  
10 future of Penn Station without any public review.  
11 Last month the City Planning Commission voted to  
12 limit Madison Square Garden's special permit.  
13 This decision acknowledges the significant issues  
14 facing the nation's busiest transit station, a  
15 station that will only experience increased growth  
16 in the coming decades. A ten year limit will  
17 allow the Garden to continue to operate, but will  
18 give the city an opportunity to plan for both an  
19 improved station and arena. As the City Planning  
20 Commissions recognized in their report, for MSG  
21 the Commission believes a new site could provide a  
22 modern, more generously sized event space and  
23 relief from some of the operating constraints at  
24 the current site. As MAS welcomes and appreciates  
25 the Commission's overall decision, we are deeply

1  
2 concerned about the loophole provision that would  
3 provide Madison Square Garden with a permit in  
4 perpetuity by striking a deal with the railroads.  
5 Such an agreement would only require the sign off  
6 of City Planning, avoiding any public review. The  
7 public and this body needs to be involved in  
8 future decisions about the fate of the most  
9 important transit facility in New York City and in  
10 the region. Thank you for the opportunity to  
11 speak before you today.

12 CHAIRPERSON WEPRIN: Thank you very  
13 much. I appreciate it. Keeping under the three  
14 minutes also, that is great. Mr. Master?

15 BOB MASTER: Chairman Weprin,  
16 Chairman Comrie, members of the Council, thank you  
17 for giving me the opportunity to testify today.  
18 My name is Bob Master. I am the legislative and  
19 political director of Communications Workers of  
20 America, District 1 and we represent 25,000  
21 workers and their families who live in New York  
22 City. Our members love this city. They are  
23 sports fans and transit users. They want New York  
24 City to be a world class leader when it comes to  
25 both professional sports and public

1 transportation. As a result our members share the  
2 concerns expressed just now about the future of  
3 Penn Station and Madison Square Garden. As riders  
4 of the subway, the Long Island Railroad and the  
5 New Jersey Transit, they are all too familiar with  
6 the shabby, depressing and constricted terminal  
7 that is the current Penn Station. They know we  
8 can do better. The expiration of MSG's special  
9 permit provides New York a unique opportunity to  
10 remedy the colossal architectural, historical and  
11 transportation error we made when the old Penn  
12 Station was demolished. Not only is the 50 year  
13 old Penn Station Madison Square Garden  
14 unattractive, even if it is iconic as Madison  
15 Square Garden claims, it is also a totally  
16 inadequate train station, but if we relocated MSG  
17 in the process making it the world class arena  
18 that New York deserves we can right these wrong  
19 sand improve the travel experience for the half a  
20 million people who use Penn Station every day.  
21 That almost certainly will not happen if Madison  
22 Square Garden is granted the unlimited operating  
23 permit it is seeking. Over the next decade, there  
24 will be a critical confluence of developments  
25

1 including as Bob Yaro Regional Plan Association  
2 has previously testified before City Planning, the  
3 completion of the LIRR east side access terminal  
4 near Grand Central, the completion of improvements  
5 at Moynihan Station and the completion of Amtrak's  
6 gateway tunnel project with two new tunnels under  
7 the Hudson River. These developments open a  
8 unique window of opportunity to at long last  
9 replace the current Penn Station with a world  
10 class railroad station appropriate for our world  
11 class city. That can only happen if Madison  
12 Square Garden is moved and the space above the  
13 rail center opened up to accommodate the  
14 necessities and amenities of a great train  
15 transportation hub. That is why we urge the  
16 Council to limit the renewal of MSG's special  
17 operating permit to ten years or less. The  
18 loopholes proposed by City Planning, which would  
19 give Madison Square Garden the ability to extend  
20 the permit if arena management strikes a deal with  
21 the rail agencies that use Penn Station are even  
22 more problematic. They would give one person, the  
23 director of the City Planning Department  
24 unilateral and unchecked authority to extend the  
25

1  
2 permit forever. Given the magnitude of the issues  
3 involved here that proposal is undemocratic and  
4 unacceptable. We want you to know that we also  
5 endorse the recommendations on the signage and  
6 lighting from Community Board 5 and borough  
7 president Stringer. Finally, as you know the  
8 Garden has paid no property taxes since 1982 when  
9 the administration granted an exemption to keep  
10 the Knicks and Rangers in the city. At the time  
11 in that climate, that might have made sense. 30  
12 years later, we know the Rangers and the Knicks,  
13 two of the most valuable and profitable franchises  
14 in the world of sports aren't going anywhere.  
15 Community Board 5 recommended the elimination of  
16 the abatement and urged the Council to make its  
17 elimination a condition of any extensions. We  
18 concur. Members of the Council, you have the  
19 power to ensure that Madison Square Garden doesn't  
20 prevent the city from reimagining Penn Station and  
21 bringing New York City's rail services into the  
22 21<sup>st</sup> century. I can remember that when I was  
23 growing up, my grandfather, a ladies' garment  
24 tailor worker, who immigrated from Russia worked  
25 in the garment center and lived in Brooklyn,

1  
2 mourned the destruction of the magnificent Penn  
3 Station. It was a loss that was felt at the  
4 deepest level of those who live in and love the  
5 city. In the next 15 years we have an opportunity  
6 to remedy that mistake and bring a great station  
7 back to the west side of New York. I urge you to  
8 use your power to ensure that opportunity is not  
9 squandered. Thank you.

10 CHAIRPERSON WEPRIN: Thank you, Mr.  
11 Master. Full disclosure. You are a Princeton  
12 guy. You must have been a big Bill Bradley fan.

13 BOB MASTER: I was.

14 CHAIRPERSON WEPRIN: I just want to  
15 be clear on that.

16 BOB MASTER: I was a great fan of  
17 the 1970 Knicks, but we may disagree now.

18 CHAIRPERSON WEPRIN: Yes, sir.

19 DAN CANTER: Chairman Weprin,  
20 Council Members, my name is Dan Canter of the  
21 Working Families Party. I am also here today  
22 because I want to urge the Council to urge this  
23 opportunity to seize this opportunity offered by  
24 the expiration of the special permit. We can use  
25 this to improve both Penn Station and the Garden.

1  
2 50 years ago, 1963, a prior generation of city  
3 leaders made a terrible mistake when we allowed  
4 the destruction of the old Penn Station. It  
5 wasn't just that we replaced a beautiful train  
6 station with a really monumentally ugly arena, the  
7 bigger mistake is that we refused to recognize  
8 that train service would continue to be a major  
9 form of intercity and intracity travel. About a  
10 half a million people use Penn Station daily. As  
11 anyone who has used it knows, it is crowded, it is  
12 hard to navigate, it is often plagued by delays.  
13 When you enter Grand Central you feel ennobled.  
14 When you enter Penn Station, you feel diminished.  
15 Similarly, Madison Square Garden, despite the  
16 renovations recently is old and outdate. Its  
17 glory days are gone despite the fantastic athletes  
18 sitting behind me at a time when the metropolitan  
19 area is building new arenas and rethinking other  
20 old arenas, we should definitely consider best  
21 ways to improve the Garden. It is not glued to  
22 its current location. It has had other locations,  
23 and it can have a new one. The ideal solution as  
24 has been commented and has been stated is to move  
25 Madison Square Garden to a new location and

1  
2 drastically improve Penn Station both above and  
3 below ground. The loopholes that the City  
4 Planning Commission added to their recommendations  
5 are terrible. It would give the rail agencies and  
6 the Garden should they make an agreement leaves  
7 all the power in the hands of one person to decide  
8 whether or not to allow the deal to go forward.  
9 The loophole should not be permitted. That is it.  
10 Thank you.

11 CHAIRPERSON WEPRIN: Thank you very  
12 much. I know there are a couple of questions  
13 here. Council Member Comrie has a question.

14 COUNCIL MEMBER COMRIE: Mr. Yaro,  
15 you mentioned in your testimony that there are  
16 alternate sites. Do you have these sites that you  
17 can illuminate for us?

18 BOB YARO: Well, as everybody knows  
19 the Garden needs a superblock site. It needs more  
20 than a single midtown city block and so there are  
21 a limited number of super block sites in Midtown.  
22 We are not likely to create new ones. I think  
23 probably the most likely site is the site of the  
24 Morgan postal annex. The decline in first class  
25 mail service, the potential is there for the

1  
2 postal service to consolidate those activities  
3 elsewhere. I think one of the reasons to proceed  
4 with a limit and to get this process going--

5 COUNCIL MEMBER COMRIE: I am sorry.  
6 The Morgan postal annex is where?

7 BOB YARO: It is between 37<sup>th</sup> and  
8 39<sup>th</sup> Street between 10<sup>th</sup> and 11<sup>th</sup> Avenues in--

9 COUNCIL MEMBER COMRIE: Are there  
10 subways that go there?

11 BOB YARO: It's about a block away  
12 from Penn Station, from - - .

13 COUNCIL MEMBER COMRIE: And who  
14 owns that property now?

15 BOB YARO: I am sorry. The United  
16 States Postal Service.

17 COUNCIL MEMBER COMRIE: Has this  
18 been a discussion with anyone on the federal level  
19 about obtaining that?

20 BOB YARO: There has been.

21 COUNCIL MEMBER COMRIE: Pardon me?

22 BOB YARO: Yes.

23 COUNCIL MEMBER COMRIE: And what  
24 level of discussion has there been had on the  
25 federal level about--

1  
2 BOB YARO: There have been private  
3 conversations with high level people at the postal  
4 service. Our understanding they ran I think it  
5 was a 13 billion dollar deficit last year. They  
6 are supposed to be a break even operation.

7 COUNCIL MEMBER COMRIE: Was this  
8 done by the mayor's office, the governor's office,  
9 the senator's office or just your office?

10 BOB YARO: Our office.

11 COUNCIL MEMBER COMRIE: Thank you.  
12 Any other sites?

13 BOB YARO: Yeah, I think there are  
14 other--there are possible other sites, but a  
15 limited number of sites, and I think one of the  
16 concerns that we all have is that if we are going  
17 to get a new Garden, which we think is important,  
18 we need to move quickly so that other sites--there  
19 are going to be decisions made about all of the  
20 other possible sites.

21 COUNCIL MEMBER COMRIE: And who is  
22 leading this discussion to find these sites?

23 BOB YARO: Well, I think it is up  
24 to the City Council and up to the city to--

25 [crosstalk]

1  
2 COUNCIL MEMBER COMRIE: In other  
3 words no one to date--there is no federal person,  
4 there is no congress member, there is no senator  
5 that is championing this discourse. This is just  
6 your proposal. I just want to be clear on that.

7 BOB YARO: I think it very clear  
8 that we are talking about this being your  
9 proposal. In fact it is really up to the city to  
10 provide some leadership on this issue.  
11 Fundamentally it is the city of New York that has  
12 been suffering with this situation for 50 years.  
13 it is really up to the city of New York to take  
14 the initiative here, and insist that the state and  
15 federal governments and the railroads rise to the  
16 occasion.

17 COUNCIL MEMBER COMRIE: So you are  
18 asking the Mayor's Office to champion this?

19 BOB YARO: I am asking you and the  
20 Mayor's Office, yes. It is the city of New York,  
21 and ultimately, it is up to this Council to  
22 provide the leadership and that is what we think  
23 is going to happen. we hope it will.

24 COUNCIL MEMBER COMRIE: Have you  
25 sent the Council find sites for large projects in

1  
2 your time in the Regional Plan Association? Had  
3 the Council ever sited large projects before?

4 BOB YARO: Yeah, the Council has  
5 provided leadership on a number of projects.

6 COUNCIL MEMBER COMRIE: We have  
7 added the projects, but we haven't sited projects.

8 BOB YARO: I guess what we are  
9 asking is that you provide the leadership on this  
10 now. This is before you at the moment.

11 COUNCIL MEMBER COMRIE: Thank you.  
12 Just one other question--

13 BOB YARO: [interposing] Just to be  
14 very clear the Morgan postal facility at 28<sup>th</sup> and  
15 30<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>, not 28<sup>th</sup>. I am sorry. I was  
16 misspoken.

17 COUNCIL MEMBER COMRIE: But you  
18 don't have any other sites that you can illuminate  
19 for us today?

20 BOB YARO: Well, I think back of  
21 Farley is still a possibly, Javits [phonetic]  
22 discussions have been in play about Javits and  
23 whether that is going to be a permanent fixture on  
24 the landscape.

25 COUNCIL MEMBER COMRIE: Those are

1  
2 just sites that people have been talking about in  
3 perpetuity that haven't had anything done as you  
4 know what happened with Javits is that is not  
5 going to be developed even though there were three  
6 different plans for it to be developed. Again, it  
7 would go back to where is--you are asking us as a  
8 city to provide leadership when we would have the  
9 least amount of dollars to put into a project that  
10 should be done on a federal level. With all due  
11 respect, Mr. Yaro, I don't agree with your  
12 supposition that we can lead on such a  
13 multimillion dollar project, but thank you. I am  
14 done.

15 BOB YARO: Thank you. I am  
16 suggesting that the city provides some leadership  
17 on this, and it begins with the City Council.  
18 Thank you.

19 CHAIRPERSON WEPRIN: You said that.  
20 Thank you. Mr. Wills has a question.

21 COUNCIL MEMBER WILLS: So they say  
22 that a sign of a good negotiation is everybody  
23 leaves the table happy, the sign of a successful  
24 negotiation is that nobody leaves happy. It seems  
25 as though we have turned a corner and gone to a

1 point where we want to go from 15 years to ten  
2 years for the term. At the same time, we are not  
3 speaking to the 981 million dollar investment that  
4 MSG has put in--private investment that they have  
5 put in already. We have brought up, which we  
6 weren't supposed to the tax incentives from other  
7 places in view of their place, but those tax  
8 incentives are twice as much as what MSG is going  
9 to get. We also are blaming MSG it seems for the  
10 congestion at Penn Station, but Penn Station is  
11 shared or is multi-partners. How do you see that  
12 it is fair to blame that on MSG when the Long  
13 Island Railroad just had a derailment that stalled  
14 traffic to 11 o'clock at night? How are the  
15 congestion aspects and different things like that  
16 to be blamed solely on MSG when it is shared by  
17 three transit hubs, three partners in that transit  
18 hub?  
19

20 BOB YARO: I don't think anyone--

21 COUNCIL MEMBER WILLS: You have to--

22 -

23 BOB YARO: I am Bob Yaro, president  
24 of Regional Plan Association. I don't think  
25 anyone is blaming the Garden for the situation at

1  
2 Penn Station other than--and as others have  
3 testified there was a disastrous decision made 50  
4 years ago by the City Planning Commission to  
5 permit the demolition of Penn Station and the  
6 location of the Garden there. As far as we know,  
7 it is the only place in the United States where  
8 this has ever been tried to collocate a major  
9 transportation facility and an arena of this  
10 scale, and it hasn't worked, and unlike the  
11 Atlantic Yards, which is also a transportation  
12 hub, - - there is no intercity traffic at all,  
13 marginal commuter rail services going in and out  
14 of the station, and of course those are the  
15 principal activities--it is the principal  
16 transportation hub in the city of New York in the  
17 northeast. It hasn't worked and so the first step  
18 in the process of developing a new station is in  
19 fact making the decision that the Garden needs to  
20 relocate, and then of course it really will be up  
21 to the city, the state and then the federal  
22 government and the railroads to--

23 COUNCIL MEMBER WILLS:

24 [interposing] If the Garden relocates what if they  
25 don't relocate here in New York? We lose the whole

1  
2 revenue based on the Knicks, the Rangers and the  
3 Liberty and all the car shows and everything else  
4 that the Garden holds. What happens if they  
5 relocate out of New York?

6 BOB YARO: Well, they used that  
7 argument to convince the state legislature to give  
8 them the tax abatement that they have today. I  
9 think that was probably a misguided decision. I  
10 don't think there is a real serious danger of  
11 that, but the only reason that could happen is if  
12 we don't seize the opportunity soon.

13 COUNCIL MEMBER WILLIS: Or is it  
14 that it can't happen now because we have already  
15 allowed them to invest almost a billion dollars,  
16 and who is going to walk away from a billion  
17 dollar investment?

18 BOB YARO: Look, I think everyone  
19 in the room probably agrees that it is important  
20 for the Garden, for the teams to be here, for the  
21 train station to be here. The Garden has  
22 relocated four times in its history to three  
23 different locations. It is possible to relocate  
24 again. It is not possible for the train station  
25 to relocate and that is what we are talking about

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today.

CHAIRPERSON WEPRIN: Mr. Master, do you want to add something?

BOB MASTER: Yeah. I think it is worth noting in terms of this issue of the Garden leaving that the Knicks are the most valuable franchise in the NBA. The Rangers are the second most valuable franchise in the NHL after the Maple Leafs. They are worth three to four times as much as the Islanders and the Devils. As you know, the Islanders are moving to the city, so it kind of defies reason to think that the Garden would relocate out of the city and give up the incredible value of those franchises, so I think that is a red herring I think.

COUNCIL MEMBER WILLS: But Mr. Master, isn't it the opposite of that argument the Nets coming to Brooklyn? They weren't in Brooklyn-

[crosstalk]

BOB MASTER: There is more money to be made in the city.

COUNCIL MEMBER WILLS: Yeah, but it was made in the city by an initial investment. It

1  
2 was made in the city by New York Knicks, the  
3 Rangers and the Liberty already being here for 50  
4 years and building on that. We have had ups and  
5 downs with the teams. I am not a sports fan at  
6 all, but New York has been in love with the Knicks  
7 because of the heart of New York. But how do you  
8 expect someone to take an investment of a billion  
9 dollars, and now just up and move that investment  
10 or say that they should only get a permit for ten  
11 years to meet--and everyone at the table are  
12 expert negotiators--to meet benchmarks that seem  
13 not likely in this the very nature of them having  
14 multi-partners to deal with.

15 CHAIRPERSON WEPRIN: Just quickly  
16 respond to that if you want. You don't have to.

17 MALE VOICE: All I would say is  
18 that I think the question before the Council here  
19 today is balancing the public's interest in having  
20 a world class train station against the private  
21 interests of the Garden to make money, which they  
22 have done extremely successfully under the current  
23 circumstances. They didn't invest 981 million  
24 dollars in the Garden out of the goodness of their  
25 hearts. They did it to increase the profitability

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of the arena.

COUNCIL MEMBER WILLS: But if a compromise was struck that the term was extended and the conditions was met, and there wasn't City Planning, but it had to come back for City Council review in a public procedure.

BOB MASTER: It seems to me that-- Bob Master, CWA--it seems to me that is what we are recommending.

COUNCIL MEMBER WILLS: No, what you are recommending it to be shortened from 15 years as suggested to ten years. I am asking about the extension of the term, and the fact that after the term is extended when it is met, it comes back to the City Council not by administrative review for City Planning.

BOB MASTER: I would defer to Mr. Yaro on that.

CHAIRPERSON WEPRIN: Just briefly, Mr. Yaro, if you can.

COUNCIL MEMBER WILLS: That is my last question.

BOB YARO: We think it is very appropriate for the City Council to act on an

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2 issue of this importance. We believe that getting  
3 this right is fundamental to the long term  
4 wellbeing of the city of New York and that is very  
5 appropriate for the Council to act on this.

6 COUNCIL MEMBER WILLIS: So you feel  
7 it is more appropriate for it to come back to the  
8 City Council and public review.

9 MALE VOICE: Absolutely.

10 CHAIRPERSON WEPRIN: Mr. Ignizio?

11 COUNCIL MEMBER IGNIZIO: Thank you.  
12 So how would this work in the way you see it, and  
13 once again, I want to reiterate for anybody for  
14 you all I don't have a dog in this race. I don't  
15 know how I am voting on this at this stage. I  
16 think Madison Square Garden is a vital part, and  
17 I do--there are some things I agree with, some  
18 things I disagree with what you all said. I think  
19 the current market of sports franchises is to go  
20 for the better deal, to go for the newer facility,  
21 and I think that the Knicks are only as grounded  
22 as our ability to keep them and keep the seats  
23 full and will look to other markets once that goes  
24 down. Not Knicks per se, I just mean any arena or  
25 any of the franchises. How would it work? Let's

1  
2 pretend Madison Square Garden stands up or down  
3 and says, you know what, you guys you are right.  
4 We are going to agree to a 15 year permit and all  
5 of you at the table, let's all work together to  
6 try to find a place to go. I remember in this  
7 very room Rudy Giuliani when he was mayor at a  
8 state of the city address announced we were moving  
9 Madison Square Garden, and that never came to  
10 pass. They own the land, we all know that. So  
11 what would happen? Would government come in, buy  
12 them out of their land rights, and then seek to  
13 move them in a place where it is mutually  
14 accepted? How would it work from your perspective?

15 BOB YARO: Sure. This is Bob Yaro,  
16 Regional Plan Association. I think this is going  
17 to be an extended negotiation between the Garden  
18 and the City and the state of New York. I think  
19 all of these major projects in the state of New  
20 York and Empire State Development have played a  
21 role whether it's Times Square, Atlantic Yards and  
22 has been discussed earlier the state's resources  
23 are probably important to be there. Amtrak is a  
24 federal property, so I think the railroads and  
25 Amtrak and the federal government will be involved

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as well.

COUNCIL MEMBER IGNIZIO: Would it be bought out? Is that what would happen?

BOB YARO: No, I think what will happen is that the first step is you taking this action. I think we will then see action taken by the Federal Railroad Administration to incorporate plans for a new Penn Station in the NED future master plan for the northeast corridor of its being--they are 18 months into a three year long process, and that that will be incorporated into that process. The federal government the Congress is expected to act on a new federal rail authorization when the current one expires at the end of this year. We have the opportunity then to include funding authorization for a new station, which we estimate to be in the 3.6 to four billion dollar range. I think there will be a negotiated deal between the Garden and the city and the state and the railroads to relocate the Garden and to build a new station. That is what needs to happen.

COUNCIL MEMBER IGNIZIO: In the interest of time, you have been in the business a

1  
2 very long time. I was a state assemblyman prior  
3 to this, now I am a city council member. I was a  
4 staff member for a long time in this body, and you  
5 couldn't get an intersection done in this city in  
6 a ten year timespan--literally an intersection.  
7 There is one particularly in my district that took  
8 14 years to build an intersection, so where does  
9 the ten year number come from you guys and why  
10 wasn't it 15 or five or 25? Is there a basis to  
11 that or let's say ten years out of curiosity?

12 BOB YARO: Well, as Mr. Master  
13 testified the ten years that timeframe is being  
14 driven by this window of opportunity that opens up  
15 when the east side access project, the new Long  
16 Island Rail Road Terminal next to Grand Central  
17 opens. Amtrak is planning the Gateway and Penn  
18 South projects again to open in about 2023.  
19 Moynihan Station we believe can be online at about  
20 that point, and that creates the opportunity then  
21 for the phased reconstruction of Penn Station.  
22 You need to do it a couple of tracks and platforms  
23 at a time, probably at over about a ten year  
24 period. So a window of opportunity opens about  
25 2023, 2024 begins to close about ten years later

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2 because of the increase in passenger demand and  
3 traffic in the station, which makes it difficult  
4 to do that phased reconstruction of the station.  
5 That is the reason for the ten year window.

6 COUNCIL MEMBER IGNIZIO: So from  
7 the panel currently up here we don't have any  
8 alternative sites, right? Is that my  
9 understanding. Outside of Javits I heard was one  
10 of them, but other than that, they should move and  
11 kind of like a dot, dot, dot, but nobody has any  
12 idea where?

13 MALE VOICE: Well, we think the  
14 Morgan Postal Annex site is probably the most  
15 likely place. There are other locations. Again,  
16 another reason for this, Council, to act today and  
17 for this whole process to get going is that  
18 decisions will be made by the postal services.  
19 Decisions will be made by the owners of these  
20 other superbblock sites that will begin to close  
21 these opportunities, and if you want to see the  
22 Garden relocate outside of Manhattan or outside of  
23 the city that would be a nice way to do it.

24 COUNCIL MEMBER IGNIZIO: Thank you  
25 very much, Thank you, Mr. Chair.

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2 COUNCIL MEMBER WILLIS: Councilman  
3 Comrie has a follow up question, Mr. Chair?

4 CHAIRPERSON WEPRIN: I am going to  
5 call on Mr. Comrie.

6 COUNCIL MEMBER COMRIE: Just check  
7 with the Chair, Chair Weprin, to find out that the  
8 question on whether or not we had gotten any  
9 details or issues or feedback from Regional Plan  
10 Association about these ideas prior to the  
11 meeting, and I found out that he did meet with  
12 Council Member Weprin. I didn't have the  
13 opportunity to meet with you nor have I had the  
14 feedback from you since I have been chair, so I  
15 was just concerned about that, so I just wanted to  
16 put that on the record. Thank you.

17 CHAIRPERSON WEPRIN: Thank you, Mr.  
18 Comrie. Council Member Reyna?

19 COUNCIL MEMBER REYNA: Thank you,  
20 Mr. Chair. I just wanted to note there was a  
21 reference of 2025, 2020 as far as years were  
22 concerned and I am looking at a letter was issued  
23 to Amanda Burden as chair of the New York City  
24 Planning Commission and there is a mention of the  
25 study partners who seek to provide a comprehensive

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2 road map for both incremental near term  
3 improvements and guide more extensive longer term  
4 major construction aimed at delivering a  
5 transformed Penn Station facility by 2025. One  
6 could argue that if the date in which a delivery  
7 of what would be an aimed long term improvements  
8 to be communicated to the City of New York that  
9 would be dated 2035 that we could certainly extend  
10 this particular special permit for that year as  
11 well.

12 BOB YARO: There are two things  
13 going on here--the railroads--

14 COUNCIL MEMBER REYNA:  
15 [interposing] If you could just--

16 BOB YARO: Bob Yaro, Regional Plan  
17 Association. You are referring to a letter from I  
18 believe it was sent by the MTA on behalf of the  
19 pending vision collaborative between--

20 COUNCIL MEMBER REYNA: This is on  
21 behalf of the MTA, New Jersey Transit as well as  
22 Amtrak.

23 BOB YARO: What they are referring  
24 to is a planning process called the Pennvision  
25 [phonetic] study, which they initiated a couple of

1  
2 years ago, and what it was, it was to look at what  
3 the incremental improvements to the station might  
4 be if the Garden were an immovable object, if the  
5 Garden were not to be relocated. And there are  
6 some things that you can do, but what you cannot  
7 do, and the recognized this that you cannot change  
8 the fundamentals of the station, you can't remove  
9 the 1153 columns supporting the Garden you can't  
10 redesign the tracks and the platforms and the  
11 vertical circulation and the elevators and  
12 escalators and stairways and so forth. Those are  
13 the fundamental things that have to be changed.  
14 None of that can change. You can make some modest  
15 improvements in access and egress that would bring  
16 you up to minimal safety standards, and you can't  
17 even meet ADA standards.

18 COUNCIL MEMBER REYNA: Mr. Yaro,  
19 right now as of right, the Madison Square Garden  
20 lot is buildable for a tower, a commercial tower.  
21 Is that not right?

22 BOB YARO: The Garden--

23 COUNCIL MEMBER REYNA:  
24 [interposing] I just want a yes or no answer  
25 'cause we are time limited.

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2 BOB YARO: I think the answer is  
3 no. They own the right--

4 COUNCIL MEMBER REYNA:  
5 [interposing] It is not as of right?

6 BOB YARO: They own air rights over  
7 the station. They would have to have the  
8 agreement of the other co-owners of that lot,  
9 which include Amtrak, New Jersey Transit and - - .

10 COUNCIL MEMBER REYNA: Mr. Yaro, I  
11 don't think we are speaking the same language. Is  
12 the size of the lot above the transit system  
13 buildable as of right for a commercial tower?

14 BOB YARO: Buildable as of right  
15 under zoning, but not without the permission of  
16 the - - .

17 COUNCIL MEMBER REYNA: Under the  
18 Zoning law, which is what we are referring to  
19 right now, it is as of right a buildable lot for  
20 commercial tower.

21 BOB YARO: There are semantics  
22 here. From a zoning perspective, yes. From a  
23 practical perspective, no.

24 COUNCIL MEMBER REYNA: Well,  
25 practicality right now is that this is a Zoning

1  
2 Committee and we are talking about as of right  
3 commercial construction versus what you are  
4 proposing to have a limited special permit allowed  
5 in order to have discussions that may or may not  
6 happen in regards to an upgrade to the Penn  
7 Station that we have been talking about for how  
8 many decades?

9 BOB YARO: This is the first time  
10 that there has ever been a discussion about  
11 changing the zoning--changing the special zoning  
12 permit.

13 COUNCIL MEMBER REYNA: No, the  
14 special zoning permit was issued already and it is  
15 just being renewed.

16 BOB YARO: That is right. First  
17 time in 50 years that it has been renewed.

18 COUNCIL MEMBER REYNA: In the last  
19 50 years has there been any applications for tiger  
20 grants [phonetic] for Penn Station?

21 BOB YARO: No.

22 COUNCIL MEMBER REYNA: Has there  
23 been an application to the federal government for  
24 tiger grants?

25 BOB YARO: No, there is a tiger

1  
2 grant that was applied for and it received for the  
3 first phase of Moynihan Station.

4 COUNCIL MEMBER REYNA: And the  
5 Moynihan Station did receive how many rounds of  
6 tiger grants?

7 BOB YARO: One round.

8 COUNCIL MEMBER REYNA: One around,  
9 so the public investment has been made with the  
10 Moynihan Station unlike what would be the Penn  
11 Station discussions.

12 BOB YARO: Yes, separate parcels,  
13 separate project.

14 COUNCIL MEMBER REYNA: So we have  
15 no further movement on Penn Station upgrade  
16 construction beyond what would be the discussion  
17 of a lot of hearsay and speculation of wanting to  
18 do something as opposed to the dollars that have  
19 been in the federal government issued to other  
20 stations and plans like the Moynihan Station.

21 BOB YARO: There is a master plan  
22 process underway by the federal railroad  
23 administration called NEC future that began about  
24 18 months ago. It is a three and a half year long  
25 planning process. It is master planning and doing

1  
2 the tier 1, the preliminary environmental impact  
3 reviews for the entire northeast corridor. Penn  
4 Station is the hub, half of the inter city traffic  
5 in the northeast corridor originates or ends in  
6 Penn Station. The presumption in that study up  
7 until now is that the Garden is not going to be  
8 relocated. The first step in this process is the  
9 City Council deciding - - that it is a policy of  
10 the city of New York that the Garden should be  
11 relocated that will then trigger action by the  
12 Federal Railroad Administration to consider the  
13 design of a new station as part of the master plan  
14 for the northeast corridor.

15 COUNCIL MEMBER REYNA: Mr. Yaro, I  
16 have never met with you. I have sat on the Zoning  
17 Committee--this is my fourth year. I am a three  
18 term member, and this is the first time I hear you  
19 mention the City Council coming before the City  
20 Council for discussions of Madison Square Garden  
21 having to be relocated for the purposes of Penn  
22 Station to be reconstructed. Having said that, I  
23 just want to go back to the letter that was issued  
24 regarding Penn Station facility by 2035 we could  
25 easily certainly generate what would be concurrent

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2 possible date as 2035 being the preferred term  
3 limit as opposed to ten, 15, no term limit option  
4 considering that this is the only formal  
5 communication we have received from this group of  
6 three railways in relationship to this discussion.

7 BOB YARO: I'll be very clear.

8 That letter refers to a project that was  
9 predicated on the notion that the Garden would not  
10 be relocated in the event that the Council were to  
11 decide that it is the policy of the city of New  
12 York to limit the term and that the Garden should  
13 be relocated I think that in fact you would be  
14 initiating a process with the railroads of  
15 reconsidering that master plan.

16 COUNCIL MEMBER REYNA: I certainly  
17 appreciate your comments, but I believe that with  
18 no funding in place and no proposal issued to the  
19 federal government and this being the first  
20 conversation of any mention regarding what would  
21 be the reconstruction that may or may not happen  
22 of Penn Station in relationship to this special  
23 permit falls short and we have to enact what would  
24 be in the best interest of the city of New York  
25 with relationship to Madison Square Garden and not

1  
2 seeing what would be another Ebbit's Field  
3 [phonetic]--I am not a sports guru here--Ebbit's  
4 Field is the closest I know of how we were not  
5 able to come to terms with, how the city did not  
6 act and no one else stepped in and we certainly  
7 saw the results of that particular arena.

8 BOB YARO: Let me just point out in  
9 response to that the zoning resolution requires  
10 that the City Planning Commission and the City  
11 Council make a finding in order to improve a  
12 special permit of this kind, that the benefits to  
13 the public outweigh the disbenefits to the public,  
14 and I think it is impossible for you to make that  
15 finding. Thank you.

16 CHAIRPERSON WEPRIN: Thank you, Mr.  
17 Yaro. Thank you, Ms. Reyna. We want to excuse  
18 this panel. Thank you very much for your  
19 cooperation. We are now going to move into a  
20 panel in favor. Again, we are going to limit  
21 people to three minutes. I would like to call up  
22 the following people for this panel, Spike Lee,  
23 Kathy Wylde [phonetic], James Claffey [phonetic],  
24 on behalf of Steve Spinola from the Real Estate  
25 Board Mr. Slattery and Dick Andersen [phonetic]

1  
2 from the New York Building Congress. Those five  
3 people. I think we have five chairs there. I'll  
4 let you guys figure out how to go first. - - You  
5 guys ready? Me. Lee whenever you are ready,  
6 please start. Just state your name for the record  
7 and we will put you on a three minute clock.

8 Thank you.

9 SPIKE LEE: Spike Lee, filmmaker  
10 from the republic of Brooklyn, New York. My  
11 father used to take me to the old Garden before  
12 they relocated to the new Garden, and I - - with  
13 my student government card in we called it the  
14 blue seats. So I grew up--Walt Frasier was my  
15 favorite player--hero, along with Joe Namath,  
16 Muhammad Ali, and Willie Mays, and then we had - -  
17 , and those are my guys. I was at Game 7 when  
18 Willis limped onto the court. I was there, and I  
19 heard these guys kept talking about the public.  
20 Who do they think goes to the Garden? That is the  
21 public. I don't understand how--they own the  
22 land. You are telling them they have got to move?  
23 But where? I don't understand where they would  
24 move, and I don't understand why Long Island  
25 Railroad, Amtrak, they can't go where the post

1 office is. Also, there were several references to  
2 we need a world class Penn Station, a world class  
3 Madison Square Garden. Have those guys stepped  
4 into the new Garden yet? They spent almost 800  
5 million dollars on the renovation of the Garden.  
6 There is not an arena in the United States of  
7 America that is going to be as good as the Garden.  
8 Also, it is called the world's most famous arena.  
9 You just don't move from that. When visiting  
10 teams come to the Garden, it is someplace special.  
11 There is no coincidence why Jordan, LeBron, Kobe--  
12 sorry if I'm leaving out some hockey, Rod. When  
13 you come to the Garden, it is the Mecca and the  
14 Garden is just as important as MOMA, Lincoln  
15 Center. It is part of the culture of New York  
16 City, and I just listened to these guys speak. It  
17 seemed like they never stepped foot in the Garden.  
18 They kept referring to subpar. - - if they have  
19 seen the transformation that has taken, and for  
20 me, also I would like to say I am not paid by the  
21 Garden. I got my reason tickets the day after we  
22 got Patrick Ewing in the lottery pick, so I was in  
23 the blue as a kid, and I worked my way down to  
24 courtside. I pay for my seats. I am not here on

1  
2 behalf of the Garden. I am here speaking as a New  
3 Yorker. I do not think that it is feasible that  
4 Madison Square Garden be moved. The guy said--  
5 where is this new place he said? The post office?

6 CHAIRPERSON WEPRIN: Farley post  
7 office?

8 SPIKE LEE: No, no. He said  
9 another place. How far is that to the subway? For  
10 me the Garden is being blamed for what is  
11 happening underneath. The own the land and expect  
12 them after spending close to a billion dollars on  
13 renovation go find another location--who knows how  
14 much that is going to cost, just the land, and  
15 then build another Garden on top of that? Where is  
16 all this money coming from? New York City is  
17 closing schools. New York City is closing  
18 schools. All of a sudden this money is coming out  
19 of nowhere to fund Penn Station? This is fairytale  
20 land over here.

21 CHAIRPERSON WEPRIN: I don't mean  
22 to cut you off, but thank you. We have a lot in  
23 common. I am still in the blue seats.

24 SPIKE LEE: You have got to make  
25 some movies.

1  
2 CHAIRPERSON WEPRIN: I did have the  
3 Puma sneakers. Did you have the Puma sneakers?

4 SPIKE LEE: Yes, before Nike came,  
5 I was wearing Pumas.

6 CHAIRPERSON WEPRIN: Ms. Wylde?  
7 Thank you.

8 KATHY WYLDE: Kathy Wylde,  
9 president and CEO of the Partnership for New York  
10 City. Partner's business leadership organization.  
11 We recently published a jobs blueprint, which made  
12 the point that the most important thing we have to  
13 do in the city to keep our economy growing and  
14 going and to create the jobs we need so  
15 desperately right now for people here is leverage  
16 our existing assets. There are few assets that  
17 are more important, more job generating than  
18 Madison Square Garden with 6,000 middle class and  
19 high paid jobs, and being a magnet that has helped  
20 make this city number one in tourism in the  
21 country, and to ignore that and to as in the  
22 previous panel's discussion to ignore that this is  
23 a private business that is contributing enormously  
24 to the city of New York and that is something that  
25 we have to pay attention to and then to look at

1  
2 yes, we were big supporters of the Farley Station.  
3 We were big supporters of investment in public  
4 transportation, but the fact is, we have 20  
5 billion plus outstanding in capital funding for  
6 projects that are underway not including any  
7 project with Penn Station that we don't have funds  
8 to pay for. We need the revenues. We need the  
9 support we need the jobs right now, and I think  
10 that the questions that were raised in the last  
11 panel are important in pointing out that from the  
12 city's standpoint the public interest is to make  
13 sure that the people who are working at Madison  
14 Square Garden continue to have jobs, which I know  
15 is going to be addressed and to make sure that the  
16 city does not do anything to diminish this  
17 important private sector asset. Madison Square  
18 Garden demonstrated for three years they held off  
19 the renovation of their building that they are now  
20 making, the investment that they are now making as  
21 part of a team partnership effort to make Moynihan  
22 Station and the Penn Station expansion happen.  
23 they waited three years, and they saw at the end  
24 of that period that it wasn't happening at this  
25 point in time. To hold them up now to interfere

1  
2 as City Planning has suggested with their business  
3 plan on the signage and dictating what the quality  
4 of their business activity is is just taking the  
5 intervention too far. We should be partners and  
6 what we are looking for is partnership between the  
7 city, the City Council and private sector  
8 business. I think MSG has come with a proposal  
9 looking for the same thing, and I hope you will  
10 support them.

11 CHAIRPERSON WEPRIN: Thank you, Ms.  
12 Wylde. Okay. Mr. Claffey, please state your  
13 name.

14 JAMES CLAFFEY JR.: Mr. Chairman,  
15 how are you? Council Members on the Zoning and  
16 Franchises Subcommittee, I do know most of you,  
17 and for those that don't know me, my name is James  
18 Claffey, Jr. I am president of Local 1 of the  
19 International Alliance Theatrical Stage Employees.  
20 I would like to first suggest before I ask for  
21 your approval to read some of my own comments. I  
22 did also hear the comments made by the prior  
23 panel, and I agree with Mr. Lee's comments.  
24 Whatever political agendas that we have in the  
25 City of New York, whatever liaisons, whatever

1  
2 objectives that we serve, Madison Square Garden is  
3 our arena and New York should take pride in the  
4 fact that that is our arena, the world famous  
5 arena, but the world's greatest arena, and it is  
6 the very fact that it is world renowned and people  
7 recognize it for anybody to say that it is subpar  
8 or ugly, I take exception to that on behalf of my  
9 members and on behalf of the fact that we are New  
10 Yorkers that happen to take great pride in that  
11 arena. My members join with up to two dozen  
12 unions in Madison Square Garden that take great  
13 pride in keeping Madison Square Garden to where it  
14 should be and setting up and operating and making  
15 all of us proud as New Yorkers of what Madison  
16 Square Garden represents, and again, I take  
17 exception to anybody that says those unkind words  
18 about New York's arena. With that, Local 1 of the  
19 IATSC represents 3200 stagecraft employees which  
20 make up live theater, live television and scenic  
21 that build all the sets and scenery for the city  
22 of New York. I have hundreds of members employed  
23 by Madison Square Garden, not in just the arena,  
24 but in the other locations that were spoken about  
25 prior. Our members enjoy working at Madison

1  
2 Square Garden. Our members take great pride in  
3 saying the work at Madison Square Garden, and  
4 again, two dozen unions that work inside that  
5 arena we have a lot to say about our concerns for  
6 the future. I appreciated Council Member Wills'  
7 line of questioning on the prior panel and to just  
8 ask the question, what if Madison Square Garden  
9 were to leave the city of New York and anybody can  
10 say it is unlikely, but we are not willing to take  
11 the chance. We have hundreds of people employed  
12 and we are not willing to take that chance. With  
13 your approval, Mr. Chairman, I would just like to  
14 read some comments.

15 CHAIRPERSON WEPRIN: Sure.

16 JAMES CLAFFEY JR.: Madison Square  
17 Garden is an important economic anchor for New  
18 York City. There are shows, concerts and events,  
19 over 400 a year with Sundays having multiple  
20 events attract the world to Madison Square Garden.  
21 Those shows mean steady work for union members and  
22 revenue for the city of New York. Throughout each  
23 of local 1's negotiations with Madison Square  
24 Garden, we have found the company's management to  
25 be fair and reasonable. We have always come to an

1  
2 agreement on issues concerning decent wages and  
3 benefits and we expect to continue to do so for  
4 many years to come. Just as we have found Madison  
5 Square Garden to be respectful and appropriate of  
6 its workforce at labor negotiations we hope, we  
7 sincerely hope that the Council will be fair and  
8 acknowledge the important role that Madison Square  
9 Garden plays in New York City. Madison Square  
10 Garden employs approximately 6,000 people, injects  
11 over a half billion dollars into the local economy  
12 and draws more than 200 million dollars in offsite  
13 spending from people visiting New York to attend  
14 events--

15 CHAIRPERSON WEPRIN: [interposing]

16 If you can just wrap up, Mr. Claffey.

17 JAMES CLAFFEY JR.: I will.

18 Madison Square Garden remains the world's most  
19 famous arena. It cannot be restricted by an  
20 arbitrary time limit that will impact the Garden's  
21 ability to secure events, jeopardizing the  
22 thousands of highly paid unionized professional  
23 and skilled jobs Madison Square Garden supports  
24 and the million dollars in revenues it generates  
25 for the city. MSG's billion dollar transportation

1 [phonetic] that is currently under way will only  
2 enhance the Garden's impact and importance in the  
3 local economy. Local 1 and you will hear from  
4 other union leaders hope that the City Council  
5 will think about our members, their families, our  
6 children and the future of the city by approving  
7 Madison Square Garden's application.  
8

9 CHAIRPERSON WEPRIN: Thank you,  
10 Jim. I am sorry to cut you off. We have got a  
11 lot of people left to testify, and I just have to  
12 keep it somewhat close. Richard Andersen, are you  
13 going to go next?

14 RICHARD ANDERSEN: I am.

15 CHAIRPERSON WEPRIN: Please state  
16 your name.

17 RICHARD ANDERSEN: Mr. Chairman, I  
18 am Richard Andersen, president of the New York  
19 Building Congress and past president of Regional  
20 Plan Association although I don't endorse the  
21 views of that organization at this point. The  
22 Building Congress strongly supports Madison Square  
23 Garden's application for a renewed special  
24 operating permit. Efforts, Mr. Chairman, to amend  
25 the special permit resolution and restrict the

1  
2 garden's ability to operate represent a failure of  
3 government, a failure to plan for the future of  
4 the Penn Station area, a failure to develop public  
5 private partnerships, and a failure to bring the  
6 city together with the state on a long range  
7 development agenda. Madison Square Garden has  
8 operated in New York City for more than a century  
9 and a quarter and is now completing a nearly one  
10 billion dollar renovation of its current home as  
11 we all heard. The Garden provides thousands of  
12 quality jobs--we have heard about that--at all  
13 skill levels, and we have heard about the strong  
14 and positive economic impact of the garden for the  
15 city's economy. The Building Congress like others  
16 would like to see a revitalized and expanded Penn  
17 Station, a station worthy of this city and capable  
18 of serving the hundreds of thousands of people who  
19 use it every day, but we should not hold the  
20 private owner responsible for thousands of jobs  
21 and who must make a rational long term business  
22 decision to be forced to operate under a cloud of  
23 permanent uncertainty with its primary asset.  
24 That is not good for the Garden, and it is not  
25 good for the city. Mysteriously the ULURP process

1  
2 has been used to threaten MSG and its ownership  
3 with termination of its right to operate, yet MSG  
4 ha absolutely no control over convening multiple  
5 public agencies coordinating what will be a long  
6 term planning process assembling a massive  
7 financing plan and finally, executing one of the  
8 most complex infrastructure in the city's history.  
9 This job is the sole responsibility of government.  
10 We must have forceful coordinated leadership from  
11 the city, state and federal governments. If we  
12 have got to realize of a new Penn Station, the  
13 burden must be on government, and advocates for an  
14 improved Penn Station to advance the vision of a  
15 new transportation core at this site; therefore,  
16 instead of using the special permit process we  
17 must challenge government, not MSG to make  
18 meaningful progress and meet milestones. If  
19 government cannot coordinate effectively then  
20 Madison Square Garden must be allowed to continue  
21 to operate without artificial restrictions. The  
22 special permit process has become costly and  
23 demanding and it should not be used in this way.  
24 We urge the council to approve a special permit  
25 with no time limit. The council must then direct

1  
2 its energies to bringing other leaders with real  
3 responsibility for planning and executing a plan  
4 for a new Penn Station to get to work. Thank you,  
5 Mr. Chairman, for the opportunity to testify.

6 CHAIRPERSON WEPRIN: Thank you, Mr.  
7 Andersen. Very good. Right under the clock too.  
8 Mr. Slattery?

9 MICHAEL SLATTERY: Good afternoon.  
10 Michael Slattery here representing the Real Estate  
11 Board of New York and in the interest of full  
12 disclosure. I am a Rangers season ticket holder,  
13 but unlike Spike I am still up in the blue seats.  
14 We are here to support Madison Square Garden's  
15 proposal for permanent extensions of the special  
16 permit, enhancements to their open space and  
17 updating their exterior with modern, state of the  
18 art signage befitting the iconic New York City  
19 destination. Madison Square Garden is a world  
20 renowned sports and entertainment facility  
21 attracting New Yorkers and visitors from across  
22 the country and around the world. It is an  
23 integral part of New York's business and  
24 entertainment industry and a generator of good  
25 jobs and economic activity. Its commitment to New

1  
2 York and to this location is attested to by the  
3 one billion dollar self-funded capital investment  
4 to modernize and enhance this facility. This  
5 investment will be completed this summer and will  
6 have important economic and financial benefits to  
7 New York. This level of self-investment is  
8 significant and should be rewarded, not punished.  
9 It was made with the expectation that there would  
10 be beneficial return over a long time frame  
11 including from sign income clearly made with the  
12 reasonable expectation that the special permit  
13 would be renewed without a term of years, which is  
14 the standard practice for most special permits  
15 renewed by the city. Any limits to the Garden's  
16 ability to operate and generate income from signs  
17 could ultimately cost the city and its taxpayers  
18 millions of dollars while injecting uncertainty  
19 into the business climate that would stifle the  
20 economic growth and investment. Behaviors such as  
21 this sends a terrible message to the business in  
22 the city and anyone who is seeking to do business  
23 here. Madison Square Garden is simply seeking to  
24 be held to the same standards enjoyed by other  
25 arenas and stadiums. Imposing real material

1  
2 obstacles on MSG could impact its ability to  
3 secure lasting commitments for events and harm its  
4 continued successful operation because of some  
5 hope that another location for Madison Square  
6 Garden will emerge and be transformed and Penn  
7 Station will be transformed on the site. Madison  
8 Square Garden has been a positive force in our  
9 city and at this location for generations. It has  
10 created jobs, attracted visitors and tourists and  
11 played a beneficial role in the community through  
12 the Garden of Dreams foundation and other  
13 charitable efforts. the special permit process  
14 and the request for renewed permit should strongly  
15 reaffirm the numerous benefits of this facility.  
16 It should not be used to punish, limit or to say  
17 not so subtlety go somewhere else. Thank you.

18 CHAIRPERSON WEPRIN: Thank you, Mr.  
19 Slattery. Any members of the panel have questions  
20 for these gentlemen and lady? Mr. Comrie.

21 COUNCIL MEMBER COMRIE: I just have  
22 a comment 'cause I want some umbrage with the fact  
23 that a couple of panel members spoke to the issue  
24 that the Council should be the generator of the  
25 project for this when at least two of the members

1 sat on the governor's economic development  
2 oversight committee and I was going to ask you has  
3 that been part of the regional plan that the  
4 governor has been dealing with? Has that been part  
5 of his scope to do anything with Penn Station? I  
6 believe Ms. Wylde and Mr. Andersen sits on the  
7 governor's regional, so whatever they are calling  
8 that panel--regional council that is overlooking  
9 infrastructure for the state. Is that part of the  
10 governor's plan at all?

12 KATHY WYLDE: Well, the plan is  
13 really generated--Kathy Wylde with the Partnership  
14 for New York City and I do sit on the board of the  
15 Regional Economic Development Corporation. I  
16 don't think I suggested that the Council take a  
17 specific initiative on this. This is clearly part  
18 of the regional transportation planning initiative  
19 aside from endorsing improve public  
20 transportation, the Regional Economic Development  
21 Council has not specifically been involved in this  
22 area of public works infrastructure. As I noted,  
23 we are basically at the--

24 COUNCIL MEMBER COMRIE:

25 [interposing] Just in the interest of time since

1  
2 the regional plan hasn't looked at this  
3 infrastructure as part of their overall plan, how  
4 do you think that long term planning such as the  
5 need to improve Penn station should be done and  
6 what do you think is the proper mode to actually  
7 get that done in light of the fact that Moynihan  
8 Station died as a project, Javits has died as a  
9 regional plan? What do you think is the proper way  
10 to get regional planning done in this atmosphere?

11 KATHY WYLDE: Well, regional  
12 planning is not my particular business. The  
13 Economic Development Corporation is really  
14 interested in jobs today, and as I indicated from  
15 the standpoint of the Regional Economic  
16 Development Corporation our top priority is good  
17 jobs, good private sector jobs now and encouraging  
18 businesses to stay here, long term job security  
19 for workers, and we think that MSG's proposal does  
20 that. I am not here to testify on the long term  
21 transportation planning. This is a hearing on a  
22 land use zoning decision limited to Madison Square  
23 Garden - -

24 COUNCIL MEMBER COMRIE: But the  
25 issue at question is not necessarily the Garden

1  
2 itself as an entity, but the fact that the Garden  
3 sits on a transportation hub that we need to  
4 preserve, protect, enhance, relocate and as part  
5 of the sitting on your other entities since there  
6 is no plan for that, I am asking you just as what  
7 do you think is the best way to get something to  
8 happen to create an opportunity to do something to  
9 improve Penn Station and this environment? I would  
10 ask the panel that. Mr. Andersen, Mr. Slattery,  
11 what is the plan? I would love for the Council to  
12 lead that effort as Mr. Yaro tried to insinuate  
13 that we should have, but we can't do that in and  
14 of ourselves. It has to be done with the  
15 assistance of the governor's office and buy in  
16 from the federal government. If there is no plan  
17 on the governor's level, if there is no plan on  
18 the federal level, I haven't heard of any of our  
19 federal legislators making that a key issue.  
20 Where do we go to create this plan?

21 KATHY WYLDE: I think you are  
22 absolutely right that this is a long planning  
23 process that is not in place. The only ones that  
24 I have seen working on this specific area is the  
25 work that Amtrak is doing on their plans for

1  
2 improving access from their Amtrak corridor, and  
3 they are working on a plan, but they have no  
4 funding for that plan either.

5 COUNCIL MEMBER COMRIE: Right, but  
6 as--I would just agree that no one is disputing  
7 that the income that Madison Square Garden  
8 generates, the fact that it is an iconic location,  
9 the fact that it is the place where people want to  
10 play or be seen. No one is disputing that. I  
11 think what the overall arcing question is what do  
12 we do to ensure that the transportation needs for  
13 the city in the future and beyond our generation  
14 is taken care of, and I haven't seen anyone that  
15 has been able to give us a cogent answer to that  
16 question or even a template for a plan to get to  
17 an answer for that question.

18 KATHY WYLDE: I think you are  
19 right.

20 RICHARD ANDERSEN: You are right,  
21 Council Member Comrie, but the state has created  
22 the Moynihan Station--

23 CHAIRPERSON WEPRIN: [interposing]  
24 that is Dick Andersen speaking.

25 [crosstalk]

1  
2 RICHARD ANDERSEN: Richard  
3 Andersen, New York Building Congress. Council  
4 Member, the Moynihan Station Development  
5 Corporation was created as a subsidiary of Empire  
6 State Development by the state charged with  
7 pulling together a lot of the pieces. The first  
8 phase of the Moynihan Station redevelopment is  
9 under way. It is funded. It is lacking funding  
10 for subsequent phases, but this Council can pass  
11 the special permit as well as an accompanying  
12 resolution calling on the state and the city to  
13 get on with the joint efforts to redevelop the  
14 area, and I think that is what all of us would  
15 like to see you do.

16 COUNCIL MEMBER COMRIE: I agree  
17 with you that we should push to get the other  
18 elements of government to get something done, but  
19 I don't believe Moynihan Station is including a  
20 Penn Station relocation or just a renovation so I  
21 think we need to work on that as well. So I am  
22 not in disagreement with you. I am just  
23 frustrated that we are not coming up with long  
24 term planning to enhance the needs for our  
25 transportation. I don't want to blame MSG. As I

1  
2 said earlier I think MSG has been responsible to a  
3 degree, but if MSG gets sold to someone tomorrow  
4 that person may not be as responsible, so we need  
5 to as a government to try make sure that there is  
6 a balance so we don't have another problem where  
7 we lose another facility, where we create another  
8 teardown of a station as Penn Station was torn  
9 down 50, 60 years ago, which created the need for  
10 City Planning, so I think we need to find that  
11 balance, and that is what this hearing is all  
12 about. Thank you.

13 CHAIRPERSON WEPRIN: Thank you, Mr.  
14 Comrie. Okay. I think we are good. We are going  
15 to let you guys go. Thank you for your patience.  
16 Your testimony was very helpful. we are now going  
17 to call up a panel in opposition. Vicky Barbero  
18 [phonetic] from CB5, Jinny St. Goar [phonetic],  
19 James Corian [phonetic] and Enrique Lopez from  
20 Senator Hoylman's Office. I know Senator Hoylman  
21 is in Albany, and I am sure he would rather be  
22 with us. Thank you, Mr. Starks. Good to see you  
23 again. Mr. Starks is very helpful with one of my  
24 middle schools, helping them with some training  
25 even though they couldn't identify Oklahoma, but

1  
2 that is another story. Do I have four? All four  
3 of the people I mentioned here? Enrique, you are  
4 here? Yes. Okay. James? Jinny and Vicki. You  
5 are here for Vicki? Alright. You don't even look  
6 like a Vicki. Okay. Whenever you are ready you  
7 can decide who goes first. Getting a little  
8 punchy. Whenever you are ready, figure out who is  
9 speaking first and then state your name and give  
10 your testimony. Thank you.

11 JIM CORIAN: Good morning. My name  
12 is Jim Corian. I run a family business.

13 CHAIRPERSON WEPRIN: Wait for them  
14 to leave because there is a buzz about them. I  
15 think we are good. Go ahead.

16 JIM CORIAN: My name is Jim Corian.  
17 I run a family business started by my grandparents  
18 about 80 years ago. My grandmother Sarah Corian  
19 [phonetic] became an entrepreneur supporting her  
20 family from an early age in Jerusalem and became  
21 one of the first women in New York real estate.  
22 My grandparents left their family with several  
23 important assets, but the most important is the  
24 full block of land under 1 Penn Plaza. The future  
25 of the west 30s is of great importance to us.

1  
2 While Manhattan has become a vastly better place  
3 to live in recent decades, the west 30s has lagged  
4 significantly. We believe that the key to  
5 reversing this trend is a world class train  
6 station and a world class stadium. For reasons  
7 that have been expounded by the Regional Plan  
8 Association and the Municipal Arts Society, we  
9 believe this will not happen so long as Madison  
10 Square Garden sits atop the train station.

11 Specifically, the proliferation of vertical  
12 supports from the Garden is not compatible with  
13 the track and platform layout for an efficient  
14 train station. We support the efforts by MAS and  
15 RPA to plan the kind of transportation hub that  
16 New York deserves, effectively supporting high  
17 speed rail and rail connection to the airports.

18 In addition we believe that building a new stadium  
19 at a nearby location is a key component of this  
20 plan. The value of the Garden brings to the city  
21 and neighborhood is very significant and ensuring  
22 that it has a great home cannot be treated as an  
23 afterthought. I am 60 years old now and I have  
24 grandchildren of my own. It is my hope that my  
25 children and my grandchildren will see the kind of

1  
2 neighborhood my grandmother envisioned 30 years  
3 ago. It is the right things for my family, the  
4 right thing for other land owners in the  
5 neighborhood and the right thing for New York  
6 City. Thank you.

7 CHAIRPERSON WEPRIN: Thank you.

8 Whoever wants to go next, and then just state your  
9 name.

10 STEFANO TREVISAN: Hi, my name is  
11 Stefano Trevisan [phonetic] from CB 5. I am here  
12 reading testimony on behalf of Vicki Barbero,  
13 chair of Community Board 5. My name is Vicki  
14 Barbero and I am the chair of Community Board 5.  
15 Let me also mention that I have lived and worked  
16 in the central part of Manhattan for over 40 years  
17 and have served on the board for the past 20  
18 years. During these two decades of volunteer  
19 service, I can think of no issue that came before  
20 CB 5 that had a greater importance for the entire  
21 city of New York than the subject of today's  
22 hearing. Our thoughts and conclusions regarding  
23 Madison Square Garden's request for renewal of a  
24 special permit in perpetuity boiled down to a very  
25 few simple facts. To begin with, Penn Station is

1  
2 desperately in need of improvements to capacity,  
3 access and overall experience. It is an outmoded  
4 and embarrassing transit hub for the greatest city  
5 in the world. Unless it is physically separated  
6 from Madison Square Garden, it will pretty much  
7 stay that way in perpetuity. It simply needs more  
8 space in order for it to be modernized and  
9 significantly upgraded. The current situation  
10 should be totally unacceptable to anyone involved  
11 in planning for the future needs of the city.

12 This point of view was represented by a unanimous  
13 vote of the members of CB 5. Secondly, we have a  
14 cultural and sports arena that is 45 years old and  
15 in need of being replaced by a facility that will  
16 rival the finest arenas to be found anywhere in  
17 the world. The external architectural statement  
18 that is currently Madison Square Garden is not one  
19 that any of us should feel proud of. Remaining in  
20 its current location will not change that simply  
21 reality. In short, if Madison Square Garden is to  
22 remain and envied and - - American icon in the  
23 future, we believe a new and spacious location  
24 must be found; otherwise, it will soon become a  
25 second rate cousin to the new and glamorous

1  
2 Barclay Center in Brooklyn. For these and many  
3 other reasons on behalf of CB 5 I would urge the  
4 City council to accept the wise recommendation by  
5 the borough president, the Municipal Arts Society  
6 and the community board just to name a few that  
7 the length of the special permit should be  
8 restricted to a ten year period and new  
9 discussions undertaken with respect to planning a  
10 new and dynamic transit hub for the city and a  
11 world class arena that will build on the great  
12 traditions of Madison Square Garden. Lastly, the  
13 loophole that allows the renewal in perpetuity if  
14 the three railroads, MSG and the Department of  
15 City Planning agree on improvements to Penn  
16 Station cuts the public and the community board  
17 out of the review of one of the most important  
18 transportation issues New York City faces and  
19 removes any Council role in the process as well.  
20 We believe any renewal of the permit needs to go  
21 through the city's Land Use review process and  
22 strongly urge removal of this loophole. Thank you  
23 for the opportunity to provide testimony.

24 CHAIRPERSON WEPRIN: Thank you,  
25 sir.

1  
2 ENRIQUE LOPEZ: Hello. My name is  
3 Enrique Lopez, and I will be reading testimony on  
4 behalf of State Senator Brad Hoylman. Thank you,  
5 Chair Weprin for the opportunity to present  
6 testimony before the New York City Council  
7 Subcommittee on Zoning and Franchises today. I  
8 represent New York State's 27<sup>th</sup> Senate District,  
9 which includes parts of the west midtown central  
10 business district where Madison Square Garden is  
11 located. Although my district's boundaries do not  
12 include Madison Square Garden, I represent the  
13 neighborhoods immediately surrounding the arena.  
14 Furthermore the long term prospects of Madison  
15 Square Garden, Penn Station and the vicinity,  
16 which are at stake in this hearing are extremely  
17 important to my constituents as well as all New  
18 Yorkers. As you know, on May 22<sup>nd</sup>, the New York  
19 City Planning Commission passed a resolution  
20 recommending the approval of the application by  
21 MSG holdings for two special permits with  
22 modifications. The modified special permit would  
23 limit the continued operation of its 22,000 seat  
24 arena in an arena zoned to allow an arena of only  
25 2500 seats to 15 years unless the three railroads,

1  
2 Amtrak, Long Island Rail Road, New Jersey Transit  
3 and MSG come to an agreement to improve access and  
4 egress, aesthetics and safety for the transit hub.  
5 This so-called improvement agreement would be  
6 subject to approval only by the director of the  
7 Department of City Planning after which the arena  
8 would be allowed to remain atop Penn Station  
9 forever. While I recognize that the Commission  
10 did not outright approve the renewal of the  
11 arena's special permit allowing it to continue  
12 operation in perpetuity, I strongly object to this  
13 loophole that would in essence allow just that. I  
14 appreciate that MSG is a major international venue  
15 and a significant contributor to the local  
16 economy. I also recognize that there are numerous  
17 obstacles to the relocation of the facility;  
18 however, I believe that we should embrace this  
19 unique opportunity for the possibility of a modern  
20 and revitalized transit hub in the heart of  
21 Manhattan's west side as part of a new Moynihan  
22 Station. Transportation infrastructure is  
23 fundamental to our city's economy, culture and  
24 global stature and ensuring its long term  
25 viability must be a top priority. The type of

1  
2 improvements necessary for Penn Station to remain  
3 and efficient transit hub let alone one befitting  
4 a main entrance to the world's greatest city can  
5 only come with a redevelopment of the site  
6 currently occupied by MSG. as such I strongly  
7 support the recommendations made by Manhattan  
8 Community Board 5, the Municipal Arts Society and  
9 Regional Plan Association that MSG's permit  
10 renewal be strictly limited to ten years. the  
11 other special permit CPC recommended for approval  
12 would allow new large LED signs that exceed the  
13 surface area and use restrictions over the site's  
14 existing zoning. I should note that this proposed  
15 new signage would be in addition to existing  
16 signage that currently does not comply with the  
17 site's zoning. I oppose the type of large scale  
18 LED advertising screens found in Times Square  
19 spreading into the west midtown central business  
20 district and other neighborhoods. Currently, MSG  
21 displays approximately 4,000 square feet of  
22 advertising above Penn Station. This special  
23 permit would allow for about 10,000 square feet of  
24 signage including a series of different sized  
25 display panels along the arena's 8<sup>th</sup> Avenue façade.

1  
2 Such signage is not suitable for the neighborhood.  
3 I echo the recommendation made by both CB 5 and  
4 Manhattan Community Board 4 that the special  
5 permit for this enlarged sign be denied and that  
6 all restrictions regarding signage and sub area b4  
7 of the special Hudson Yards District be enforced.  
8 Thank you for allowing me to testify and for your  
9 consideration of my remarks.

10 CHAIRPERSON WEPRIN: Thank you,  
11 and please thank Senator Hoylman on behalf of all  
12 of us. Thank you.

13 JINNY St. GOAR: Good morning, now  
14 good afternoon. This has dragged on. Members of  
15 the Subcommittee, I and Jinny St. Goar, and I am a  
16 member of Manhattan's Community Board 5 and of  
17 that board's land use ad zoning committee. Penn  
18 Station needs more than a facelift. I think we  
19 all agree. The station is too heavily used though  
20 by the public for its redesign to be fashioned  
21 behind closed doors by the managers of the garden  
22 and the three converging rail systems. The  
23 numbers of people who pass through the station  
24 daily should speak volumes. Many of the 650,000  
25 are your constituents--all 650,000 are the people

1  
2 who make this city ticket, the larger public that  
3 has vested in you the public trust of guiding the  
4 city's growth, of fostering its vitality. We New  
5 Yorkers deserve a world class train station. The  
6 current Penn Station is not. In fact, the  
7 existing Penn Stations deadens the prospect for  
8 economic development on the west side rather than  
9 enlivening it. The notion that the station could  
10 be tinkered with as Madison Square Garden  
11 continues to perch above it in perpetuity reflects  
12 the limited vision that doesn't do justice to the  
13 energy and potential of our city. Madison Square  
14 Garden deserves better too. What is more we have  
15 an unusual opportunity to grapple with the  
16 redesign of Penn Station in these next ten years.  
17 the opening of the east side access in this window  
18 of time now scheduled for 2019 will allow Long  
19 Island Rail Road passengers to get off at Grand  
20 Central. That window of time provides a hiccup in  
21 the growth of the numbers of people using Penn  
22 Station. The urban design planning and  
23 architectural community as well as the wider  
24 polity have already started to capitalize on this  
25 ten year window. The Municipal Arts Society in

1  
2 particular should be applauded for its design  
3 challenge for new Penn Station and Madison Square  
4 Garden. They have in fact proposed four  
5 schematics. As you probably know. I urge you,  
6 Mr. Chairman and members of this committee to take  
7 this opportunity to help pave the way for New York  
8 City's future. Close the loophole on the City  
9 Planning Commission's proposal that the permit for  
10 Madison Square Garden be renewed forever as long  
11 as the mangers of the Garden and the managers of  
12 the rail lines that converge in Penn Station can  
13 agree on station improvements. That loophole does  
14 not belong. We need nothing less than a major  
15 redevelopment of the station and limit the term of  
16 Madison Square Garden's special operating permit  
17 to ten years while we continue to build the  
18 momentum and consensus for the huge undertaking of  
19 fashioning a new Penn Station. Thank you.

20 CHAIRPERSON WEPRIN: Thank you very  
21 much. Thank you all very much. we are going to  
22 excuse this panel. I appreciate your patience. I  
23 apologize. We have a lot of people, and it is  
24 hard to get to everybody. I am now going to call  
25 the following--this is wrong. Stop. I'd like to

1  
2 call on the next panel. This one is in favor.  
3 Paul Fernandez, Chris Erikson [phonetic], Dan  
4 Beaderman [phonetic], Malcolm Shaw [phonetic] from  
5 the Carpenters and Jennifer Hensley [phonetic]  
6 from ABNY. Are you all here? We will go for the  
7 maximum five. There you are, Paul. Whenever you  
8 are ready, you guys sort it out again, and you can  
9 start.

10 CHRIS ERIKSON: Okay. Thank you.  
11 Good afternoon, Mr. Chairman, Committee members.  
12 My name is Chris Erikson. I am the business  
13 manager at Local 3 IBW. I am also chairman of the  
14 Madison Square Garden Labor Committee, and I have  
15 a responsibility in that capacity to appear here  
16 today. Now as the business manager of a  
17 construction union of electrical workers, I get  
18 excited about hearing about the possibility of  
19 another new Garden somewhere or a new Penn Station  
20 because those are jobs, those are important union  
21 jobs; however, today we are here to discuss the  
22 permit that is the issue, and while many opinions  
23 have been expressed today and grand scale issues  
24 regarding what is to be, and there are also I  
25 understand people that are upset with Mr. Dolan,

1  
2 who runs Madison Square Garden for a variety of  
3 issues, and I would urge that we don't punish MSG  
4 or its employees and cloud the issue of what is at  
5 stake here. The fate of the Garden being tied to  
6 Penn Station, you know, Grand Central is pretty,  
7 and the last thing I want is the Municipal Arts  
8 Society to be mad at me; however, Penn Station is  
9 functional, like the New York subway system. It  
10 is gritty. It is who New York is. People go to  
11 work and home every day in and out of Penn  
12 Station. There is nothing better than coming in  
13 from Long Island and going right upstairs into  
14 Madison Square Garden. It is functional. We are  
15 working New Yorkers that take the subway in every  
16 day and we can handle this. I am afraid of a  
17 shutdown. I know that this clearly affects  
18 collective bargaining. A limit on their permit  
19 would be a problem. The democratic and republican  
20 conventions that came to New York City, thousands  
21 and thousands of jobs and work opportunities and  
22 visitors and money came in. If the Garden only  
23 has ten years, they don't pick--I don't know how  
24 far out, but I would tell you we wouldn't have a  
25 shit with the ten year limit here of ever

1  
2 entertaining another convention in this city. The  
3 affects that collective bargaining again, I think  
4 it would give some leverage to the employer as to  
5 how to negotiate the contract or the unions to  
6 negotiate not knowing whether or not this building  
7 is going to be here at some time. Finally, you  
8 know, Dolan owns the land. There is such a thing  
9 as eminent domain. You want to take it, try it  
10 or buy him out. That is how this works. I don't  
11 think you can move Times Square. I don't think  
12 you should deny MSG. I think you should give them  
13 another 50 years. Thank you.

14 CHAIRPERSON WEPRIN: Thank you, Mr.  
15 Erikson.

16 DAN BEADERMAN: Thank you, Mr.  
17 Council Member. Dan Beaderman, president 34<sup>th</sup>  
18 Street Partnership. I submitted written comments.  
19 I won't read them. I am just trying to make some  
20 points in the interest of time that may not have  
21 been made or give examples that haven't been used  
22 yet. We are for the unlimited permit with the  
23 reduced sign size. we hope the Garden will get  
24 that this was brought up at a meeting of our  
25 board. We are the BID that improved the

1 neighborhood around the Garden--34<sup>th</sup> Street  
2 Partnership. There was some sympathy for the  
3 civic group's point of view that there ought to be  
4 some limit on the time period, but not much  
5 sympathy for ten years for I think the following  
6 reasons: there are five agencies that would have  
7 to agree on a new Garden plan at least--the city,  
8 the state, three railroads, and we have dealt  
9 individually with some of those groups on some  
10 things we have tried to get done, and here is the  
11 total of years that it took for us to get some  
12 minor things just to give you an idea of how long  
13 a task this would be--it would not be completed in  
14 ten years. Historic signs in the district, 14  
15 years 'till the prototype was just put in.  
16 graphics on the back of our tourist booth, we had  
17 to negotiate with one of the railroads, graphics  
18 in a booth in Penn Station, five years.  
19 Relocation of buses from other cities, six years;  
20 it hasn't happened yet. Use of funds for 7<sup>th</sup>  
21 Avenue improvements that is with one of the  
22 governments - - 11 years so far and nothing  
23 happened. Moynihan Station, some progress, small  
24 progress, but five units of government involved,  
25

1  
2 very unlikely that that is going to happen  
3 quickly. One unit of government is enough for a  
4 decade--five units of government or quasi-  
5 government are a much longer issue. So it is hard  
6 to hold the Garden to account for the length of  
7 time this decision may take, and then some general  
8 comments about the Garden as a neighbor. Much has  
9 been made of the tax exemption. The Garden easily  
10 as a result of being tax exempt could have not  
11 paid into our BID, and through negotiation, which  
12 they were terrific with in the late 80s early 90s,  
13 they decided to voluntarily make a sizeable BID  
14 payments. They are one of our biggest payers.  
15 They have cooperated with us on outdoor  
16 improvements as part of the scheme. They have  
17 listened to our designers, made some of our ideas  
18 part of theirs. City Planning presided over that,  
19 so they have been terrific in that way and then as  
20 to - - the blank wall that faces Moynihan Station,  
21 the blank wall would not be very good, the  
22 advertising as circumscribed by comments that City  
23 Planning has made, changes City Planning has made,  
24 I think would be fine. Keep in mind 7<sup>th</sup> Avenue has  
25 had a new side district put in, so some group of

1  
2 people including the Council decided that 7<sup>th</sup> and  
3 8<sup>th</sup> Avenues might have a different treatment with  
4 regard to illuminated signs than the rest of our  
5 district and we think signage on the back wall  
6 would be consistent with that. Thank you.

7 CHAIRPERSON WEPRIN: Thank you.

8 MALCOLM SHAW: Good afternoon. My  
9 name is Malcolm Shaw. I'm a carpenter foreman at  
10 Madison Square Garden and am a longstanding member  
11 of District Council of Carpenters. I have been  
12 working on Madison Square Garden since shortly  
13 after my arrival in America from Belfast, Ireland  
14 in the early 1960s. If you did the math, I have  
15 been with MSG for 50 years. many folks here have  
16 mentioned the Garden's history, but I have seen it  
17 firsthand all underneath that famous ceiling.  
18 While growing up in Ireland I dreamt about coming  
19 to America despite not really knowing a great many  
20 things about it, but I did know about the Empire  
21 State Building, the Statue of Liberty and Madison  
22 Square Garden. In the years after World War II,  
23 boxing was a huge interest for many people  
24 particularly in Ireland and for them Madison  
25 Square Garden and boxing went hand in glove. I

1 realized part of my dream when I came to New York  
2 in 1961. I eventually found work in construction  
3 and one day was asked to help build a stage for  
4 the - - Ballet, which was performing at MSG. I  
5 remember writing home to my father in Ireland  
6 telling him that I had taken a job at the Garden.  
7 Realizing another dream had come true, my father  
8 knew what Madison Square was--the world does. It  
9 is not only the world's most famous arena; it  
10 represents New York to the world. The Garden has  
11 meant everything to me and my family. The  
12 Garden's events and shows and literally kitchen  
13 table conversations. It has been a great place to  
14 work because of the dedication of all those who  
15 work there and the pride that they have in their  
16 jobs. Like all New Yorkers I have seen history  
17 being made in that building. I was there when  
18 Willis Reed [phonetic] limped onto the court to  
19 help the Knicks win their first NBA championship  
20 in 1970. I was at ringside for the fight of the  
21 century between Muhammad Ali and Frazier in 1971.  
22 I kissed the pope's ring when he came to the  
23 Garden in 1979 and I touched and drank from the  
24 Stanley Cup when the Rangers won that prized  
25

1  
2 trophy in 1994. With your support for a new  
3 special permit, I expect to be working at the  
4 Garden for many more years right where it  
5 currently stands witnessing countless more New  
6 York triumphs. Thank you.

7 CHAIRPERSON WEPRIN: Thank you.

8 JENNIFER HENSLEY: Hi. I am Jen  
9 Hensley, executive director of the Association for  
10 a Better New York. ABNY is one of the city's  
11 longest standing civic organizations advocating  
12 for the policies, programs and projects that make  
13 New York a better place to live and work and  
14 visit. I don't want to repeat what has been said  
15 here today, but do want to draw attention to the  
16 6,000 fulltime, part time, seasonal and per diem  
17 workers that Madison Square Garden employs and the  
18 525 million dollars that the Garden contributes to  
19 the city's economy in direct and indirect  
20 spending. I also want to say that ABNY's young  
21 professionals organization recently received a  
22 tour of the Garden and got to see firsthand the  
23 nearly one billion dollar renovation up close.  
24 Everyone was extraordinarily impressed like Spike  
25 Lee with the quality of the facility and the staff

1  
2 at the Garden, and it is now a state of the art  
3 facility on par with other newly constructed arena  
4 facilities in the city. As was mentioned the  
5 Garden is a cultural institution neck in neck with  
6 the best New York City has to offer. We support  
7 the special permit without a term of years for all  
8 the reasons discussed, including mostly fairness  
9 relative to other similar facilities in the city.  
10 We also support the proposed signage which we  
11 believe reflects the style and type of a world  
12 class arena in midtown Manhattan and we look  
13 forward regardless of the action before you here  
14 today to discuss the relocation and rehabilitation  
15 of the rail station as another of the city's  
16 assets, but today we support the application  
17 before you and encourage you to do the same.

18 CHAIRPERSON WEPRIN: Thank you.

19 Thank you very much. Mr. Fernandez? I promised  
20 I'd get you out by 1:30 and now it's up to you.

21 PAUL FERNANDEZ: We won't let you  
22 down. Good afternoon, Mr. Chairman, members of  
23 the Subcommittee. My name is Paul Fernandez. I  
24 am the chief of staff of the Building and  
25 Construction Trades Council of Greater New York.

1  
2 Our organization consists of local affiliates of  
3 15 national and international unions representing  
4 100,000 working men and women in New York City.  
5 We are pleased to testify today in support of  
6 granting Madison Square Garden a special permit  
7 for operations with a limit on time. We oppose a  
8 15 year limit on this permit that would be  
9 arbitrary, unfair and not advance the objectives  
10 claimed by its advocates. For many years,  
11 alternatives uses for this site and improvements  
12 to Penn Station have been proposed. A number of  
13 factors have prevented those alternative uses and  
14 improvements from coming to be. Granting a  
15 special permit limited to 15 years, which by the  
16 way is effectively the situation under which MSG  
17 has operated for the last 15 years, will not bring  
18 together the confluence of favorable circumstances  
19 needed for alternative uses of the site and  
20 improvements to Penn Station to advance. The very  
21 recent history of the expiring special permit  
22 indicates that the duration of the special permit  
23 neither positively nor negatively affected efforts  
24 to reimagine the future of this site. It has been  
25 a non-factor and it will remain a non-factor. No

1 organization in this city as you know would turn  
2 its back on a viable proposal to build a new  
3 Madison Square Garden and see major commercial  
4 redevelopment at the site including improvements  
5 to Penn Station. It would be an enormous amount  
6 of job creation in our industry but granting a  
7 special permit of a duration longer than 15 years  
8 or of an unlimited duration will do nothing to  
9 prevent those plans from advancing. If it would,  
10 we wouldn't be here testifying as we are. Three  
11 years ago as you may know, our organization  
12 negotiated a project labor agreement with Turner  
13 Construction Company, which is performing the  
14 renovations and the improvements to Madison Square  
15 Garden that have created 3,700 union construction  
16 jobs, all those workers being paid good union  
17 wages with health insurance, pensions and other  
18 benefits. In addition as you know, there are  
19 hundreds if not thousands of full time equivalent  
20 positions that are heavily unionized in many  
21 trades that work in the operations on a daily  
22 basis of Madison Square Garden for Knicks games,  
23 Rangers games, and other events at the facility.  
24 Their jobs matter, and too much of the discussion  
25

1  
2 about just throwing a 15 year permit and a window  
3 on the operations of the facility with no  
4 alternative for where it would be relocated that  
5 is viable to keep it in the city and keep those  
6 jobs here is in our view an untenable road to go  
7 down. We therefore again urge the Subcommittee  
8 and the Council to support a special permit for  
9 MSG of unlimited duration and specifically to  
10 reject a 15 year time limit that in our view would  
11 just be completely irresponsible. Thank you.

12 CHAIRPERSON WEPRIN: Thank you, Mr.  
13 Fernandez. Before I let you go, I just want to  
14 make a statement on this idea of the time limit.  
15 You may be right that the time limit means almost  
16 nothing to people. It may not have any effect in  
17 pushing forward a negotiation on a train station.  
18 It might not if you had no limit at all, it might  
19 not hamper the idea of changing things as  
20 circumstances change. I also don't think though  
21 putting a time limit necessarily hamper some of  
22 the things we are worried about--Mr. Erikson  
23 worried about conventions coming to town. As you  
24 mentioned, for the last 15 years we have been  
25 under the idea that 15 years from now, the permit,

1  
2 nobody really thought about it but the special  
3 permit was going to expire. It didn't discourage  
4 people from coming to the world's most famous  
5 area. I don't think a time limit whether we go  
6 with the 15 or not really will have that effect of  
7 discouraging people from coming because as you  
8 mentioned, it is unlikely something will change  
9 and we will be back here in 15 years maybe with  
10 different celebrities and certainly different  
11 Council Members, although maybe Diana Reyna's son  
12 will be here, but I just want to make that point.  
13 I don't want to overstate either way the permit.  
14 I am not sure it will have a huge effect either  
15 way, but it does make us come back and revisit it  
16 if it was in place and if we were going to go  
17 ahead with the permit. I just wanted to make that  
18 point. So thank you all very much, Again, I am  
19 sorry for holding you up, and I know it has been a  
20 long morning and early afternoon, but thank you  
21 very much. I came close to getting you out by  
22 1:30. We are now going to call a panel in  
23 opposition, right? Okay. Brenda Levin [phonetic],  
24 is she still here? She is hard to miss, but she is  
25 not here. She walked out. Jesse Quinn

1 [phonetic], William Shay [phonetic], Joe Cutrufo  
2 [phonetic] and Daly Revil [phonetic]. I  
3 understand people have lives and sometimes have  
4 other places to go, so anyone who has left, we  
5 will read your name into the record and what your  
6 position was, and if you leave testimony, we will  
7 certainly enter it into the record. How many do  
8 we got? Three people here? I can add another one.  
9 Did I call you? I am going to call the next name I  
10 was given is John Curtis [phonetic]. Mr. Curtis,  
11 why don't you come up? We will start with four.  
12 It's actually a better number than five anyway.  
13 Okay. Whoever wants to start can go first.

14 WILLIAM SHAY: How are you, Mr.  
15 Commissioner? Two simple points, three simple  
16 points. Number one, I hear all these things about  
17 the world coming to an end. I think the Dodgers  
18 and the Giants left. Did we die? I missed it.  
19 Two, is there anything in here that doesn't affect  
20 money? I'm missing that one. Number one, you put  
21 15 to 25 million dollars of taxes onto Madison  
22 Square Garden, and you are going to clobber their  
23 stock because it went from 30 to 60, and he is  
24 pretty happy now. Take it from 60 to 30, he is  
25

1  
2 not happy. That is what he is yelling about. If  
3 in fact the threat that was made by these lawyers  
4 that they are going to leave New York has any  
5 value, the honorable Mr. Jackson right over here I  
6 think is 148<sup>th</sup> Street, big stock, a lot of  
7 infrastructure, put one in there. I could raise  
8 four billion dollars. I could put a team into New  
9 York. I could put a stadium into New York. I  
10 could have NBA and NHL. No problem. In ten years  
11 from now the world would sit there and say, wasn't  
12 it terrible? Madison Square Garden is gone. 148<sup>th</sup>  
13 Street is in. And guess what? Ten big concerts,  
14 four or five good boxing machines and the whole  
15 world knows the name of the new place. Come on.  
16 This is more about money and it's about whether we  
17 can as a City Council and as a people, could we  
18 wipe out with that money some of those water  
19 taxes? I mean there has been some stink about  
20 that. Could we change the way that we are  
21 charging some of our small businesses for what may  
22 or may not be called questionable charges. Could  
23 we have better than 64 percent of our graduates  
24 coming out of high school in New York? Could all of  
25 those things that we all talk about occur with

1  
2 between 15 to 25 million a year? Why should these  
3 guys get the break that nobody else gets? They are  
4 running a business. Without New Yorkers there is  
5 no business. Without New Yorkers there was no  
6 business. I had tickets from the time I was a  
7 kid, my grandfather had the first Madison Square  
8 Garden on 48<sup>th</sup> Street. We had tickets from day  
9 one, we had eight of them. I still believe it's  
10 venue and team. You can change the names.

11 Somebody brought the Mets back, replace the  
12 Dodgers, replace the Giants. So what? Everybody  
13 goes to the game. Everybody goes to the place.  
14 The venue name is not as important as the place.  
15 It is New York. It is New Yorkers. It is teams.  
16 It is venues. It is I love you. All of you. But  
17 I have no opinion.

18 CHAIRPERSON WEPRIN: Thank you very  
19 much. There are some people I know almost died  
20 when the Dodgers left. I just want to be clear  
21 about that. Nobody really died, but some of them  
22 would rather have. Next please.

23 JOE CUTUFRO: Hello. My name is  
24 Joe Cutrufo. I am representing the Tri State  
25 Transportation Campaign today. We are a non-

1  
2 profit transportation watchdog. We are dedicate  
3 to a balanced and environmentally friendly  
4 equitable transportation system in New York, New  
5 Jersey and Connecticut.

6 CHAIRPERSON WEPRIN: A little  
7 closer to the mic... just a little back.

8 JOE CUTRUFO: Thank you for the  
9 opportunity to speak today. Tri State encourages  
10 the Subcommittee to renew the permit for ten, not  
11 for 15 years and to ensure that New York City  
12 Council and the general public have an opportunity  
13 to be engaged in the renewal of the permit via the  
14 city's land use review process. A lot of what I  
15 have planned to say has been said already today,  
16 so I will be brief. It has been said today that  
17 Penn Station is functional, and that may be true  
18 for the time being, but it probably won't be in  
19 the future when you consider the growing ridership  
20 and the development coming into midtown Manhattan  
21 and on the west side the Hudson Yards development.  
22 Nearly 640,000 commuters use Penn Station every  
23 day. Two of the busiest subway stations in the  
24 MTA are located in Penn Station, and in the first  
25 quarter of fiscal year 2013, system wide New

1  
2 Jersey Transit averaged 22.2 million monthly  
3 passenger trips, a two year high. That represents  
4 a four and a half percent increase over the same  
5 time period in 2012, so ridership is growing  
6 coming across the Hudson. It is also growing  
7 coming across the East River. 81.7 million people  
8 rode Long Island Rail Road in 2012. Ridership  
9 increased despite super storm Sandy. And Amtrak  
10 which carried over 31 million passengers  
11 nationwide in fiscal year 2012 ridership also  
12 growing there. Penn Station in the northeast  
13 corner is the busiest route in the country. So  
14 when you consider all of the new development  
15 coming in and the growth in ridership, Penn  
16 Station's size is not sustainable, and we  
17 encourage that the City Council and the  
18 Subcommittee amend the permit from 15 to ten years  
19 and ensure that the permit process goes through  
20 the Land Use review process and at that juncture  
21 is not outside the public realm. Thank you.

22 CHAIRPERSON WEPRIN: Thank you.

23 Next?

24 DALY REVIL: My name is Daly Revil  
25 [phonetic] and I am on Community Board 5, and

1  
2 everybody else has very well covered the topic I  
3 believe. I would like to answer the question  
4 asked by Vincent Ignizio what is good for New  
5 York. I strongly believe that what is good for  
6 New York is powerful public places, and it would  
7 appear I think to most people who are there at any  
8 time that Penn Station today is not a powerful  
9 public place in any positive way, and that Madison  
10 Square Garden sits right on top of it, and  
11 therefore, I strongly hope that the City Council  
12 will make it possible for Madison Square Garden to  
13 move to a new venue. Thank you.

14 CHAIRPERSON WEPRIN: Thank you.  
15 Short and sweet. That was good. Okay. Next.

16 JOHN CURTIS: Mr. Chairman, I will  
17 try to be short and sweet too. Thank you for the  
18 opportunity to--

19 CHAIRPERSON WEPRIN: [interposing]  
20 a little closer to the mic again. My hearing is  
21 going I think.

22 JOHN CURTIS: My name is Jon  
23 Curtis. I am a member of the Community Board 5  
24 land use and zoning committee, and I would like to  
25 speak in support of the Community Board's

1  
2 resolution that asks City Planning Commission to  
3 limit the special permit renewal to ten years.  
4 The loophole allowing permanent permit approval  
5 should be eliminated. I hope that CPC, the City  
6 Planning Commission, will be a leader in the  
7 public and open planning process to resolve the  
8 critical transit and quality of life issues for  
9 the Penn Station area. It is unfortunate that the  
10 choking of one of the nation's most critical  
11 transit hubs is being publically subsidized by a  
12 permanent tax abatement, and I hope that the City  
13 Council will show leadership on this issue. Thank  
14 you for the opportunity to testify.

15 CHAIRPERSON WEPRIN: Thank you.  
16 Thank you all very much. thank you for coming.  
17 Again, thank you for your patience. I appreciate  
18 it. I'd like to now call up another panel in  
19 favor of this project or this extension of the  
20 permit--Jeffrey Lefrancoise [phonetic], Pattie  
21 Smith [phonetic] from the Robin Hood Foundation,  
22 Devon Russell [phonetic], Tom Dilan [phonetic] and  
23 Mike Carolan [phonetic]. I am not sure if  
24 everybody is still here or not, but... maybe? One,  
25 two, three, four, everybody? Alright. Thank you

1  
2 for being so patient. Once, twice, three, shoot.  
3 Who wants to go first? No one seems to do ladies  
4 first anymore I noticed. You want to break that  
5 now? There you go.

6                   PATTIE SMITH: Hi. Good afternoon,  
7 Mr. Chair. My name is Pattie Smith. I am  
8 managing director of the Robin Hood Foundation,  
9 and I am pleased to be here to support Madison  
10 Square Garden and give voice to its exemplary  
11 record in responding to crises. I know that many  
12 people here recognize Madison Square Garden for  
13 what it does day in and day out, for its role as a  
14 national leader in sports, media and  
15 entertainment, but I know this organization as a  
16 different kind of leader, one that immediately and  
17 unquestionably supports the city and the country  
18 in times of great need. For example, the concert  
19 for New York City after 9/11, which raised 35  
20 million dollars was held just four weeks after the  
21 attacks on our city; the Big Apple to the Big  
22 Easy, the concert for the Gulf Coast, which raised  
23 nine million in the weeks after Hurricane Katrina  
24 and most recently, 12/12/12, the concert for Sandy  
25 relief which raised more than 50 million dollars

1  
2 held five weeks after the storm devastated our  
3 area. MSG was at the forefront of each of these  
4 herculean efforts. we were privileged to be  
5 involved with them for both the concert for New  
6 York City and 12/12/12. One of the things that  
7 struck me was that no one asked MSG to get  
8 involved. They simply saw a need, recognized that  
9 they were the only ones who could attract the  
10 world's greatest stars, command the attention of a  
11 distracted public and galvanize a nation to act  
12 all while providing world class, unforgettable  
13 entertainment that gave hope and inspiration to  
14 all. And so MSG joined with Clear Channel and the  
15 Weinstein Company and quite simply, got to work.  
16 Virtually the entire MSG organization donated  
17 their time, their talent, their contacts and their  
18 money to this effort. They took a leadership role  
19 in every aspect of these events. They pushed  
20 themselves and others to raise as much money as  
21 possible with as much visibility as possible while  
22 ensuring that the proceeds went to serve the  
23 greatest needs of those affected. Since the  
24 concert for Sandy relief Robin Hood has  
25 distributed the money raised throughout the city

1  
2 and the state and has seen firsthand how MSG has  
3 improved people's lives. MSG's willingness to  
4 respond, to lift up our city and other cherished  
5 regions in this country matters. It reflects that  
6 those of us who live here know to be the true  
7 character of New Yorkers and the city should be  
8 extremely proud that it has MSG as one of its most  
9 visible symbols. We are.

10 CHAIRPERSON WEPRIN: Thank you.

11 Okay gentlemen.

12 JEFFREY LEFRANCOISE: Thank you,  
13 Mr. Chairman. My name is Jeffrey Lefrancoise. I  
14 am here on behalf of Assembly Member Richard  
15 Gottfried, who as your pointed out along with his  
16 colleague is up in Albany. Assembly Member  
17 Gottfried represents the 75<sup>th</sup> Assembly District,  
18 which includes Madison Square Garden as well as  
19 the surrounding areas including Chelsea, Midtown  
20 and Hell's Kitchen. Thank you for allowing me to  
21 submit this testimony today. Madison Square  
22 Garden has applied for an extension without a  
23 sunset clause of the special permit it received in  
24 1963 to operate an arena. The Garden is also  
25 seeking text amendment changes in the Pennsylvania

1 Station sub area B4 of the special Hudson Yards  
2 District to allow for larger signs than are  
3 currently permitted under the zoning and changes  
4 the plazas and public space in the area around the  
5 Garden. Madison Square Garden is a unique  
6 facility. It is one of the best known venues in  
7 the world, and it is woven into New York's history  
8 and identity. Madison Square Garden sits above  
9 the nation's busiest public transportation center.  
10 If the Garden were at a site less accessible to  
11 public transportation its operation would have a  
12 serious negative impact on vehicular traffic in  
13 the city; however, its presence above Penn Station  
14 has hampered efforts to reestablish a grand  
15 entrance to the train station. Throughout the  
16 discussion of the future of Penn Station, the  
17 Garden has been ready and willing to relocate. At  
18 one point the plan was to relocate MSG to the 9<sup>th</sup>  
19 Avenue side of the Farley Post Office complex as  
20 part of Farley's conversion to Moynihan Station.  
21 MSG was prepared to make that move and spend tens  
22 of millions of dollars on plans. The development  
23 of the Moynihan project has been long complex and  
24 tedious to say the least. The fact that previous  
25

1  
2 relocation efforts for MSG did not succeed may not  
3 have been any party's fault. The Garden held off  
4 on making needed renovations and modernizations of  
5 the facility. Rather than move out of town the  
6 Garden chose to stay and modernize in place  
7 spending nearly one billion dollars, which also  
8 created 3700 construction jobs and a welcomed  
9 spark to the local economy. While the Garden  
10 receives a property tax abatement like many other  
11 developments, it did not unlike some other sports  
12 facilities threaten to move out of town if it did  
13 not receive more from the government. MSG does  
14 not hold the keys to the lock that would open the  
15 way for a grand entrance to Penn Station, nor is  
16 there a location to move that is readily  
17 available. Any proposed new site for the Garden  
18 would likely generate a variety of objections and  
19 involve years of discussions and negotiation on  
20 the special permit. MSG is asking for a special  
21 permit to approve to continue doing business the  
22 way it has done for 45 years. for an arena that  
23 has the capacity 22,000, it is remarkable how  
24 small an impact it has on the neighborhood because  
25 most visitors arrive by public transit. There are

1  
2 criteria a special permit holder must meet set out  
3 in sections 7441 of the zoning resolution. The  
4 Garden fully complies with those criteria. I  
5 believe it would be inappropriate if not arbitrary  
6 and capricious to deny the Garden a renewal of its  
7 permit, yet last month the City Planning  
8 Commission voted to give MSG an extension of its  
9 special permit for only 15 years apparently to  
10 force MSG to leave and free the space above Penn  
11 Station. There was a time when it was common to  
12 put sunset clauses in special permits; however  
13 that is rarely done today except in limited cases  
14 that are meant to be temporary operations, not  
15 billion dollar world class arenas. Just one more  
16 if I may, Mr. Chairman.

17 CHAIRPERSON WEPRIN: Please finish  
18 up.

19 JEFFREY LEFRANCOISE: I do not know  
20 what this limited renewal would accomplish. It is  
21 unlikely that a suitable alternative site would be  
22 settled on and approved and running, yet I don't  
23 think anyone is suggesting that the Garden should  
24 just close and leave its many fans and followers  
25 in a lurch. The 15 years even if the city refuses

1  
2 to renew MSG's permit would leave owners with a  
3 huge and largely unamortized investment in the  
4 building, and it should still have substantial  
5 legal rights to the land. A more reasonable limit  
6 to the time would be a period of 25 to 30 years.  
7 The west side of Manhattan faces major changes.  
8 Madison Square Garden should contribute to,  
9 benefit from and grow with that change. Thank you  
10 for allowing me to submit this testimony today.

11 CHAIRPERSON WEPRIN: Thank you.  
12 Well done. Please send Dick Gottfried our  
13 regards.

14 JEFFREY LEFRANCOISE: Certainly  
15 will.

16 CHAIRPERSON WEPRIN: Thank you.

17 DEVON RUSSELL: I'll go. Good  
18 afternoon, Mr. Chairman. My name is Devon  
19 Russell, and I am the executive vice president of  
20 the Women's Housing and Economic Development Corp,  
21 WHECO in the Bronx, and I am here today on behalf  
22 of the 22 organizations that have the enormous  
23 good fortune to work with the Garden of Dreams  
24 Foundation and Madison Square Garden and to  
25 highlight an area of Madison Square Garden that

1  
2 many at the Garden say is the most meaningful  
3 thing they do. I know firsthand that this is an  
4 organization that uniquely walks the walk. WHECO  
5 has been involved with MSG for the last 13 years  
6 and most recently with the Garden of Dreams  
7 Foundation. Since 2006, the Garden of Dreams has  
8 helped more than 225,000 children facing enormous  
9 obstacles such as homelessness, illness and  
10 burdens of extreme poverty through more than 500  
11 annual events. The Garden of Dreams is unique  
12 among charities in its responsiveness, breadth and  
13 extent of programming. It has developed long term  
14 personal relationships with a myriad of children  
15 and undertakes tireless efforts to change lives.  
16 It is not unusual to hear the staff on a weekly if  
17 not daily basis asking us about issues we are  
18 facing and how they can help. It is difficult to  
19 express what it means to children from poor  
20 communities such as ours who could never afford  
21 tickets to Madison Square Garden or Radio City  
22 Music Hall to be welcomed like MSG's most  
23 important clients. Think of the tremendous impact  
24 this experience not just once, but again and again  
25 has on the self-esteem of poor, sick or

1  
2 traumatized children. We are no longer shocked  
3 when our kids meet coaches, athletes, performers  
4 or even Rockettes on a regular basis, have the  
5 opportunity to be mentored by professionals or to  
6 attend sold out events. Quite simply, now we just  
7 rely on the fact that the Garden of Dreams and  
8 Madison Square Garden open every area of their  
9 business and every part of their lives to brighten  
10 the lives of the city's children who need it most.  
11 It is imperative that you understand that the  
12 Garden of Dreams would not exist if not for the  
13 commitment and involvement of MSG. I sincerely  
14 hope you understand how important both Garden of  
15 Dreams and Madison Square Garden have become to  
16 some of the city's most effective, well respected  
17 and far reaching community organizations such as  
18 WHECO and that nothing can be done to jeopardize  
19 their ability to support our children. Thank you.

20 CHAIRPERSON WEPRIN: Thank you very  
21 much.

22 MICHAEL CAROLAN: Good afternoon.  
23 My name is Michael Carolan, and I am the executive  
24 vice president of Meyers Parking Incorporated  
25 [phonetic]. I am here representing my company

1  
2 today to support MSG's proposal that is under  
3 consideration, and we urge the City Council to  
4 renew MSG's special permit without any term of  
5 years. Meyers Parking currently owns and operates  
6 six parking facilities in New York City. Three of  
7 them are located within the immediate neighborhood  
8 of MSG. Meyers Parking, and its predecessors have  
9 been in business since 1929. We currently employ  
10 146 people and our customers vary from tourists to  
11 business people to the wide variety of people who  
12 attend the events at Madison Square Garden. MSG  
13 provides a huge boost to the local businesses and  
14 as my company and MSG we see it as a vital  
15 component to our operations. We benefit in many  
16 ways from having MSG as our neighbor, primarily by  
17 more than over one million people a year that park  
18 in our facilities while attending events at the  
19 Garden. We even feel the positive ripple effect  
20 of the events at Madison Square Garden at our  
21 Times Square location. Businesses from the Garden  
22 allow us to hire 34 percent more staff or 49 more  
23 positions and we hire even more people each year  
24 during the NBA and NHL playoffs. Employees that  
25 work at Meyers range from full time professionals

1  
2 to part time employees. For some of these  
3 workers, it is a second job. We are able to offer  
4 very flexible work schedules because of the MSG  
5 event calendar. Our staff come from all five  
6 boroughs, Long Island and New Jersey, men and  
7 women, young and old, students, retirees and  
8 single parents. Placing a term of years on the  
9 Garden would not only create uncertainty for MSG,  
10 it would also have a drastic unintended  
11 consequences for the area businesses as well. Our  
12 business' investments, growth and expansion  
13 opportunities rely on MSG operating as the world's  
14 most famous arena. This could be jeopardized if  
15 the garden were to lose events due to uncertainty  
16 about its ability to operate. Meyers makes many  
17 business decisions based upon the Garden. My  
18 business and countless other local businesses that  
19 depend on the games, events and shows held at the  
20 Garden would be forced to reevaluate our  
21 operations and our hiring if the Garden's  
22 operations were interrupted. Any limit to MSG's  
23 business is a risk for my business and for the  
24 local economy. Thank you.

25 CHAIRPERSON WEPRIN: Thank you.

1  
2 Thank you very much. Fortunately, it was just  
3 this past year we got playoff games. It had been  
4 awhile since we had playoff games--just to make  
5 the record clear. Yes.

6 MICHAEL CAROLAN: We had last year.

7 CHAIRPERSON WEPRIN: - -

8 MICHAEL CAROLAN: Not both teams.

9 TOM DILAN: I had season tickets in  
10 2000, so I have got a gripe with that. I am Tom  
11 Dilan, president and CEO of the Bettina Restaurant  
12 Group [phonetic]. I am here to speak on behalf of  
13 MSG. Bettina employs over 1,000 employees in  
14 restaurants in the city, which draws business from  
15 MSG, whether it's Rockefeller Center, Macy's or  
16 Grand Central. We have Nick and Steph's, which is  
17 located directly in the Garden as well as doing  
18 all of the food service in the cellar at Macy's we  
19 just opened up Stellar 34 [phonetic], a 10,000  
20 square foot restaurant in the sixth floor of  
21 Macy's. The investment was over 20 million  
22 dollars, and it is crickets after eight o'clock if  
23 there is not something going on in the Garden, so  
24 clearly the key to us getting a financial return  
25 on our investment is having strong and vibrant

1  
2 events at the Garden. We are also in the process  
3 of opening a new restaurant in the Empire State  
4 Building as well. The continued long term  
5 vitality and successful operation marketing of MSG  
6 is critical to the success of our business in new  
7 York and the jobs we create. Furthermore, as a  
8 businessperson who works in a very competitive  
9 industry, it is clear to me that it would be  
10 unreasonable to restrict a business from being  
11 able to compete with other venues on such an  
12 integral industry standards like signage. Signage  
13 enhances the - - of the area, ensuring more  
14 interest in patrons for MSG, my restaurants and  
15 other local businesses. We have operated the  
16 majority of our New York City restaurants for more  
17 than 30 years and make significant long term  
18 financial commitments to make the investments  
19 worthwhile. Any lack of certainty around the long  
20 term operation of a venue such as MSG is a major  
21 deterrent to us making these investments, and I  
22 can say very heartfully [phonetic] and sincerely,  
23 if I was going to take a lease in the Garden,  
24 around the Garden and it was a 15 year term it  
25 would be very difficult to pay that back and I

1  
2 either wouldn't do it or I would look for  
3 significant concessions from the landlord or from  
4 MSG to do that. We are proud members and big  
5 supports of NYC & Co. where principal owner Mr.  
6 Nick Volenti [phonetic] has been a board member.  
7 It is hard to think of a more important partner in  
8 the success of New York City than MSG, and they  
9 are phenomenal people to do business with. I  
10 really cannot tell you what upstanding people they  
11 are and what a privilege it is to work with them.  
12 On a personal note, I live on 37<sup>th</sup> Street not far  
13 from the Garden and for the most part the Knicks  
14 and the Rangers have had a very positive impact on  
15 my life and certainly the concerts add  
16 immeasurably to the quality of my life. Outside  
17 of that just in closing, we are all in the  
18 business of selling dreams whether we are  
19 politicians, restaurateurs, charities or the  
20 Garden and it's a city of dreamers, and I love  
21 that. At the same time we are pragmatists. You  
22 can't be successful in New York if you are not a  
23 realist and a pragmatist and you don't really  
24 focus on getting things done, and I think it is a  
25 huge mistake to sell the dream of what Penn

1  
2 Station can be and ignore the reality of what the  
3 Garden does. Penn Station works. I grew up in  
4 Long island. I go to D.C. I go to Boston. It  
5 works. The Garden works, and I really hope level  
6 heads prevail, and we do the right thing. Thank  
7 you.

8 CHAIRPERSON WEPRIN: Thank you very  
9 much. Nice ending note there. We thank you all  
10 very much. We now have a panel in opposition.  
11 This is actually the last panel we have listed  
12 here, so I am going to call the names. If you are  
13 here and you have not been called, we may bring  
14 you up right now. Roseanne [phonetic], you know  
15 who you are, and you will tell me what I did  
16 wrong, Brian Nesson [phonetic], James Lima  
17 [phonetic]. Is he still here? James? Is anyone  
18 else here to testify either for or against this  
19 project? Seeing none, right. Okay. Alright.  
20 Whenever you are ready, do you want to go first  
21 and state your name properly that I screwed up.

22 ROSEMIN FLETCHER: Thank you, Mr.  
23 Chairman. My name is Rosemin Fletcher [phonetic],  
24 director of programs at the Design Trust for  
25 Public Space. We are an organization that is

1  
2 dedicated to making New York City's public spaces  
3 more dynamic, livable and sustainable. I'd like  
4 to make a few key points in supporting the  
5 restriction of the permit to ten years. as part  
6 of the Alliance for a New Penn Station led by the  
7 Regional Plan Association and the Municipal Arts  
8 Society, we believe that New York deserves a world  
9 class arena, a world class train station and most  
10 importantly, a world class public realm in the  
11 heart of Midtown. We commend the City Planning  
12 Commission on its conclusion that a rebuilt Penn  
13 Station and a relocated Garden would be the best  
14 outcome for New York City, but we contend that  
15 these plans should begin now with the goal of  
16 beginning construction in ten, not 15 years. Penn  
17 Station, one of New York City's most highly  
18 trafficked public spaces is grossly inadequate on  
19 many accounts. It is unsafe. Narrow platforms  
20 and overcrowding create a potential disastrous  
21 scenario. It is too small. The congested space  
22 and tracks contribute to inefficiencies and delays  
23 and provide little to alleviate the discomfort of  
24 those waiting for trains, in particular the  
25 elderly, disabled and young riders. It is

1  
2 unpleasant and disorienting. As a gateway to New  
3 York City Penn Station should be welcoming, easily  
4 navigable and inspiring to visitors and residents  
5 alike. We are at a critical moment and should  
6 seize the opportunity to create a new Penn Station  
7 that reflects the great progress this city has  
8 made in recent years to improving public space.  
9 Waiting any longer than ten years will only  
10 compound the difficulties associated with the  
11 construction and logistical coordination of such a  
12 complex transit site. Waiting any longer will  
13 also squander the opportunity to plan holistically  
14 for how a new Penn Station integrates its  
15 infrastructure and public space plans with  
16 development areas such as Hudson Yards and East  
17 Midtown as well as the garment district. In our  
18 recent report making Midtown a new vision for a  
19 21<sup>st</sup> century garment district, the Design Trust  
20 recommended a series of improvements to the  
21 district's public realm. These improvements  
22 should be considered in conjunction with plans for  
23 a new Penn Station. For all of these reasons we  
24 ask that you restrict the permit to ten years. we  
25 also ask you to remove the loophole that allows

1  
2 the permit to be renewed in perpetuity. Any  
3 agreement such has been mentioned earlier would  
4 circumvent New Yorkers and the Council's role in  
5 reviewing plans for a new Penn Station. It is  
6 essential that the planning process be transparent  
7 and subject to the city's established land use  
8 review process. Thank you.

9 CHAIRPERSON WEPRIN: Thank you.

10 Yes, sir?

11 BRIAN NESSON: Hi. My name is  
12 Brian Nesson. Thank you, Chair Weprin for the  
13 opportunity to speak to you. How did New York  
14 become great? It became the city that it is today  
15 because throughout its history there were people  
16 who could imagine a bigger, better city and  
17 planned accordingly. New York has a superb  
18 natural harbor, but in the early 1800s its port  
19 was second to Philadelphia's and New Orleans had  
20 the only water connections to the nation's  
21 interiors. Plans for a canal to connect the  
22 Hudson to the Great Lakes were dismissed as folly  
23 by many, but the opening of the Eerie Canal in  
24 1825 led to economic growth for the city and the  
25 nation for the rest of the century. 100 years

1  
2 after the canal was completed the Port Authority  
3 announced a plan to build a bridge across the  
4 Hudson. Like the canal this idea proposed by the  
5 Regional Plan Association was greeted with  
6 skepticism. Where is the funding? Is this  
7 possible? But in 1931, the world's longest span,  
8 the George Washington Bridge became a vital link  
9 in a regional transportation system that is knit  
10 together in the New York Metropolitan area. What  
11 impresses me most is its designer's forethought to  
12 include the capacity for adding a second traffic  
13 deck in the future. Today the two decks of the  
14 GWB carry more traffic than any bridge in the  
15 country. On the other hand, the designers of Penn  
16 Station wrongly assumed that rail traffic would  
17 continue to decline and so under designed Penn  
18 Station. Today the Station cannot accommodate the  
19 more than half a million commuters who pass  
20 through it. The center of the country's most  
21 extensive commuter rail system and the New York  
22 stop of Amtrak Penn Station is the busiest train  
23 station in the country and among the worst. It  
24 has twice the commuters, but only half the  
25 platforms as Grand Central Terminal. The growth

1 of our city and our economy is at risk as the  
2 infrastructure of the past is maxed out. 50 years  
3 ago, City Planning must have thought that there  
4 was a possibility that this could happen, and so  
5 wisely limited the original special permit to 50  
6 years so that the wisdom of putting an arena on  
7 top of Penn Station could be reconsidered if  
8 ridership increased and in fact it has. If we  
9 want to imagine a future of growth for New York,  
10 we need to start planning to improve the  
11 transportation infrastructure. There can be  
12 technical solutions to the problem of Penn  
13 Station's narrow platforms, inadequate stairways  
14 and worn like corridors, but the technical  
15 solutions are all constrained by the arena's  
16 squatting atop that station, its structure  
17 extending through it. Had we measured the  
18 economic impact of Penn Station vis-à-vis MSG  
19 think about what happened when Hurricane Sandy  
20 closed Penn Station. The impact of the  
21 transportation network shutting down was  
22 staggering. Well, Penn Station is the bottleneck  
23 to that system is currently running under  
24 capacity. The Council must act now. Please limit  
25

1  
2 the renewal of Madison Square Garden's permit to  
3 ten years and eliminate any loopholes in that  
4 permit that might allow it to stay. Thank you.

5 CHAIRPERSON WEPRIN: Thank you.

6 Last but not least. I went through my life  
7 thinking that was my last name actually--last but  
8 not least, Mark Weprin, 'cause I was always W and  
9 I had to go last, so don't take offense.

10 JAMES LIMA: I will be sure to turn  
11 the lights out on my way out. Good afternoon. My  
12 name is James Lima. I am a strategic planning and  
13 real estate development advisor with the practice  
14 focusing on structured public private partnerships  
15 in real estate and economic development. I work  
16 on projects in all five boroughs and nationally,  
17 and I am delighted to be back here before the  
18 subcommittee to which I served as a land use  
19 staffer many years ago with some of the colleagues  
20 here today. My firm was asked to analyze the real  
21 estate development potential in the vicinity of  
22 Penn Station as a means of demonstrating potential  
23 sources of capital funding for the improvements to  
24 Penn Station, and I would like to outline the  
25 results of that work, but first I want to urge the

1 Council to impose a deadline to focus the parties  
2 on a mutual agreed deal for both upgrades to Penn  
3 Station and a new Madison Square Garden and to  
4 remove the DCP loophole, which limits Council and  
5 public approval in the future. I agree with Kathy  
6 Wylde's comment earlier that New York City must  
7 leverage the value of the assets that it has.  
8 Despite being the busiest transportation hub in  
9 the western hemisphere and located within the  
10 largest central business district in the United  
11 States, Penn Station has never served as a major  
12 hub for high quality office and mixed use  
13 development. It has never been identified as a  
14 quality of life district in the city. It has been  
15 said before when did anyone ever say, meet me for  
16 a drink at Penn Station? In fact the opposite has  
17 been the case. It has been a place that has  
18 really repelled additional investment. 50 years  
19 ago America has little reason to be optimistic  
20 about the future of cities or about the future of  
21 rail transportation, and the siting of MSG on top  
22 of the rail station reflects that. Today all of  
23 that has fundamentally changed. We are in a  
24 period of great optimism about our cities and we  
25

1  
2 are a nation flocking to the vibrancy of great  
3 urban places. That demand for cities has created  
4 unprecedented real estate value nowhere more so  
5 than on the island of Manhattan, and so I would  
6 like to speak for a few minutes in that context  
7 about how this presents opportunities for the  
8 project before us. My report to the Municipal  
9 Arts Society demonstrates that there is very  
10 significant real estate value that can be created  
11 through a Penn Station redevelopment initiative.  
12 To a great extent, that value has not been created  
13 because of the negative environment both in and  
14 around Penn Station and the Garden. More  
15 important, this significant real estate value has  
16 not been, but can be captured as a source of  
17 funding for Penn Station. To be clear, the  
18 discussion of specific funding strategies for Penn  
19 Station is not for today. It is not a question  
20 before the Council today; however, Spike Lee asked  
21 the question earlier, where is the money for a new  
22 Penn Station and for a new Madison Square Garden?  
23 I have always wanted to have a dialogue with Spike  
24 Lee. So very quickly, we looked at a scenario  
25 where world class transportation hub is created,

1  
2 Madison Square Garden is relocated and zoning and  
3 other regulations allow for high density  
4 development appropriate to the proximity to a  
5 major transportation hub.

6 CHAIRPERSON WEPRIN: Just take  
7 another 30 seconds.

8 JAMES LIMA: We identified 34  
9 potential sites within easy walking distance of  
10 Penn Station, we applied average floor area ratios  
11 to the sites that mirror the Department of City  
12 Planning's 2007 rezoning plan for the district.  
13 This generated an average FAR of 24. The  
14 aggregate development potential equaled to 31  
15 million square feet. If we assume conservatively  
16 that a third to half of all of those sites are not  
17 redeveloped on a 30 year timeline the built  
18 program is 15 to 20 million square feet in the  
19 Penn Station district, that generates at a  
20 conservative estimate of 200 dollars a foot, more  
21 than a billion dollars, more like a billion three  
22 just in bonus floor area sales. If you look at  
23 payments in lieu of taxes, real property taxes and  
24 other direct and indirect benefits of the economic  
25 redevelopment of districts anchored by Penn

1  
2 Station, we are talking about many billions of  
3 dollars of direct benefit to the city to pay for a  
4 new Penn Station and to pay for a new Madison  
5 Square Garden. So there is a deal to be made  
6 around money and around time that is very grounded  
7 in the real estate realities of that corner of  
8 Manhattan's biggest central business district and  
9 so the value of real estate can be leveraged both  
10 to pay for public benefit improvements, to drive  
11 our national and regional economy of which this is  
12 a huge piece and to solve problems of the private  
13 owner that needs to identify ways to pay for a  
14 relocation that currently is a hindrance to that  
15 public and economic growth. Thank you.

16 CHAIRPERSON WEPRIN: Well, thank  
17 you very much. I want to ask again, is anyone  
18 else here who came to testify who has not been  
19 heard? We have nobody. Well, we thank you all for  
20 your patience and for your time. We are now going  
21 to close this hearing, and we are going to remind  
22 everyone that Land Use numbers 847, 848 and 849  
23 are going to be laid over to our next meeting. Do  
24 we have a date for that next meeting yet, Ann? Not  
25 yet. Okay. ...for our next meeting in the

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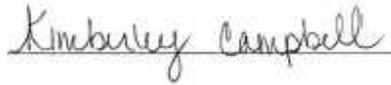
Subcommittee, and with that in mind, the hearing  
is closed, and the meeting is now adjourned.

[gavel]

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

Handwritten signature of Kimberley Campbell in cursive script, written over a horizontal line.Date 7/20/13