

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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April 1, 2014  
Start: 9:43 a.m.  
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HELD AT: Council Chambers  
City Hall

B E F O R E: Mark S. Weprin  
Chairperson

COUNCIL MEMBERS:

Daniel Garodnick  
Jumaane Williams  
Donovan Richards  
Antonio Reynoso  
Ritchie J. Torres  
Vincent M. Ignizio  
Vincent Gentile  
Ruben Wills

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

Richard Lobel  
Sheldon Lobel, P.C.

Carol Rosenthal  
Fried, Frank, Harris, Shriver and Jacobson/Land  
Use Council to TF Cornerstone

Jon McMillan  
TF Cornerstone

Christine Berthet  
Community Board Four Chairperson

Frank Caruchi

Kathy Gaffney

Olive Freud  
Commission of Environmentally Sound Development

Michael Slattery  
Real Estate Board of New York

Steven Cohen  
Service Employee International Union Local 32 BJ

Devin Maroney  
Deputy Political and Strategic Director for the  
Hotel Trades Council

Paul Sawyer  
Assembly Member Rosenthal

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

Daniel Gutman  
Crowded

Jessica Bondy

Evelyn Wolfe

Alan Wright  
Local 14 Building and Construction Trades  
Council

David Lombino  
Two Trees

Jed Walentas  
Two Trees

Ray Levin  
Two Trees

Vishaan Chakrabarti  
SHoP

John Skinner  
Metal Lathers Reinforcing Ironworks Local 46

Vivian Keys  
Local 46

Abraham Rosaro  
Construction Super Structure

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

Colin Miles  
Save Domino

Evelyn Cruz  
Representing Congresswoman Nydia Velazquez

Michael Porto  
Metropolitan Waterfront Alliance

Carlo Scissura  
President and CEO Brooklyn Chamber of Commerce

Eric Rodeski  
Representing Assemblyman Joseph Lentol

Daren Littman

Bess Long

Javier Bosque

Melinda Gonzales  
33<sup>rd</sup> Council District

Raymond Vasquez  
Local 32 BJ

Daniel Contreras  
Local 32 BJ

Carla Villa

William Harvey  
Creative Economy Group

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

Martin Needleman  
Brooklyn Legal Services

Salu Esperanza

Ronald Lee  
Saint Nicks Alliance Workforce Development

Miguel Hernandez, Sr.

Jeff Mann  
Greenpoint Chamber of Commerce

Emily Gallagher  
Neighbors Allied for Good Growth and Greenpoint  
Waterfront Association for Parks and Planning

Emily Walker  
New Yorkers for Parks

Nicholas Ronderos  
Regional Planning Association New York

Liz Santiago

Gabriella Alvarez

George Hernandez

Nancy Shera

Rohand Defreitas  
Crescent Consulting

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

Will Dickinson  
Two Trees

Ed Brown  
Team Brown Consulting

Jeffery Goodman  
Two Trees Tenant

Katrice Moore

Stephanie Isenberg



2 CHAIRPERSON WEPRIN: Super, alright.

3 Could everyone please find their seats and  
4 we'll need a little quiet. I know everybody had  
5 a very exciting day yesterday, lots of meetings  
6 and some of us got to throw out first pitches  
7 at baseball games and make the front page of  
8 the New York Post. So it's good to be here. My  
9 name is Mark Weprin, I am the Chair of the  
10 Zoning and Franchises Subcommittee. I want to  
11 thank everyone for coming today. Just to give  
12 you the lineup for the day, we have a few items  
13 on the agenda. We have one which I anticipate  
14 to be a non-controversial item which we're  
15 going first. That'll be the Braddock-Hillside  
16 rezoning. It's in Queens in Council Member  
17 Weprin's district, which happens to be mine,  
18 and we are then going to take a vote on that  
19 item and an item from last week after Council  
20 Member Chin speaks. Then we're going to move  
21 to the West Side of Manhattan first, 600 West  
22 57<sup>th</sup> Street. Which t-shirts are here for that?  
23 That's this side, okay. The bride's side is  
24 here for that. And then after that we're going  
25 to do Domino. Hopefully we'll get to it



1 quickly. I know there are a lot of people here  
2 for Domino, so we'd like to do the ones with  
3 the most people last just so we can keep it  
4 moving. So just so you know, what we're going  
5 to do is when the pre-- people are going to  
6 present for the project. There'll be questions  
7 and answers. Then we will bring people up in  
8 favor and in opposition, actually probably in  
9 opposition and then in favor in groups of four  
10 people. Each person will have approximately two  
11 minutes to speak. We're going to have a clock  
12 on you. So in your mind, if you're speaking to  
13 try to get that down to two minutes would be  
14 very helpful, and we'll hear from everybody who  
15 wants to testify. We'll be here as long as it  
16 takes and hopefully we can do that reasonably  
17 quickly, though, and I would just ask for some  
18 cooperation. No yelling. No screaming. You  
19 know, no outbursts so we can move along as  
20 expeditiously as possible. I am joined by the  
21 following members of the Subcommittee on  
22 Zoning, Council Member Gentile, Council Member  
23 Donovan Richards, Council Member Antonio  
24 Reynoso, Council Member Ritchie Torres and  
25

1 Council Member Vincent Ignizio. We are also  
2 joined by the Council Member Margaret Chin  
3 who's here on one of the items, and I know  
4 Council Member Levin was here before. He is  
5 here on Domino as well. So without--we're going  
6 to get on with our first item which is Land Use  
7 Number 27, the Braddock-Hillside Rezoning, and  
8 we have Richard Lobel from Sheldon Lobel, P.C.  
9 and Mr. Grobman [phonetic] who's here with him,  
10 young Mr. Grobman who is here with him as well  
11 who is the developer. So when--you know the  
12 drill, Mr. Lobel. Please make sure to state  
13 your name for the record. If more than one  
14 person is speaking, please identify yourself  
15 each time you speak because when the record is  
16 transcribed, we want to know who was speaking  
17 at any given time. So Mr. Lobel, why don't you  
18 start on this project, and please let's try to  
19 keep it noncontroversial since I just promised  
20 all them.

21  
22 RICHARD LOBEL: This will be as  
23 noncontroversial as they come. No t-shirts.  
24 No t-shirts. Good morning, Richard Lobel from  
25 Sheldon Lobel, P.C. I'm with Brian Grobman from

1  
2 DERP Associates and again, we're here for  
3 Braddock-Hillside Rezoning. Council Members,  
4 the Braddock-Hillside Rezoning in Community  
5 Board 13 in Queens as you can see on the map to  
6 my left is represented in the pink square in  
7 the middle of the site. The site is currently  
8 approximately a 97,000 square foot site which  
9 is home to a shopping center. It's known in the  
10 area as having a Sears shopping center as well  
11 as a bank and an auto supply store. The  
12 building at the site is approximately 3,600  
13 square feet. The building has been there since  
14 1997, and it's zoned R32 with a C22 overlay,  
15 which in the Zoning Resolution, C22's limit  
16 your R32 development to certain types of  
17 commercial uses, and for the main anchor tenant  
18 here, the Sears, in a building that's 25,000  
19 square feet you can really only have very  
20 limited uses. Here it is a hardware store. This  
21 is one of the only retail uses that's permitted  
22 at a square footage of greater than 10,000  
23 square feet. So what is the rezoning here seek  
24 to accomplish? The rezoning here seeks to  
25 change the zoning district from a C22 to a C41.

2 And what does this do? Well basically, what  
3 this does is it liberalizes the uses at the  
4 site and it enables it to be built with a Use  
5 Group [phonetic] 10 or Use group 12 which is  
6 more akin to a department store, a Marshall's,  
7 a TJMaxx, and we had fantastic success in the  
8 community. We've had a vote of 22 to one in  
9 favor at Community Board 13 in Queens, which is  
10 very rare. It's a Community Board that is a  
11 very active Community Board and is very  
12 challenging. The felt overwhelmingly that this  
13 was a good idea for the community as did the  
14 Queens Borough President's Office. On a final  
15 note, the zoning right now would permit a 1FAR  
16 commercial building.

17 CHAIRPERSON WEPRIN: That's easy to  
18 read.

19 RICHARD LOBEL: There you go. I'll  
20 point out the highlights. And the C41 also  
21 permits a 1FAR commercial building. So the for  
22 the 3,600 square foot building at the site, we  
23 right now conform with R32 C22 and the C41  
24 would also impose the same commercial square  
25 footage. The great thing about this rezoning is

1 that the parking requirement here actually  
2 increases. So as of now we're required to have  
3 one parking space for every 300--I'm sorry, for  
4 every 300 square feet of floor area. What does  
5 that mean? It means that at the site we're  
6 required to provide 121 parking spaces. We do  
7 so. After the rezoning, the parking requirement  
8 increases to one space per 150 square feet.  
9 What does this mean? It basically locks in this  
10 bulk. This building stays the same. If we now  
11 demolish this building and put up a new  
12 building, we'd be required to provide over 260  
13 spaces, which we can't do on this site. So what  
14 was recognized by the Community Board, by the  
15 Queens Borough President and hopefully by the  
16 Council is that this rezoning enables this  
17 owner to get a tenant in here to prevent the  
18 site from going dark and to basically allow  
19 this community to thrive with an ongoing and  
20 productive commercial use, and I'd be happy to  
21 answer any questions.

22  
23 CHAIRPERSON WEPRIN: Great, thank  
24 you. Thank you, Mr. Lobel, and I just want to  
25 state this is in my district, it's actually

1 fairly close to where I live, and I just want  
2 to state for the Committee that in 1997 when  
3 this was finally made a commercial space,  
4 before that for many years it was a empty  
5 complete abandoned area which the community  
6 hated and was terrible for the whole community.  
7 It was unsightly and we've been very happy to  
8 have it be a store and I do, and the  
9 community's very happy that this opens up the  
10 options for what kind of stores can go in  
11 there, increasing the opportunity that the  
12 property will be used. It's a little difficult  
13 the property because the way the streets are  
14 designed to get people in and out of there so I  
15 know you've had the issues there, but we're  
16 very supportive of it in our community.  
17 Everyone I've spoken to, the Community Board  
18 overwhelmingly supports this, so I would ask  
19 the committee to please support this as well.  
20 With that in mind, does anyone have any  
21 questions? Okay, that had the desired effect.  
22 And we want to thank you very much. We're going  
23 to--we want to thank you and we'll excuse you.  
24 Is anyone else here to testify on this matter?

1  
2 I don't believe so. Seeing none, we're going  
3 to actually close this hearing, and you can go.  
4 I know you had to go to another hearing.  
5 You're on your way.

6 RICHARD LOBEL: Thank you, Chair.

7 CHAIRPERSON WEPRIN: And please send  
8 my regards to your father and to everyone else  
9 over there, and we're glad this worked out so  
10 far and we look forward to continuing to work  
11 together. We are going to now--just want to  
12 mention we've been joined by Council Members  
13 Wills and Williams, and now I'm going to call  
14 on--we're going to go back to an item that was  
15 on our agenda last week that we already had the  
16 hearing on 688 Broadway in Council Member  
17 Chin's district. She has a statement she wants  
18 to make and then we are going to vote on that  
19 item as well as the item we just heard, since  
20 it does not have opposition. Ms. Chin?

21 COUNCIL MEMBER CHIN: Thank you,  
22 Chair. Good morning.

23 CHAIRPERSON WEPRIN: Good morning.

24 COUNCIL MEMBER CHIN: Good morning,  
25 Chair Weprin and my coun--

CHAIRPERSON WEPRIN: [interposing]

Good morning, Ms. Chin.

COUNCIL MEMBER CHIN: and my fellow Council Member. The application before us seeks two action. One is to allow for residential use in an M15 district in NOHO [phonetic] and two, to waive bulk restriction currently set by the zoning resolution. Both action have become quite common in my district as SOHO and NOHO have transitioned from manufacturing districts to residential neighborhoods. The application to allow residential use in this area is something I and this body have supported in the past. I support this action here as well. With regard to the second action, the bulk waiver would allow for a contiguous street wall along Broadway, and I support this application as well. Early in the process, communications seemed to have stagnated. Sometimes this happened. However, cross communication is very important to me and to the integrity of this process. To that end, and my office urging the applicants have met continuously since December with my office and



1 the resident of the adjacent residential Silk  
2 [phonetic] building. Because the project and  
3 the Silk building property are in a historic  
4 district, my constituents were concerned about  
5 the potential dangers that underpinning would  
6 have to their building's foundation. To be  
7 sensitive to that concern, the applicant  
8 removed underpinning from their project  
9 altogether. In addition, the construction of  
10 688 Broadway would result in the loss of  
11 enjoyment of light and air for resident of the  
12 Silk building. To address these impacts, a  
13 package of mitigations needed to be put  
14 together to offset those impacts. This package  
15 of mitigation include the creation of a new  
16 HFAX [phonetic] system for the resident of the  
17 Silk building, a set of sky lights that would  
18 provide fresh air and natural lights, internal  
19 lighting for those apartment where lot lined  
20 windows will mean the loss of light and air.  
21 Downtown real estate holding is showing that  
22 they have heard the concern about the negative  
23 impacts from the community board, from the  
24 residents of the Silk building and from the  
25

1  
2 City Council, and they have taken those  
3 concerns seriously and have addressed them. I  
4 know the cooperation is difficult at time, but  
5 in the end it's worth it. Neighbors working to  
6 understand each other's concern have resulted  
7 in an agreement that will ensure that long term  
8 quality of life for the resident of the Silk  
9 building. I support these application and  
10 commend the works of the downtown real estate  
11 holdings for working with their neighbors and I  
12 urge my colleagues to vote in support of this  
13 application. Thank you.

14 CHAIRPERSON WEPRIN: Thank you, Ms.  
15 Chin. Okay. Does any members have any comments  
16 or questions on this matter? Nope. Okay. So we  
17 are going to move to a vote on this item, Land  
18 Use Numbers 23 and 24, which is 688 Broadway  
19 that Council Member Chin just spoke about and  
20 Land Use Number 27, which is the Braddock-  
21 Hillside Rezoning, which we just had the  
22 hearing on. And I'm going to ask Ann McCoy  
23 [phonetic] to please call the role on these two  
24 items, well three items technically, yes.

25 COUNCIL CLERK: Chair Weprin?

1                   SUBCOMMITTEE ON ZONING AND FRANCHISES     19

2                   CHAIRPERSON WEPRIN: I vote aye on

3 all.

4                   COUNCIL CLERK: Council Member

5 Gentile?

6                   COUNCIL MEMBER GENTILE: I vote aye.

7                   COUNCIL CLERK: Council Member Wills?

8                   COUNCIL MEMBER WILLS: I vote aye.

9                   COUNCIL CLERK: Council Member

10 Richards? Council Member Reynoso?

11                   COUNCIL MEMBER REYNOSO: Aye on all.

12                   COUNCIL CLERK: Council Member

13 Torres?

14                   COUNCIL MEMBER TORRES: Aye on all.

15                   COUNCIL CLERK: Council Member

16 Ignizio? By a vote of six in the affirmative,

17 zero abstentions and zero negatives, Land Use

18 items 23, 24 and 27 are approved and referred

19 to the Full Land Use Committee. Council Member

20 Williams? My apologies.

21                   COUNCIL MEMBER WILLIAMS: Aye.

22                   COUNCIL CLERK: Vote now stands seven

23 in the affirmative, zero abstentions, zero

24 negatives. Council Member Richards?

25                   COUNCIL MEMBER RICHARDS: Aye.

2 COUNCIL CLERK: Vote now stands eight  
3 in the affirmative, zero abstentions and no  
4 negatives. The items are referred to the Full  
5 Land Use Committee.

6 CHAIRPERSON WEPRIN: Okay. We're  
7 going to leave the roll open, and we're going  
8 to move on to our next item. So as I mentioned  
9 earlier, we are going to do the West Side piece  
10 first, and then Domino after that. So that is  
11 Land Use--how many items are we here? Land Use  
12 Number 41, 42, 43 and 43, this is 606 West 57<sup>th</sup>  
13 Street, and that is in Council Member  
14 Rosenthal's district who we've been joined by.  
15 And we'd like to call up Jon McMillan, Charles  
16 Fields and Carol Rosenthal, no relation for the  
17 record. I don't believe so, at least, to  
18 Council Member Rosenthal. A lot of those  
19 Rosenthal's run around the West Side. Alright.  
20 Alright, without further ado, please whenever  
21 you're ready. Remember to always say your name  
22 when you speak.

23 Good morning, Chair Weprin and City  
24 Council Members. I am Carol Rosenthal, partner  
25 at Fried Frank Harris Shriver and Jacobson, and

1 Land Use Council to TF Cornerstone who is the  
2 applicant for this project. The site for the  
3 project is the block located at 12<sup>th</sup> Avenue  
4 just south of 57<sup>th</sup> Street. As you drive north  
5 on the West Side highway, you'll see a large  
6 sanitation garage to your right covering two  
7 blocks, and this site is behind the sanitation  
8 garage. Currently there are auto repair shops,  
9 large parking garage and other assorted uses on  
10 the site. TF Cornerstone is the ground tenant  
11 under and existing 99 year lease. TF  
12 Cornerstone is proposing a new building that  
13 will transform this block into a vibrant  
14 community. That community will be all new  
15 rental housing, rare in Manhattan, comprised of  
16 a commercial base at the lower levels to  
17 enliven the block and include 1,027 units,  
18 including 207 new low income units. John  
19 McMillan is going to present the proposal in  
20 more detail and I'll then summarize the ULURP  
21 actions for you and where we are in the  
22 process, in our ULURP process. Thank you very  
23 much.  
24

25 CHAIRPERSON WEPRIN: You're welcome.

JON MCMILLAN: Thank you, Chair

Weprin and members. I'm Jon McMillan with TF Cornerstone, and I wanted to start this morning by talking a little bit about the context of this site or the part of town that it's in. What's unusual about this site is the very large scale of everything that's around it. As Carol mentioned we share the site with a very large sanitation parking facility that spans over 56<sup>th</sup> Street and is two blocks long. To the north of us is the monumental Duras [phonetic] Pyramid that's now under construction. North of that is a block long Con-Ed power plant. Across the street from that is a block long John Jay College building. There's a large office building on the corner, and across the street, CBS Studios. So when we started meeting with City Planning, everyone agreed that the scale and mass of this building should be not unlike its neighbors. "Make it bold," City Planning said to us. So this is our building shown here in white and another challenge at this site that was something City Planning was very concerned about was the relationship of

1  
2 our building to the Duras pyramid across the  
3 street. City Planning felt that there was an  
4 opportunity to create kind of a strong  
5 architectural pairing here at the end of 57<sup>th</sup>  
6 Street, like an architectural gateway entrance  
7 at the beginning of the western end of 57<sup>th</sup>  
8 Street. So we took sort of a yin-yang approach  
9 to this and came up with a building form that's  
10 obviously very different form the pyramid. It's  
11 somewhat deferential to the pyramid in terms of  
12 where we put the height of our building, but we  
13 found that it was a form that was very  
14 complementary to the pyramid when you look at  
15 the two of them together. Our building is  
16 broken down into several distinct separate sub-  
17 buildings if you were, separated by 30 foot  
18 long transparent glass bridges and these  
19 bridges, you'll see people walking back and  
20 forth as they go from the central elevator core  
21 in the middle to different parts of the  
22 building. Let me just quickly point out the  
23 bridges in this. Right here is a 30 story glass  
24 bridge here and another one here. The project  
25 also has street walls that fill out the site in

1  
2 its entirety and we've been very careful to  
3 incorporate some existing older buildings on  
4 the site that we don't control. You can see one  
5 on the corner all the way to the left. And the  
6 street wall portion of the building will be  
7 made out of a, kind of warm light grey brick as  
8 well as the mid-rise portion of the building  
9 that's extending to the left, to the right  
10 here. And then the tower volumes will be in  
11 glass with a--the tower volumes will be in  
12 glass with this metallic overlay in this  
13 abstract pattern that changes depending on  
14 which volume you're in and in general it gets  
15 lighter as you go up. The ground, excuse me,  
16 the ground floor will be nearly all retail  
17 except for where the lobby is, and the--we have  
18 several below-grade levels that can either be  
19 used for parking or for automobile services  
20 uses and incidentally, the automobile services  
21 uses that are on this site now are being moved  
22 10 blocks to the south to another site of ours.  
23 This is the Lexus and Toyota dealership. And  
24 then we have a little bit of frontage on 56<sup>th</sup>  
25 Street where all of the building servicing will



1  
2 take place and we have worked out kind of a  
3 special new prototype with the Sanitation  
4 Department where they have this specially  
5 designed vehicle that will drive all the way  
6 into the building and pick up a compacted  
7 dumpster of garbage, drive it away and then  
8 bring it back empty so that the garbage and the  
9 recycling never goes out to the street and is  
10 never in fact handled by human hands. The  
11 building will contain 1,027 apartments and  
12 approximately 207 affordable units. This is 48  
13 more affordable units than we had originally  
14 planned to do. We had a provision in the zoning  
15 that it would have allowed us to do a large  
16 commercial base at the building and not do  
17 affordable housing in connection with that. We  
18 have that given that up and will now have to do  
19 those additional affordable units. Lastly, I  
20 just wanted to say that my company is one of  
21 the last companies in Manhattan who is still  
22 trying to do rental housing. It's virtually  
23 impossible to do so now because of the high  
24 cost of land and the sort of high rate of real  
25 estate taxation on rental housing. Both of

1  
2 these have driven most developers out of rental  
3 and into luxury development exclusively, but we  
4 have been able to make this project work as a  
5 rental project and we're proud that we're able  
6 to do so many affordable units at this site.

7 Thank you.

8 CHAIRPERSON WEPRIN: Carol, are you  
9 going to go now?

10 CAROL ROSENTHAL: Right. I'm going--  
11 I was going to talk about the actions that are  
12 before you today.

13 CHAIRPERSON WEPRIN: Please.

14 CAROL ROSENTHAL: And so, we have  
15 four types of requested actions to facilitate  
16 the development. The first is a rezoning. It's  
17 currently an M2 district with a small M15 area.  
18 The request is to rezone that to C47 zoning  
19 district, which is similar to the districts to  
20 the north. The C47 zoning district has a base  
21 FAR of 10, which is bonusable [phonetic] to 12.  
22 In addition to the rezoning action, there's a  
23 text action that would put this into the  
24 inclusionary housing designated area. That  
25 would lower that base from 10 to nine. So to

1  
2 get from the nine to 12, you'd need to do the  
3 inclusionary housing. In addition, there's a  
4 text change to allow a show room to do repair.  
5 Those three actions were recommended for  
6 approval by the Community Board and approval  
7 with conditions by the Borough President. In  
8 addition to those actions, we had a action that  
9 would allow a parking garage with up to 500  
10 cars on the site. That action was not--the  
11 Community Board and the Borough President asked  
12 that the parking be reduced from 500 to 400  
13 cars. City Planning found that we met the  
14 standing for the special permit for the  
15 findings for the 500 cars. The other change  
16 that we had requested is one that Jon  
17 mentioned, is along with the text change, the  
18 ability to increase the base FAR from nine by  
19 providing commercial floor area on the other  
20 floors, up to four floors or up to a ten bonus.  
21 What this--this was not approved by City  
22 Planning at the urging of the Community Board  
23 Borough President and Council Member, and what  
24 this means it that an additional 48 units of  
25 low income housing are going to be ensured on

1 the site regardless of what's built, whether  
2 it's commercial or residential. And the last  
3 change I was going to note is that we had also  
4 introduced a text change that would make hotels  
5 at this, on this district in the prior M2  
6 district available only by special permit and  
7 that was also not approved by City Planning.  
8 Since the vote by City Planning on our project  
9 we've had a number of productive discussions  
10 with Council Member Rosenthal in her office.  
11 We've asked to look at some other things and we  
12 are going to do that. This rezoning which was  
13 supported by the community and the actual  
14 rezoning part of it would facilitate the  
15 development of an underutilized area next to  
16 the sanitation garage, which is as we noted a  
17 block from the Con-Ed site. It would  
18 facilitate a rental housing building that will  
19 enhance if not transform this end of West 57<sup>th</sup>  
20 street. Accordingly, we urge your approval.

21 Thank you.

22 CHAIRPERSON WEPRIN: Thank you.

23 Alrighty, okay. Well thank you very much. I'm  
24 going to call on, as soon as we figure out  
25

1 which mic to get to her, Council Member  
2 Rosenthal who represents this area, the West  
3 Side of Manhattan. Council Member Rosenthal,  
4 whenever you're ready.  
5

6 COUNCIL MEMBER ROSENTHAL: Thank you  
7 very much, Chair Weprin. Thank you so much for  
8 coming here today. I really appreciate this  
9 opportunity to have a public hearing to discuss  
10 what's going on here at 606 West 57<sup>th</sup> Street.  
11 And you know, in listening to your presentation  
12 I thought it was a good representation of the  
13 history of this project. In the sense that I  
14 hear the competing interests that you're  
15 juggling, right? This is zoned as a  
16 manufacturing district currently. You've  
17 chosen to develop a rental luxury building and  
18 City Planning urged you to build it bold, given  
19 the nature of the buildings that are around  
20 you, and within the confines of the financing  
21 that's available to us today, you're putting in  
22 affordable housing. The total number 210,  
23 somewhere around there, 207, 210. Again,  
24 following the laws, right, the rules, the  
25 regulations that exist, fundamentally the

1 affordable housing that is available would be  
2 available is at 60 percent of the AMI. Those  
3 are the things that I hear when you're  
4 describing it. Now, the context that I just  
5 want to put it in for my colleagues and for you  
6 is that as you were describing bold, there are  
7 a number of high-rises that are not shown in  
8 that picture because they've yet to be built.  
9 So you've got the Ders [phonetic] site, which  
10 you have in the brown triangle, and that's  
11 bringing in something like 850 apartments. And  
12 I don't know if you have it in there. I guess  
13 it's--where's the Con-ED building?

14 [off mic]

15 COUNCIL MEMBER ROSENTHAL: That have  
16 yet to be built. So to the north we've got, I  
17 think it's actually five high rises. They  
18 might not be as tall so they won't poke up, but  
19 it's over 2,500 new units that'll be coming in  
20 that have already been approved by the city,  
21 and again, I just want to give people context  
22 of what we're thinking about when we look at  
23 this site. So, we're bringing in over 4,500  
24 units to this area, to this five block radius,  
25

1  
2 and my concerns have to do with two things  
3 primarily, and I think we've talked about  
4 these. One is the city's infrastructure and can  
5 the city's infrastructure accommodate all of  
6 this building? And again, I'm looking at it in  
7 the larger five block context, and what I see  
8 is a 2,500 apartment complex, five high rises  
9 that are going up at Riverside Center and  
10 because it's 2,500 units, the EIS and the  
11 community agreed to in the City Council agreed  
12 to the city building--or the developer building  
13 but the city operating a new K through eight  
14 school in that complex. It was something the  
15 developer agreed to and the SCA and the city  
16 agreed to. Now we've got a set of buildings  
17 going up literally two blocks south that taken  
18 together would yield a new public school, taken  
19 together would yield a real demand on our  
20 transportation infrastructure, and taken  
21 together might require a more thoughtful  
22 planning process for what to do. But the  
23 reality is they've been separated, right? So  
24 the EIS, there was an EIS Durst [phonetic] set  
25 of buildings and now there's a separate EIS for

1 this set of buildings. And it leaves me in a  
2 very bad spot, it leaves us. It leaves the city  
3 in a really lousy spot in terms of public  
4 policy and how we're going to address the needs  
5 of those residents once they come in, not just  
6 of your building, but of the building across  
7 the street at the Durst site. And that gives me  
8 a lot of pause, and I'm going to tell you why.  
9 When I was elected to the City Council the main  
10 reason I believe I was elected was because I  
11 fought very hard with my community to get a new  
12 school started because people just like us 20  
13 years ago were put in the same situation and  
14 we, those legislators bought the line that  
15 those people moving into the luxury rentals  
16 would sent their kids to private schools, and  
17 now 20, 30 years later not only did the parents  
18 not send their kids to the private schools,  
19 which are over-crowded, but they sent them to  
20 the public schools which became over-crowded,  
21 and I worked with a group of public school  
22 parents to get a brand new school started  
23 against the wishes of the DOE who did not want  
24 to acknowledge the fact that there was demand,  
25



1 and we ended up cramming it into another middle  
2 school. It's a lousy situation for our  
3 district. Our district is completely over-  
4 crowded and we're in a bad spot, and so  
5 fundamentally I don't like the position that we  
6 are all in put in. I think we don't have a  
7 policy for a good planning policy for this  
8 situation and I don't see any cooperation today  
9 with the Mayor's Office, with the Department of  
10 Education to do something about this, and I'm  
11 frustrated, and I just want to--I want to be  
12 clear about that background. The second thing  
13 that I find that is difficult for me at this  
14 spot is that it's the reality of the economics  
15 in this geographic location. And the reality  
16 of the economics is that our historic public  
17 policy for financing would require that the  
18 affordable apartments come in for families  
19 making 60 percent of the AMI. That is just not  
20 the population that's living there. That's not  
21 the population that needs affordable housing,  
22 full stop. You know, we've, again, if you go  
23 back to Riverside Center, the financing  
24 incentive there allows for families to come in,  
25

1  
2 the affordable housing families to come in at  
3 40 to 60 percent AMI. They will be  
4 accommodated. If you look at this set of  
5 developments over the five block area and you  
6 want to talk about mixed income affordable  
7 housing policy and you want to move toward 50  
8 percent, you know, market, 30 percent middle  
9 income, 20 percent lower income, you have to  
10 look at it in the five block radius in this  
11 situation. You can't look at it building by  
12 building. I would argue we're at the 50 percent  
13 market already and through the Riverside Center  
14 complex, we're at the 20 percent low income and  
15 what we really need here is the 30 percent of  
16 housing for people at an AMI between 80 percent  
17 and 160 percent, 165 percent of AMI. And who  
18 are we talking about that fall into that  
19 bandwidth? It's teachers, it's construction  
20 workers, it's doormen, it's concierge, it's our  
21 PT's, our OT's, our social workers, that's the  
22 income bandwidth that I'm looking for the  
23 affordable housing. And fundamentally, that is  
24 why for both of those reasons I find this a  
25 frustrating project. I'm sorry I can't be more

1 articulate. I'm sorry I can't give better  
2 direction than that, but I really feel caught  
3 between a rock and a hard place with this  
4 development. Fundamentally, I don't think the  
5 city has prepared properly to accommodate 1,000  
6 new or whatever it would be, 3,000 new  
7 residents in that area, and fundamentally, I  
8 think the affordable housing component does not  
9 address the needs of that community. So, I'm  
10 going to leave it there, but I wanted you to  
11 understand where I'm at. Thank you.

12 [applause]

13 CHAIRPERSON WEPRIN: Okay, please.  
14 Alright. Thank you very much. We got to try to  
15 limit those outbursts, but thank you. Ms.  
16 Rosenthal, Carol Rosenthal, do you have a  
17 comment in response to the concerns of Ms.  
18 Helen Rosenthal?  
19

20 CAROL ROSENTHAL: Thank you, Council  
21 Member Rosenthal. I mean, those are very  
22 important and understandable planning issues  
23 for the neighborhood and the community. We are  
24 using the tools that we have at hand to deal  
25 with these things. Meaning, us as a private

1 applicant. We are just the way the hand is  
2 dealt, we're the last one to come in after  
3 other projects have been there. It, to some  
4 extent although perhaps not as much as one  
5 would long for a broader planning perspective,  
6 but those other projects are captured in the  
7 environmental reviews because you look at  
8 cumulatively what's going on and what's going  
9 to happen in your build year. So to some  
10 extent, when we looked at the various issues in  
11 terms of infrastructure there was an assumption  
12 that those other projects would be there. So  
13 we've, using the, you know again, the hand we  
14 were dealt and the projects and what's at our--  
15 the tools at our hand have come up with what we  
16 thinks is a lovely project. It's a union  
17 building, union construction, union run  
18 entirely. We also understand the issue about  
19 the incomes and again, the frustration about  
20 the existing programs and the limitations of  
21 those programs. As we have mentioned and as we  
22 hereby commit to continue to do, we'll explore  
23 what other options are out there for that and  
24 to allow the other, you know, bandwidths, but  
25

2 again we are limited by the programs and the  
3 financing at our disposal. We will continue to  
4 talk with you and explore what we can. Thank  
5 you.

6 CHAIRPERSON WEPRIN: Ms. Rosenthal?

7 COUNCIL MEMBER ROSENTHAL: I

8 appreciate those limitations but I need you to  
9 understand and I want the community to  
10 understand that as you all know that I do not  
11 like labels, but as somebody who is a  
12 progressive and with the beginning of a new  
13 progressive Administration, I feel that we have  
14 all been put in a box that's not one that  
15 reflects the values of my definition of  
16 progressive. This is not progressive in terms  
17 of addressing income inequality. This is not  
18 progressive in terms of meeting the needs of  
19 the residents in this area. It really is a  
20 project where I too feel I've been handed--this  
21 is the hand I've been dealt and it's not--I  
22 truly wish we were doing this project a year  
23 from now, because the mechanisms that are set  
24 up in place are not ones that are meaningful  
25 for this community. So I appreciate everything

1 that's been done for labor 100 percent, right?  
2 I appreciate your stretching yourselves in  
3 terms of affordable housing, but I also  
4 appreciate the fact that this is the  
5 manufacturing, this is a zoned manufacturing  
6 site. It's on the edge of the Hudson River that  
7 we all know because of climate change and I'm  
8 so glad to see Donovan Richards here who's the  
9 Chair of the Environmental Protection  
10 Committee. There are a lot of questions when it  
11 has, you know, in terms of what we're building  
12 and whether or not we're being thoughtful in  
13 terms of the environment. I, you know, I'm not-  
14 -I just want to be very clear that the hand  
15 that I've been dealt is not conducive to what I  
16 was elected to do. Thank you.

18 CHAIRPERSON WEPRIN: We've  
19 established nobody like their hands, obviously,  
20 that they've been dealt, both sides it seems.  
21 Ms. Rosenthal, you're welcome. Thank you  
22 Council Member Rosenthal. Ms. Rosenthal, just  
23 curious, as far as the anticipated tenants, I  
24 know she talked about the issue that 20 years  
25 from now you'll never know what is going to be

1  
2 living there. Have you looked at studies as far  
3 as the availability of schools and how many  
4 children we're expecting in the units that are  
5 going to be in the building?

6 CAROL ROSENTHAL: Yes. I mean, this  
7 is studied in the environmental impact review,  
8 and we continued to look at it. The currently,  
9 and this is Council Member Rosenthal's area of  
10 expertise, so I loathe to, you know, really  
11 enter into in any depth, but I will say that  
12 currently the elementary schools are under  
13 capacity, however, for the 2017 build year with  
14 the new projects they will over capacity and  
15 with the very conservative look in the  
16 environmental reviews, conservative meaning it  
17 assumed that we were going to have 1,189 units.  
18 Now we have 1,027 units, and taking into--it  
19 doesn't take into account new schools that are  
20 going to be planned for that time and it  
21 doesn't take into account things like charter  
22 schools. With that conservative analysis there  
23 are projected not, you know, create a negative  
24 environmental impact. Now that's, you know,  
25 again this is what our project created. We

1  
2 can't speak to the larger community and the  
3 issues that are, you know, that are there and  
4 that we didn't create. We are looking to bring  
5 in, again, the new housing and the new low  
6 income housing and we--our particular project  
7 did not create under the environmental review,  
8 a new significant negative impact.

9 CHAIRPERSON WEPRIN: Alright. I'm  
10 going to call on Council Member Rosenthal to  
11 respond to that, too.

12 COUNCIL MEMBER ROSENTHAL: So,  
13 technically, of course, you're right. Okay? So  
14 let's go through all the reasons you're right.  
15 There is the new school coming in, yes. That  
16 school is going into the Riverside Center  
17 complex and is there to accommodate the needs  
18 of that complex. So I don't understand how  
19 bringing a new--mentioning that a new school is  
20 coming in is relevant. So let's set that aside.  
21 Secondly, correct, your building does not hit  
22 the threshold to require mitigation under the  
23 Seeker [phonetic] standards. Correct,  
24 absolutely. You would have to hit five percent  
25 of the threshold. You hit 4.7. So yes, you



1 missed it, right? But now let's add in the  
2 Durst building across the street and we're way  
3 over, right? We're completely over. You're not  
4 required to mitigate. You're not required to do  
5 anything about the Durst building. You fell  
6 well within the thresh--not well within, but  
7 within the threshold, so that's accurate. It's  
8 a flawed public policy. It's a flawed Seeker  
9 system. It's a flawed EIS system, and it's  
10 going to end up--as a responsible council woman  
11 who hopefully will be here for eight years, I'm  
12 going to bear the brunt of those residents  
13 coming in and not having a place to go to  
14 school. So, yes, you're buil--you've decided to  
15 build your apartments bigger and now they're  
16 not going to be 1,189 apartments, there are  
17 going to be fewer apartments, and the reason  
18 for that is because they're going to be bigger  
19 apartments. So they're just logically going to  
20 be families moving into those apartments which  
21 generally yield kids. I think, you know, while  
22 technically you're accurate. I just want to be  
23 clear that we are not setting ourselves up for  
24

1  
2 a good situation in terms of our public  
3 schools. I would--yeah, so thank you.

4 CHAIRPERSON WEPRIN: I want to ask  
5 just to clarify, I know this was approved with  
6 conditions by the Borough President, that was  
7 Borough President Stringer, correct? That was  
8 before the beginning of the year.

9 CAROL ROSENTHAL: It was--he wrote  
10 the letter, yes.

11 CHAIRPERSON WEPRIN: Okay, just want  
12 to just make sure we're clear on that. Did you  
13 want to say something? You don't have to.  
14 Okay.

15 CAROL ROSENTHAL: No, that's fine.

16 CHAIRPERSON WEPRIN: Any members of  
17 the Committee have any questions?

18 COUNCIL MEMBER REYNOSO: Yeah, I have  
19 a question.

20 CHAIRPERSON WEPRIN: For this panel?  
21 Yes? Antonio Reynoso.

22 COUNCIL MEMBER REYNOSO: Hi. I'm not  
23 familiar with this project. I just been  
24 informed or educated on it at this moment and I  
25 just want to ask a couple of questions, because

1 we have several projects in my district. You  
2 were approved to do 80/20, the 80/20 that  
3 you're required to do by law?  
4

5 CAROL ROSENTHAL: Yes.

6 COUNCIL MEMBER REYNOSO: And you're  
7 doing 80/20?

8 CAROL ROSENTHAL: Correct.

9 COUNCIL MEMBER REYNOSO: Not a square  
10 foot more for affordable housing?

11 CAROL ROSENTHAL: We're talking.  
12 We're having--we're under discussions. Council  
13 Member Rosenthal, it's an important issue for  
14 her to do more and to do more at the moderate,  
15 what I call the moderate income band. So we are  
16 looking at that.

17 COUNCIL MEMBER REYNOSO: So just to  
18 be mindful that this was a manufacturing M1  
19 zone where it's extre--the conversion from M1  
20 to residential, the profits that are made by  
21 developers when this conversion happens is like  
22 no other. It's tenfold almost. And you're  
23 currently situated to do the bare minimum of  
24 80/20. I would say that in the request and what  
25 I've heard from Council Member Rosenthal, that

1 80 percent AMI to 150 to 165 AMI can be  
2 accommodated without the need for subsidies  
3 from the city of New York or any subsidies  
4 whatsoever, but that you on your own as a  
5 developer can take that on and accommodate  
6 those requests. And I think we have antiquated  
7 policies right now in HPD and the city of New  
8 York that allow for these developers to  
9 continue to do work at the bare minimum and  
10 claim that, oh, we're restricted. We're locked  
11 in to having to do what your policies allow us  
12 to do. That is a part of it, but another part  
13 is you can do it on your own, given the profits  
14 that you're going to make from converting an M1  
15 zone to residential. So I just want you to  
16 note, more so than anything else, that there  
17 are requests that I'm hearing from Council  
18 Member Rosenthal regarding AMI issues,  
19 accommodating her population and the people in  
20 her district, and that it absolutely is within  
21 your rights and your financially. I can't  
22 imagine that you can't do that. So just want to  
23 give you guys a heads up and we have to stop  
24 allowing for developers to continue to build  
25

1  
2 80/20 and that that's it. It's a joke. It's a  
3 old system and like we said, as progressive  
4 members of the City Council, we have to move to  
5 a new way of doing it, and I hope that we stop  
6 allowing for projects that move through during  
7 the Bloomberg era come to us this early with  
8 Bloomberg era, you know, opportunities for  
9 developers.

10 CHAIRPERSON WEPRIN: Thank you. Ms.-  
11 -before you go, I know Ms. Rosenthal wanted to  
12 add something too. You might as well take them  
13 both and responding to both of them.

14 COUNCIL MEMBER ROSENTHAL: Sorry. I  
15 appreciate that. Oh, I'm sorry. Do you want--

16 CHAIRPERSON WEPRIN: [interposing]  
17 This--

18 COUNCIL MEMBER ROSENTHAL: Well I  
19 just wanted to add to what Council Member  
20 Reynoso is saying here. We need to keep in mind  
21 that, I mean, as I read it in the paper, you  
22 know, right down the block from you, One West  
23 57<sup>th</sup> Street, the penthouse apartment just sold  
24 for over 100 million dollars. This is a good  
25 investment for you. This is a good investment.

1  
2 100 million dollars, I mean I don't know what  
3 your--I have a sense of, I don't know what the  
4 total cost of your development is, but if your  
5 apartments are selling for around the range  
6 that One West 57<sup>th</sup> apartments are, this is a  
7 good investment. I understand real estate high  
8 risk, high reward, but Antonio's right. You  
9 know, this is a manufacturing district that's  
10 being turned residential and these are the  
11 rewards, and we should all just be honest and  
12 clear about it. Thank you.

13 CAROL ROSENTHAL: May I just respond?

14 CHAIRPERSON WEPRIN: Yes, you may  
15 respond.

16 CAROL ROSENTHAL: Yeah, each site,  
17 each situation has its own unique situation. We  
18 do not own the property. We are tenants of the  
19 property, and with that come a number of  
20 constraints, and one of the major constraints  
21 is we are not asking to do luxury condominiums.  
22 We're not going to be selling these for high  
23 prices. This is long term rental housing with  
24 an underlying restriction in terms of what we  
25 do, what we can do with the ground lease. So

1  
2 it's a very different situation than the one  
3 that I think people are imagining. I just  
4 wanted to make sure that was clear for the  
5 record. That's all. Thank you.

6 CHAIRPERSON WEPRIN: Thank you. I'd  
7 like to call on Council Member Ritchie Torres  
8 who has a question.

9 COUNCIL MEMBER TORRES: I'm just  
10 curious to know what are the affordability  
11 levels of the 200 plus units?

12 CAROL ROSENTHAL: Those are at 60  
13 percent of the AMI. Yes. So in terms of  
14 numbers, Jon, do you want to--

15 JON MCMILLAN: [interposing] I would  
16 say that's about 50,000 for family of four.

17 COUNCIL MEMBER TORRES: That sounds  
18 right. Okay. And then the rest are market  
19 rate?

20 JON MCMILLAN: Yes.

21 COUNCIL MEMBER TORRES: And what's  
22 the, I guess, the unit size breakdown of the  
23 development?

24 JON MCMILLAN: Forty percent two  
25 bedrooms and three bedrooms.

2 COUNCIL MEMBER TORRES: Quite a bit,  
3 okay. Thank you.

4 CHAIRPERSON WEPRIN: Thank you. I'd  
5 like to call on--we've been joined by Council  
6 Member David Greenfield, the Chair of the Land  
7 Use Committee. We're also joined by Council  
8 Member Elizabeth Crowley who's here as well.  
9 Council Member Greenfield?

10 COUNCIL MEMBER GREENFIELD: Thank  
11 you, Mr. Chairman. I'm just curious about  
12 something that you said. You said that you  
13 don't own the property, in fact you are leasing  
14 it. What is the term of that lease?

15 CAROL ROSENTHAL: It's a long term  
16 lease. Is that what you're referring to? It's  
17 a ground lease for 99 years.

18 COUNCIL MEMBER GREENFIELD: Okay. I  
19 mean, generally, those of us--I mean, it's a  
20 little clever, because generally those of us  
21 are in the industry, we consider the 99 year  
22 leases and the purchases to be virtually  
23 equivalent except for obviously certain  
24 technical and perhaps tax difference, but--



2 CAROL ROSENTHAL: [interposing]

3 Right, but the main difference here is that we  
4 have rent. We have rent and so it's not as  
5 simple a matter as of all a sudden we have this  
6 huge value in the property. That was my--that  
7 was my only point.

8 COUNCIL MEMBER GREENFIELD: I

9 understand that, okay. Thank you for  
10 clarifying.

11 CHAIRPERSON WEPRIN: Okay. Does

12 anyone else have a question for the panel at  
13 the moment? We have a number of people who  
14 want to testify in favor and against as well.  
15 Ms. Rosenthal, Okay. Council Member? Okay.  
16 Alright. We hope you'll stick around the rest  
17 of the hearing. We are going to excuse this  
18 panel; bring up a panel in opposition to this  
19 project. This is in opposition, correct?

20 Okay. Sergeant of Arms, could we get an extra  
21 chair up there so we could have four people at  
22 a time? That would be great. Frank Caruchi  
23 [phonetic]? You guys can just make yourselves  
24 some room. Frank Caruchi? Kathy Gatney  
25 [phonetic]? Is Christine Berthet--sorry

1  
2 whatever I did to your name, and Olive Frued?  
3 Or Frude [phonetic]. Olive here? Okay, let's  
4 see. Are there four people here? I think so.  
5 Okay, great. So again, I'm sorry to limit you  
6 to only two minutes each, but we have a busy  
7 day today, so if you can try to please keep--  
8 we're going to put a clock on you and it makes  
9 an annoying bell at the end, so be prepared.  
10 So whenever you're ready, settle down. Make  
11 sure again to state your name when you speak.  
12 You guys can go, decide who wants to speak  
13 first. Ladies?

14 CHRISTINE BERTHET: Hello.

15 CHAIRPERSON WEPRIN: Great, perfect.  
16 And just state your name and describe your  
17 opposition.

18 CHRISTINE BERTHET: My name is  
19 Christine Bertae, I am the Chair of Community  
20 Board Four in which the property is being  
21 built. I want to say that I think Council  
22 Member Rosenthal has expressed our concern  
23 very, very well. I think the planning process  
24 is broken and we need to fix it urgently, and  
25 we definitely would like to have more

1  
2 affordable housing at a different AMI. This is  
3 very important to us. In addition, I would like  
4 to point out to one portion of the application  
5 which is about parking. The Borough President  
6 report is very explicit and very detailed about  
7 why the application for 500 parking spaces is  
8 excessive, and as a matter of fact I'd like to  
9 make a mention that since the number of units  
10 has gone down, the number of the special  
11 permits should also go down no matter what is  
12 the decision. There is about 4,000 parking  
13 spaces being built in Riverside just in the  
14 five blocks we are talking about. This parking  
15 does--is not going to meet the needs of this  
16 neighborhood, which is essentially for bus and  
17 truck parking. As a matter of fact, the  
18 existing parking there was used mostly for  
19 trucks and busses and once that is gone, the  
20 storage of busses, which is very critical to  
21 our economy, is going south. So this parking,  
22 this new parking is not replacing the old  
23 parking because the uses are not the same, and  
24 I am somewhat pleased. We have had some  
25 conversation with the developer and we have

1  
2 proposed that the 100 additional parking spaces  
3 that we thought we are not needed could be used  
4 for more higher value uses like start up tech  
5 companies. They don't need windows. They are  
6 looking their screens, you know. Supermarket,  
7 Whole Foods is in the downstairs of Time  
8 Warner. So you don't need windows for that. A  
9 conference center, a lot of conference place.  
10 Pre-k center, healthcare practice. So I  
11 encourage you to ask the developer to dedicate  
12 40,000 square feet to better uses than parking.  
13 Thank you.

14 CHAIRPERSON WEPRIN: Thank you.

15 Thank you very much. Now, whenever you're  
16 ready.

17 [off mic]

18 FRANK CARUCHI: My name is Frank  
19 Caruchi.

20 CHRISTINE BERTHET: You have to  
21 press the button.

22 FRANK CARUCHI: Okay. My name is  
23 Frank Caruchi. I live at 322 West 57<sup>th</sup> street.  
24 I thank you for the opportunity to express my  
25 increasing concerns about this project. While

1 we commend the positive possibilities like  
2 increased job opportunities and housing, the  
3 whole question of the density ratio is that we  
4 use make this one of the largest housing  
5 complexes in New York City located in one of  
6 the most problematical traffic areas, a  
7 vulnerable area which will be so overbuilt with  
8 the Con-Ed and a sanitation buildings right  
9 nearby. We think 606 and the three other  
10 neighboring projects should have been assessed  
11 as one combined project. I know this is a  
12 technicality but we do believe that that  
13 technicality allowed them to ignore existing  
14 rules and regulations. How else did this group  
15 of builders manage to exceed the existing CEQR  
16 thresholds and get various waivers and zoning  
17 changes, ignore issues dealing with new  
18 schools, libraries and transportation? How did  
19 this massive project get approval in an area  
20 that is vulnerable to water and flood issues,  
21 one that was affected by Sandy just last year,  
22 and yesterday in the papers we were all warned  
23 about rising flood waters. That area will be  
24 extremely vulnerable. This is an area right at  
25

1 the entrance and exit of New York City. The  
2 whole northern corridor feeds into it. The 72<sup>nd</sup>  
3 Street exit was closed off years ago and now  
4 everything comes down from the north into 57<sup>th</sup>  
5 Street, 56<sup>th</sup> Street. The builders admit that  
6 over 14 intersections will be negatively  
7 impacted by traffic and our concern about this  
8 impact on the theater, the tourism, the Lincoln  
9 Center area is of big concern. So safety,  
10 traffic and the whole total picture I feel has  
11 not been looked at in a realistic way.

12  
13 CHAIRPERSON WEPRIN: Thank you. We  
14 appreciate it. Thank you very much. Ladies,  
15 who's next?

16 KATHY GAFFNEY: Hello. My name is  
17 Kathy Gaffney [phonetic], and I thank you also  
18 for hearing us. The main thing I'm going to  
19 talk about because of the time limitations is  
20 the traffic. I live on 57<sup>th</sup> Street. It's  
21 unbelievably crowded. Cross-town traffic, when  
22 I go to Long Island I take--I go up to the Tri-  
23 Borough as opposed to going across town on the  
24 59<sup>th</sup> Street because it takes more than a half  
25 an hour from 8<sup>th</sup> Avenue over to the 59<sup>th</sup> Street

1  
2 bridge. That's how congested it is. Right now  
3 in the morning busses are bypassing bus stops  
4 all the time because they're over-crowded. They  
5 can't fit anybody else on. I actually, I'd like  
6 to send some pictures to you of Columbus  
7 Circle, the subway system. It is so crowded at  
8 rush hour. It's crowded all the time, all the  
9 time, but at rush hour it's unbelievable. This  
10 morning to get on I literally had to push my  
11 way in and there were people pushing behind me.  
12 They're that crowded. The one, the two, you  
13 know, the ACE they're unbelievably crowded.  
14 The A train, they often say that there's  
15 another one coming, you know, don't get on.  
16 Nobody else get on because there's another one  
17 coming two minutes more. There's no car coming  
18 two minutes more. Now they're having shuttles  
19 from the Helane [phonetic] I think it's called  
20 up to Columbus Circle and they're going to be  
21 adding shuttles to take 606 up there. It can't  
22 fit anymore. We're really putting the cart  
23 behind the horse. There's no master plan. The  
24 pedestrian traffic is unbelievable. There's  
25 just--and then extending the curbs, that's

2 going to make the traffic even worse. There's  
3 no master plan. Really, I'm begging you to  
4 maybe either put this off or modify it, because  
5 it's just too much.

6 CHAIRPERSON WEPRIN: Thank you. You  
7 ready? Okay.

8 OLIVE FREUD: Yes. I'm Olive Freud  
9 [phonetic], the Committee of Environmentally  
10 Sound Development. Manhattan has too much  
11 developments. Any zoning that you do should be  
12 down, not up. And anyway, how do you determine  
13 zoning? Do you consider traffic? Well, you  
14 just heard a whole speech on the traffic on  
15 57<sup>th</sup> Street. It's absolutely awful. It's like  
16 42<sup>nd</sup> Street moving uptown. In zoning, are you  
17 considering sea level rise? We had--well, we  
18 had two day of the Times giving you big stories  
19 about what's going on in the world, but I don't  
20 see that it's in anybody's mind who makes  
21 decisions about what's going to be developed,  
22 if they are thinking about sea level rise. In  
23 that area, down near the Hudson, there  
24 shouldn't be any buildings that are more than  
25 two stories so that they can move out quickly



1  
2 if there is a problem. We certainly don't put  
3 residents in there. Then we talk about  
4 affordable housing. If you're really interested  
5 in affordable housing, you don't build luxury  
6 housing so that you can put affordable housing  
7 in it. What you do is do something about  
8 vacancy decontrol. We are losing more  
9 affordable housing every year than we could  
10 possibly build by putting a few apartments into  
11 a luxury building. If any--yes, we have to have  
12 a much broader view of what's going on. If  
13 there's any zoning changes in Manhattan, they  
14 should be down zoned. I'm glad to see that  
15 north of 97<sup>th</sup> Street, it was down zoned, and  
16 something had to be done south of 97<sup>th</sup> Street  
17 down to where we are now. As far as jobs are  
18 concerned, this city needs so much renovation.  
19 It needs so much infrastructure change that  
20 there really isn't any problem for people  
21 getting jobs. And I just want to add, why is  
22 that everybody thinks they have to live right  
23 in Manhattan? There are other places in New  
24 York that you could develop if you wanted to.

2 CHAIRPERSON WEPRIN: Thank you. We'll  
3 stipulate there are other places to live than  
4 Manhattan. I'm going to call on Council Member  
5 Rosenthal, I think, she has a question,  
6 followed by Council Member Gentile.

7 COUNCIL MEMBER ROSENTHAL: So I just  
8 want to ask, you brought up--someone brought  
9 up, Kathy maybe it was you, the issue of the  
10 shuttles.

11 KATHY GAFFNEY: Yes.

12 COUNCIL MEMBER ROSENTHAL: So there  
13 are shuttles currently running along 57<sup>th</sup>  
14 Street from the Helena, which is one--which is  
15 going to be directly across the street from  
16 this new building, right?

17 KATHY GAFFNEY: That's correct. They  
18 are currently there already.

19 COUNCIL MEMBER ROSENTHAL: Right.

20 KATHY GAFFNEY: And they will be  
21 adding more for 606.

22 COUNCIL MEMBER ROSENTHAL: Right. The  
23 reason I'm asking is because I recall  
24 Commissioner Levin at City Planning noting that  
25 Durst had also agreed to be running shuttles.

1  
2 So the point being that there will be shuttles  
3 that are currently going from the Helena, right  
4 next door the Durst, there will be shuttles  
5 going--

6 KATHY GAFFNEY: [interposing] Yes.

7 COUNCIL MEMBER ROSENTHAL: to the  
8 subway.

9 KATHY GAFFNEY: That's correct.

10 COUNCIL MEMBER ROSENTHAL: And then  
11 across the street now, and now I'll ask the  
12 developer this afterwards, but you will assume  
13 have shuttles as well. Coordinate them with  
14 the Durst. So but just to be clear, on West  
15 57<sup>th</sup>, I happen to be over there the other day.  
16 That's a access point to the West Side Highway.

17 KATHY GAFFNEY: That's correct, yes.

18 COUNCIL MEMBER ROSENTHAL: And you're  
19 saying that there's a lot of traffic now coming  
20 off and going onto the West Side Highway?

21 KATHY GAFFNEY: Yes.

22 COUNCIL MEMBER ROSENTHAL: Okay.

23 KATHY GAFFNEY: And that would all--  
24 that would all, with the construction and the  
25 garage which would be only about 100 feet from

1  
2 there, it's going to be massive problems and a  
3 lot of people come for the theater that way.

4 COUNCIL MEMBER ROSENTHAL: I see.

5 KATHY GAFFNEY: And--

6 COUNCIL MEMBER ROSENTHAL:

7 [interposing] Off the highway?

8 KATHY GAFFNEY: That's correct. And  
9 it is going to affect the theater and therefore  
10 tourism.

11 COUNCIL MEMBER ROSENTHAL: Right.

12 Thank you. And then just really quickly, for  
13 the Community Board. Christine, I hadn't heard  
14 this point before that you made that the  
15 parking over there is currently for trucks and  
16 busses?

17 CHRISTINE BERTHET: It's not  
18 dedicated to that, but my observation two  
19 years--three years ago I took personally a  
20 survey of all the parking and this is one of  
21 the parking really where most the largest  
22 proportion of busses and trucks.

23 COUNCIL MEMBER ROSENTHAL: I hadn't  
24 heard that. Thank you very much.

2 CHAIRPERSON WEPRIN: Council Member  
3 Gentile?

4 COUNCIL MEMBER GENTILE: Thank you,  
5 Mr. Chairman, and good morning everyone. So  
6 you're saying the entrance and exit ramps from  
7 the West Side Highway are within the 100 feet  
8 of the garage that's proposed?

9 KATHY GAFFNEY: That's correct.

10 COUNCIL MEMBER GENTILE: Both  
11 entrance and exit ramps are within 100 feet?

12 KATHY GAFFNEY: Yeah, yeah. Exit  
13 ramps.

14 FRANK CARUCHI: May I jump in?

15 KATHY GAFFNEY: Yes, let's--

16 FRANK CARUCHI: May I jump in on  
17 this?

18 COUNCIL MEMBER GENTILE: Sure, sure.

19 FRANK CARUCHI: Yeah, as the traffic  
20 comes down the West Side Highway, it can either  
21 continue to go downtown, but everybody trying  
22 to get to Lincoln Center and into the Times  
23 Square area usually turns at 57<sup>th</sup>, 56<sup>th</sup> Street.  
24 Those now will be a bottle neck. They already  
25 are and we recently had a traffic light put up

1  
2 in the middle on 57<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup>  
3 just to slow down the traffic. It's also a  
4 thoroughfare for the ambulances to and from  
5 Saint Luke's Hospital which is on 59<sup>th</sup> Street.  
6 So I can't tell you how often those sirens are  
7 blasting because the ambulances cannot move.

8 COUNCIL MEMBER GENTILE: They're  
9 stuck in the traffic?

10 FRANK CARUCHI: They're immobilized  
11 in traffic and stuck there for that--

12 COUNCIL MEMBER GENTILE:  
13 [interposing] And that's now?

14 FRANK CARUCHI: That's now. Now,  
15 there is an admission that all these  
16 intersections going up 56<sup>th</sup>, 57<sup>th</sup>, 54<sup>th</sup> leading  
17 into the tourism area of Lincoln Center and  
18 Times Square all going to be that much tighter  
19 which will be, I think, a serious detriment  
20 from people even coming in from the Lincoln  
21 tunnel and other areas. It's just going to add  
22 to an already bad area and the point was made  
23 that these thoroughfares should be looked at as  
24 being made more clear or wider. Instead, we're  
25 widening the sidewalks and slimming down the

1  
2 streets, and this is going to be a really, I  
3 think, a very negative thing for the whole  
4 functioning of the city in that area.

5 COUNCIL MEMBER GENTILE: So it's the  
6 opposite of what you think should be happening  
7 in terms of the--

8 FRANK CARUCHI: [interposing] It's  
9 the exact opposite.

10 COUNCIL MEMBER GENTILE: Let me  
11 continue with you, Mr. Caruchi, and good to see  
12 you again. Just full disclosure, he was a  
13 English and theater teacher at my old high  
14 school in Brooklyn, so good to see you again.

15 FRANK CARUCHI: And he was a  
16 politician even then on the student council.

17 CHAIRPERSON WEPRIN: Could he act,  
18 though? That--

19 COUNCIL MEMBER GENTILE: Let me just  
20 ask you, you said Mr.--I don't know if you got  
21 to it in your testimony, but it's here, that  
22 the project removes an existing parking garage  
23 for 1,000 cars and replaces it for one, for  
24 about 500.

1  
2 FRANK CARUCHI: Yeah, I understand  
3 there's a garage over 1,000 cars that's much  
4 needed. A lot of people come in, park their car  
5 and then either walk to the Lincoln Center or  
6 jump in the cab, and I understand for some  
7 reason that's being used up by one of the  
8 buildings and a smaller one will go in its  
9 place. And again, it's almost the opposite of  
10 what's going to happen. So if there is good  
11 long range planning going on, they should be  
12 looking at maybe developing a depot there where  
13 cars can park and then maybe shuttle off to  
14 Lincoln Center or something. They do that in  
15 Washington D.C., because not everybody can  
16 drive up to the theaters. So they give them  
17 places. So here now with all these four new  
18 buildings there's going to be less parking.

19 COUNCIL MEMBER GENTILE: Now, but I  
20 think it was the district manager, you actually  
21 advocated for fewer parking spots, right?

22 CHRISTINE BERTHET: Yes, I'm the  
23 Community Board Chair.

24 COUNCIL MEMBER GENTILE: Chair.  
25



1 CHRISTINE BERTHET: Yes. Our--yes,  
2 because the more parking spots you have the  
3 more cars are coming and the more traffic is  
4 coming. So what we have built we are talking  
5 about looking at the whole district. There are  
6 5,000 parking which have been built north of  
7 that in the next five blocks. So there is a  
8 huge amount of parking being built and we  
9 believe that the--to the contrary, the more  
10 parking you have, the more, you know, the more  
11 traffic you attract.  
12

13 COUNCIL MEMBER GENTILE: I see. I got  
14 it. Okay.

15 FRANK CARUCHI: I'm not sure how to  
16 you get to that uptown parking if you're stuck  
17 at the exit of 56<sup>th</sup> Street and 12<sup>th</sup> Avenue.

18 COUNCIL MEMBER GENTILE: I get you.  
19 Great. Thank you very much. I appreciate you.

20 CHAIRPERSON WEPRIN: Thank you,  
21 Council Member Gentile. I don't think we have  
22 any other questions for this panel. Thank you  
23 very much. I'm going to call up a panel in  
24 favor and then one other panel. Alright, we  
25 have five people in favor, so we're going to

1  
2 bring them up three and then two after we have  
3 the opposition. I know Council Member, I mean  
4 Assembly Member Linda Rosenthal has a rep here,  
5 but I know the Assembly who's stuck in Albany  
6 wanted to have the community go first. So we  
7 did that. I'm going to call this panel in  
8 favor, Michael Slatters [phonetic], Slattery,  
9 of course. Yeah, that's got to be a y on  
10 there. Steven Cohen and David--Davin Maroney  
11 [phonetic], Devin Maroney [phonetic]. Sorry.  
12 Butchered a little bit. Sorry, Mr. Slattery.  
13 And then we're going to bring up after this  
14 another panel in opposition, and then a quick  
15 panel in favor and hopefully we'll be able to  
16 move on to Domino. Gentleman, whenever you're  
17 ready. Mr. Slattery, you want to start since  
18 you've done this before.

19 MICHAEL SLATTERY: Good morning. I'm  
20 Michael Slattery, representing the Real Estate  
21 Board of New York. We're here today to support  
22 the proposed land actions which are required to  
23 build more than 1,000 units of residential  
24 rental apartments which would contain more than  
25 200 units of permanently affordable housing.

1  
2 New York continues to build fewer units than we  
3 need to meet our growing population and to  
4 address our affordable housing problem.

5 According to a report by Columbia University  
6 Center for Urban Real Estate, New York 2040,  
7 housing the next one million New Yorkers, we're  
8 going to need 400,000 new housing units over  
9 the next 20 years for an average annual  
10 production of 20,000 a year to address our  
11 population growth. The recession recently has  
12 slowed this growth, however, more recent  
13 information suggests that population is on the  
14 rise again. Unfortunately, our housing  
15 production is not on the rise. Between 2004 and  
16 2010 we completed on average approximately  
17 24,000 units a year. Since then, production has  
18 slipped dramatically from approximately 14,000  
19 in 2011 to 9,000 in 2012. This is well below  
20 what's needed to meet our housing demand at all  
21 rental levels. Large scale projects like 606  
22 West 57<sup>th</sup> Street built by a developer with an  
23 unblemished record in finishing what they start  
24 are the kinds of development that can help us  
25 achieve the production goals needed to meet our

1 affordable and market rate housing needs.  
2  
3 Projects of this size are few. Of the  
4 approximately 180 20 projects built since 1984,  
5 only six have been more than a 1,000 units. We  
6 should seize these opportunities when they  
7 arrive. We recognize that the housing  
8 affordability problem is not limited to  
9 households making less than 50 percent of the  
10 area median income. The local Community Board  
11 for this neighborhood has recognized the  
12 broader scope of the affordability problem and  
13 has highlighted the need to better serve  
14 households with income from 80 to 165 percent  
15 AMI. However, the programs to make such  
16 affordable housing possible in the high cost  
17 areas of Manhattan only provide financial  
18 benefits for serving households with an AMI of  
19 generally 60 percent or lower. We need to  
20 develop a wider range of new incentive programs  
21 that serve a broader range of incomes while at  
22 the same time maintaining the economic  
23 feasibility of new housing. Until such programs  
24 are in place, new housing developments that  
25 provide a sizable amount of new affordable

1 market rate housing should be supported. Thank  
2 you.

3  
4 CHAIRPERSON WEPRIN: Thank you, Mr.  
5 Slattery. Let me do the whole panel then I'll  
6 go to questions, okay? Yes, sir.

7 STEVEN COHEN: Good morning and thank  
8 you for the opportunity to speak today. My name  
9 is Steven Cohen and I have been a proud member  
10 of the Service Employees International Union  
11 Local 32 BJ for 13 years. SEIU Local 32 BJ  
12 represents 75,000 New Yorkers like me in the  
13 property services industry. We are the security  
14 officers, doormen, porters, and janitors who  
15 help make the city home. Over 400 of us work in  
16 Community Board Four where this project will be  
17 located. On behalf of SEIU Local 32 BJ, I am  
18 here to support TF Cornerstone's project. I  
19 have been incredibly fortunate to be a doorman  
20 for 13 years and to be able to be a member of  
21 Local 32 BJ. This has provided me with the  
22 chance to make a life in New York City. Through  
23 this public review process we have been able to  
24 work effectively with TF Cornerstone in order  
25 to ensure that the permanent jobs created by

1  
2 this project are in keeping with the citywide  
3 standards for the residential industry. This  
4 will help building service workers earn the  
5 wages and benefits they need to get a foothold  
6 in the middle class. As the city reflects on  
7 better ways to tackle new development, we  
8 should make sure we are creating jobs that  
9 provide a solid future, both for residents and  
10 for the community. That's the best way to make  
11 sure New York City continues to be a thriving  
12 multigenerational place to live. TF Cornerstone  
13 has committed to make sure that all jobs  
14 created at this project are good jobs. They  
15 have committed to hundreds of units permanently  
16 affordable housing and they are providing a  
17 much needed public school for the area. This is  
18 the first big project to come through the new  
19 Administration and we think this reflects a  
20 great start. Thank you.

21 CHAIRPERSON WEPRIN: Thank you, sir.

22 Okay, we can move one. Mr. Maroney.

23 DEVIN MARONEY: Good morning my name  
24 is Devin Maroney, and I'm the Deputy Political  
25 and Strategic Director for the Hotel Trades

1 Council. We are the union representing over  
2 35,000 hotel workers in the New York area. I  
3 thank you, Council Member Weprin and Chairman  
4 Weprin, I should say, and the many Council  
5 Members sitting with us here today for the  
6 opportunity to speak. I'd like to speak about  
7 why the Hotel Trades Council supports the  
8 proposal for the rezone at 606 West 57<sup>th</sup> and  
9 the adjacent lots. The proposal is an example  
10 of responsible development. TF Cornerstone has  
11 set a very high bar in their commitment to good  
12 jobs and responsible economic development. We  
13 support the Council's efforts in particular to  
14 modify the zoning text so that hotels will be  
15 allowed only by special permit on the rezone  
16 site. It will give the community a real seat at  
17 the table if a hotel is built down the road.  
18 Given this significant impacts of hotels on  
19 their surrounding communities, a special permit  
20 is a critical tool that will allow all of the  
21 stakeholders in this area to have a say. Thanks  
22 to this language, any future hotel development  
23 here would be held to the same high standards  
24 as TF Cornerstone is demonstrating in their  
25

1  
2 commitment to the needs of the men and the  
3 women building this site and the people who  
4 will be working there over the long run. As we  
5 know from this rezoning process, when we get  
6 together ahead of time, we can find a way to  
7 achieve great results. It is worth noting that  
8 these members have fought hard for one of the  
9 best service sector contracts in the country,  
10 our brothers and sisters at 32 BJ, our brothers  
11 and sisters in the building trades, but finding  
12 affordable housing in Manhattan remains a  
13 problem, even for middle class residents. We  
14 laud Council Member Rosenthal's efforts to  
15 include affordable housing in this project. We  
16 endorse the projects and the rezoning and we  
17 hope the City Council will as well. Thank you  
18 for your time.

19 CHAIRPERSON WEPRIN: Thank you. Just  
20 to acknowledge, the white t-shirts are here  
21 with you on this particular project.

22 DEVIN MARONEY: You got it.

23 CHAIRPERSON WEPRIN: Okay. Just want  
24 to be clear. Council Member Reynoso has a  
25 question.



2 COUNCIL MEMBER REYNOSO: Yes, I just  
3 wanted to--regarding the Real Estate Board. In  
4 speaking that the local Community Board for  
5 this neighborhood has recognized the broader  
6 scope of the affordability problem and has  
7 highlighted the need to better serve households  
8 with incomes from 80 percent to 165 percent.  
9 I'm speaking to a need in some sense. I hope  
10 that the same support goes across the board in  
11 all neighborhoods of New York City where the  
12 Real Estate Board is going to stand alongside  
13 residents to fit, to suit need as opposed to  
14 market. So just want to be mindful of that.  
15 When more projects come through that you guys  
16 also show some support for communities that are  
17 low income and traditionally minority  
18 communities.

19 MICHAEL SLATTERY: I think one of  
20 the things that we are seeing and we're hearing  
21 is that the income needs of communities vary.  
22 Community Board Four may have different needs  
23 than communities in Brooklyn or in Queens, and  
24 I think the intention of the programs that are  
25 there in place now are really to serve the

1  
2 lowest possible income band. But I think there  
3 is a recognition that we need to provide more  
4 moderate middle income housing and perhaps even  
5 more low income housing at even lower levels.  
6 So we've been trying to work to try to figure  
7 out how those programs work. I know there's a  
8 lot of discussion recently about making  
9 programs more flexible and trying to do that in  
10 the way that doesn't impair the economic of the  
11 project, and that's really the goal here.

12 COUNCIL MEMBER REYNOSO: Thank you.

13 CHAIRPERSON WEPRIN: Thank you.

14 Council Member Ritchie Torres.

15 COUNCIL MEMBER TORRES: No, I  
16 actually have a quick question. Because I know  
17 with the low income housing tax credit it  
18 obviously incentivizes affordable housing  
19 development up to 60 percent of AMI, but are  
20 there any tax credits above those levels? I  
21 mean, I thought that New York State tax credit  
22 went as far, as high up as 90.

23 MICHAEL SLATTERY: I'm not aware of  
24 that. You may be right, but I know that  
25 generally those credits are really tied to try

1  
2 and serve lower income populations, whether  
3 it's 60 or 80 percent, I'm not sure.

4 COUNCIL MEMBER TORRES: Okay. So as  
5 far as you know, there are no tax credits for  
6 levels above 60 percent of AMI?

7 MICHAEL SLATTERY: Not for moderate  
8 or middle income as far as I'm aware.

9 CHAIRPERSON WEPRIN: Okay. Anyone  
10 else have a question for this panel? Okay.  
11 Wait, just before I--alright. Well thank you  
12 very much. Before I call the next panel I just  
13 want to have a programming note. I don't know  
14 if anyone who's in the chamber now is here to  
15 attend the Subcommittee on Landmarks. It's  
16 supposed to start at 11:00 a.m. That meeting is  
17 held through that door in the Committee Room.  
18 Okay. Go through those double doors there and  
19 make a quick left, and it'll be in the  
20 Committee Room. They're hearing the South  
21 Village Historic District and the 88<sup>th</sup> Street  
22 Police Precinct Station House landmarking  
23 process, if that's why you're here you should  
24 go to that room. With that in mind now, we are  
25 going to move onto--Okay. Okay. Just could we

1  
2 have some quiet please in the chamber? I'd like  
3 call up Paul, is it Sawyer, from Assembly  
4 Member Rosenthal's Office and Daniel Gutman who  
5 are both here in opposition to this project. As  
6 I mentioned, Assembly Member Rosenthal would  
7 have like to have been here herself, but she  
8 was up late last night passing a state budget.  
9 Are you here in opposition as well? Did you  
10 fill out a slip? We'll sort that out. We're  
11 going to let them start, and if you are we'll  
12 just have you join the panel in opposition.  
13 Okay. We'll pass this out. Whenever you're  
14 ready. Why don't you go first, and again I  
15 thank you.

16 PAUL SAWYER: Thank you, Chairman  
17 Weprin. Good morning, my name is Paul Sawyer. I  
18 am here to deliver testimony on behalf of  
19 Assembly Member Linda B. Rosenthal. "I am  
20 Assembly Member Linda B. Rosenthal, and I  
21 represent the 67<sup>th</sup> Assembly District which  
22 includes the Upper West Side and parts of  
23 Clinton, Hell's Kitchen and Manhattan. I'm  
24 here testifying today in regard to three  
25 applications to the New York City Council

1 Subcommittee on Zoning and Franchises by 606  
2 West 57 LLC on behalf of TF Cornerstone Inc.  
3 for 606 West 57<sup>th</sup> Street in my district. These  
4 applications are for zoning map change to  
5 rezone the site from M15 and M23 districts to a  
6 C47 district to allow for mixed use  
7 development, zoning text amendment changes to  
8 designate the site for inclusionary housing and  
9 to allow an automotive show room and a special  
10 permit for parking garage up to 500 or 395  
11 spaces depending on the ground floor uses. As  
12 the Assembly Member representing this site and  
13 a member of the New York State Assembly  
14 Committee on Housing, I am gratified this  
15 project will create 237 new permanently  
16 affordable housing units for the Clinton-Hell's  
17 Kitchen community. And the developer has made  
18 some commitments including adding street trees  
19 and greenery to the block in response to  
20 community concerns. However, it is critical  
21 that certain changes be made to the application  
22 before the Subcommittee today. I am pleased  
23 that the New York City Planning Commission has  
24 recommended that TF Cornerstone include all  
25

1 floor area including the commercial portion of  
2 the project when calculating the number of  
3 affordable housing units that were built under  
4 the inclusionary housing program. However, the  
5 Subcommittee should ensure that as with other  
6 affordable projects in the special Clinton  
7 District, TF Cornerstone commit to distributing  
8 the affordable units throughout at least 80  
9 percent of the building, provided the same  
10 fixtures and finishes in all apartments and  
11 providing reduced rates to affordable tenants  
12 for access to any building amenities provided  
13 to market rate tenants. The proposed special  
14 permit for a 500 space parking garage would  
15 also worsen existing congestion and pedestrian  
16 safety problems in the neighborhood. While  
17 there is a need for some new parking at this  
18 site, the applicant has arrived at it's stated  
19 parking needs by aiming for a 90 percent rate  
20 of use of the garage which maximizes profit  
21 rather than a 100 percent use, which minimizes  
22 impact. The rezoning of 11<sup>th</sup> Avenue has caused  
23 an explosion of residential development and it  
24 is essential to keep new parking spaces to an  
25

1 absolute minimum to protect all users of the  
2 streets, even though as with the Duras Pyramid  
3 site across the street, the city planning  
4 Commission and City Council have previously  
5 approved a special permit for more parking than  
6 is being requested. I agree with the views  
7 expressed by former Borough President Stringer,  
8 Borough President Brewer and CB4, the number of  
9 parking spaces permitted should be limited to  
10 400 or 295 if the applicant has an automotive  
11 use in its commercial space. There are--

12 CHAIRPERSON WEPRIN: [interposing]

13 Let me cut you off there. We have the rest of  
14 the testimony.

15 PAUL SAWYER: Yep.

16 CHAIRPERSON WEPRIN: Please thank  
17 Assembly Member Rosenthal for her testimony.  
18 Mr. Gutman? Again, we're going to try to keep  
19 you within two minutes. So you have a very  
20 impressive looking testimony here. Just looks  
21 like it could be more than two minutes, so try  
22 to sum it up, some of the issues.

23 DANIEL GUTMAN: My name's Daniel  
24 Gutman [phonetic]. I'm testifying on behalf of  
25

1  
2 an organization named Crowded which includes  
3 some of the people who have already testified.  
4 I just want to make--I have a written testimony  
5 and I just want to make two points. First,  
6 Councilman--Councilwoman Rosenthal raised the  
7 issue of policy, city policy regarding this  
8 area, and in fact there is a city policy  
9 regarding this area, regarding rezoning in this  
10 area because it was an area that was  
11 manufacturing--it had very few schools,  
12 libraries and other services, and now it's  
13 changing very rapidly. Fifteen years ago the  
14 City Planning Commission adopted a policy for  
15 rezoning which was to not rezone to the highest  
16 possible density. It was a policy where you  
17 would have a combination of high density on  
18 avenues and moderate/medium density on side  
19 streets. That policy was used for the five  
20 subsequent rezonings through the Durst rezoning  
21 which happened only 15 months ago and that  
22 policy was endorsed by the Council. This  
23 proposal would violate that policy, because it  
24 would be all, the entire site even those parts  
25 that are on side streets would be rezoned to



1 the highest density and if you adhere to that  
2 policy then you would--the overcrowding that  
3 concerns Councilwoman Rosenthal would be  
4 moderated. You'd have less overcrowding. There  
5 are schools in the budget, new schools which  
6 will be built eventually but in the meantime,  
7 the question is will the schools that are there  
8 now be overcrowded, while these other schools  
9 are being built and the one way to address that  
10 is to adhere to the policy of moderate density  
11 on side streets, high density on avenues and  
12 that would reduce the overall project by about  
13 12 to 13 percent.

14  
15 CHAIRPERSON WEPRIN: Thank you.

16 Alright. Thank you, and we do have your  
17 testimony here. We've been joined by Jessica  
18 Bondy [phonetic] who we have her slip now. So  
19 whenever you're ready.

20 JESSICA BONDY: Thank you. I'm  
21 ready. I grew up in the city. I'm so thankful  
22 to all the people that make these important  
23 decisions. Your jobs are really important. And  
24 the rezoning of half of our city in the past 12  
25 years or so is frightening to me as someone

1 who's been here my entire life. I'm sure that I  
2 don't know exactly where you live, but if you  
3 had close to 20,000 people join your block or  
4 get on your street, I'm certain that it would  
5 disconcert you and you'd be really nervous and  
6 worried about how it could work out,  
7 particularly on 57<sup>th</sup> Street, which is already  
8 such a highly saturated area as everyone has  
9 said. TF Cornerstone in fact, I can speak to  
10 the school, has inaccurately represented the  
11 data. I went out to the school websites. I've  
12 given you the evidence in the packet that's  
13 here, and they do actually reach the threshold  
14 by the SEQOR manual on their own, but combined  
15 with the others, they're obliterating it. So if  
16 you look at our neighborhood in the three block  
17 radius, you'll see that the estimated annual  
18 population change for one year in New York City  
19 with these projects--this is for--half of this  
20 red line is for one year. This yellow line is  
21 the projects that are going on right now. This  
22 is the population change that they're proposing  
23 for our three streets, in a place that's so  
24 high densely populated already. They  
25

1  
2 underestimated the school seats by hundreds.  
3 And the decision to oppose this project should  
4 be instantaneous and easily made when you  
5 consider the consequences of doubling  
6 Manhattan's annual average population change  
7 within the confines of a few blocks at one  
8 subway station, along one bus route with a few  
9 local schools and the hospital at or over  
10 capacity and it would negligent and  
11 unconscionable to give them this rezoning that  
12 they're requesting from the M1 to the  
13 commercial. It's absolutely just the wrong  
14 spot. That's all I can say to you. They also  
15 conveniently split their sample for their  
16 projected population into two libraries in the  
17 neighborhood where the people will clearly go  
18 to the closet library which puts them over 23  
19 percent. You can see all these charts. They,  
20 Cornerstone, admitted to mass transportation  
21 adverse impacts at 13 intersections and on the  
22 bus lines. They admitted to significant  
23 negative impact on street crowding, and this is  
24 all in their environmental impact statement,  
25 unavoidable adverse impacts. Point being,

1  
2 everyone's told you that there are a lot of  
3 things going on with this project that don't  
4 add up, and that we haven't really considered  
5 fully if it's something that's viable and  
6 sustainable. So I--

7 CHAIRPERSON WEPRIN: [interposing]

8 Alright.

9 JESSICA BONDY: that you consider  
10 that when you make your decision.

11 CHAIRPERSON WEPRIN: Thank you. Thank  
12 you very much. Does anyone on the panel have a  
13 question for these three people? No?

14 JESSICA BONDY: I just want to note  
15 also this is towering over all the others. They  
16 mention that there were very large projects in  
17 the immediate vicinity.

18 CHAIRPERSON WEPRIN: Thank you.

19 JESSICA BONDY: They're not large.  
20 They're three stories. They may be long, but  
21 they're not tall.

22 CHAIRPERSON WEPRIN: Right.

23 JESSICA BONDY: This one towers--

24 CHAIRPERSON WEPRIN: [interposing]

25 Thank you very much. Alright. We are going to

1  
2 move on. Thank you very much. I want to call  
3 up the last panel, I believe, on this  
4 particular item in favor; Alan Wright and  
5 Evelyn Wolfe. Are they here? Yes, someone--  
6 there they go. Is there anyone else here who's  
7 testifying on this item on the Cornerstone item  
8 in Council Member Rosenthal's district? No?  
9 Okay, so these will be the last two on this  
10 item. We are not voting today on this item. We  
11 are not voting today on Domino, just so you  
12 know. We are going to have the hearing though,  
13 right after this for Domino. Whenever you're  
14 ready. Just make sure the mic's on, and we're  
15 going to hold you to that two minute warning.  
16 Thanks.

17 EVELYN WOLFE: [off mic] Did it the  
18 wrong way. My name's Evelyn Wolfe, and I'm here  
19 to support the TF Cornerstone property project  
20 on West 57<sup>th</sup> Street. I work for a very large  
21 nonprofit in New York City that is dedicated to  
22 providing social services as well housing for  
23 low income people, and I have been in this  
24 area. This has been my career for many, many  
25 decades, not just with this particular agency.

1  
2 I've worked with many developers over the years  
3 in providing affordable housing and I'm here to  
4 testify that TF Cornerstone has been one of the  
5 best developers that I have worked with in  
6 terms of providing the amenities and the needs  
7 of the low income units that are going to be  
8 put in here. We're working with them on another  
9 project and I'm very impressed with the way  
10 they've designed the units, the way they're  
11 approaching the support for it. I fully  
12 understand probably better than most people in  
13 this room, some of the objectives, objections  
14 that have been posed, but the truth is that  
15 while we are losing affordable housing, we do  
16 need more affordable housing and when you are  
17 building it you have to build it within the  
18 constraints of both federal and state programs,  
19 and there is the 20 percent; 60 AMI is part of  
20 a federal law that is being invoked here and  
21 it--there's no flexibility. I hardly endorse  
22 the need for flexibility on future projects,  
23 but for this one I think you've got a great  
24 developer who's done an excellent job of  
25 providing affordable housing and it should move

1 forward. The city needs every unit of  
2 affordable housing that it can get. Thank you.

3  
4 CHAIRPERSON WEPRIN: Thank you very  
5 much, ma'am. Sir, whenever you're ready.

6 ALAN WRIGHT: Yes, good morning. My  
7 name is Alan Wright. I'm a political director  
8 for Local 14, which is the crane operators and  
9 heavy equipment operators of New York City.

10 I'm here representing the Building and  
11 Construction Trades Council, and I'll be  
12 reading a testimony regarding the 606 West 57<sup>th</sup>  
13 Street market rate and affordable housing  
14 project. The zoning of 606 West 57<sup>th</sup> Street  
15 currently does not appropriately reflect the  
16 needs of the area. By changing the zoning, the  
17 site will be prepared to address the housing  
18 and retail needs of the area. This TF  
19 Cornerstone project will provide much needed  
20 market rate affordable housing in Manhattan.  
21 There will be ten 27 units in the building, 207  
22 which would be permanently affordable units  
23 consisting of mixed studios, one, two and three  
24 bedroom apartments. In addition to the retail  
25 space will be available on the first two floors

1 with the site emphasis on auto uses. The site  
2 abuts a DSNY garage. It does not connect across  
3 the West Side highway to the waterfront. For  
4 these reasons, the street does not encounter  
5 high pedestrian use. This project will enliven  
6 an underutilized street and pedestrian  
7 plantings and retail options. TF Cornerstone  
8 has also committed to full union construction  
9 and for this project, the construction of 606  
10 West 57<sup>th</sup> Street will create employment  
11 totaling approximately 1,000,775 man hours.  
12 This includes about 1,000,225 man hours on site  
13 and about 500,000 man hours offsite,  
14 administrative staff, factory workers, truck  
15 drivers, etcetera. The New York City Building  
16 Trades is very enthusiastic and this project  
17 should move forward. Thank you very much.

18  
19 CHAIRPERSON WEPRIN: Thank you.

20 Gentleman, anybody have a question? Anybody?  
21 No? We thank you very much. Anyone else here  
22 to testify again on 606 West 57<sup>th</sup>? I see none.  
23 So we are actually going to--yeah, we're going  
24 to close the public hearing on these items,  
25 Land Use 41, 42, and 43, and going to move on,



1  
2 but before we do that Council Member Garodnick  
3 has joined us, and he's just going to cast a  
4 vote on the items that he's just been briefed  
5 on to know what he's voting on, and he's going  
6 to cast his vote on those items. Call on  
7 Counsel Anne McCoy.

8 COUNCIL CLERK: Council Member  
9 Garodnick?

10 COUNCIL MEMBER GARODNICK: Thank you.  
11 I vote aye on both.

12 COUNCIL CLERK: Final vote on Land  
13 Use item 23, 24 and 27 are nine in the  
14 affirmative, zero abstentions, zero negatives  
15 and the items are referred to the Full Land Use  
16 Committee.

17 CHAIRPERSON WEPRIN: Okay. We're  
18 going to now move on to the Domino Sugar item,  
19 Land Use Number 28, 29, 30, 31, 32 and 33, I  
20 believe, yeah. Okay, we're going to call up  
21 the developer and his rep--okay. It's okay.  
22 Just--who's coming up to testify with the  
23 developer, come on up. We're going to sort out  
24 their names as we speak. We'll keep it moving.  
25 I actually--alright, we'll--we can do that.

1 Before--we're going to call up the developer.  
2 Here they come, but we're going to have the  
3 Council Member who represents Domino and just  
4 across the street from Domino have a statement  
5 they want to make as we're getting started. I'm  
6 going to call on Council Member Levin first,  
7 followed by Council Member Reynoso. Council  
8 Member Levin. Panel can come up and take a  
9 seat as we figure out who's--

11 COUNCIL MEMBER LEVIN: Mr. Chairman,  
12 I think I'm going to ask Council Member Reynoso  
13 to go first.

14 CHAIRPERSON WEPRIN: Yeah, you're  
15 going to let you go first? Okay. Council  
16 Member Reynoso first. We're going to--the  
17 panel--alright, we'll introduce them after. Go  
18 ahead, Council Member Reynoso. Could I please  
19 have quiet in the chamber?

20 COUNCIL MEMBER REYNOSO: Good  
21 morning. [speaking Spanish] Chairman, these are  
22 the people that represent, that I represent in  
23 my district and they're all here because we're  
24 here to make a clear statement. The impacts of  
25 developments this size are catastrophic. These

1  
2 faces you might not see next year or the year  
3 after, or the year after. How we sustain our  
4 communities is not through only the building of  
5 affordable housing, but it is through the  
6 preservation of organizations that have done  
7 this work for the last 40 and 50 years. Every  
8 time we build one unit of affordable housing in  
9 the waterfront, we lose three families. The  
10 math does not make sense. The antiquated  
11 systems of the Mayor's office of previous  
12 Mayor's office, I want to say Bloomberg, have  
13 left us with nothing. I stand with these people  
14 here today demanding that we get as much  
15 affordable housing as possible, that our AMI's  
16 are reflective of these families that you see  
17 here today. Sixty-five percent of my district  
18 cannot afford 80 percent AMI. The majority of  
19 these people would not be able to live in this  
20 development. The jobs that we're talking about,  
21 we have to make sure that they're jobs that my  
22 people can have. The education level  
23 unfortunately in my district because it is a  
24 poor community does not allow for jobs in which  
25 we speak to college or universities or master

2 degree programs, which are also concerns that  
3 we need to have. Also in previous developments  
4 we've had our people lose out on the  
5 opportunity of affordable housing because the  
6 marketing process is extremely weak and does  
7 not work for credit counseling or financial  
8 literacy, and today you will hear them speak.  
9 They're going to speak to issues of concern  
10 that they have on a everyday basis and is going  
11 to allow me to empower them so that we get what  
12 we need for our community long term. [speaking  
13 Spanish]

14 CHAIRPERSON WEPRIN: Gracias.

15 [applause]

16 CHAIRPERSON WEPRIN: [speaking  
17 Spanish] Alright. We just--por favor.  
18 [speaking Spanish] including the Council.  
19 Thank you. Well, you wanted--Councilman Levin,  
20 you wanted him to go first, so you want to go  
21 now?

22 COUNCIL MEMBER LEVIN: Thank you very  
23 much, Mr. Chairman. I want to thank everybody  
24 that's here today and that's taken the time out  
25 of your busy day to come out and to stand up

1  
2 for your community and to stand up for  
3 affordable housing, for responsible development  
4 and for making sure that your community has--is  
5 given respect and is not treated as an ATM  
6 machine. And I think that that's a very  
7 important message to send that we need  
8 affordable housing. We need real affordable  
9 housing. We need good jobs. We need quality  
10 open space and we need to make sure that  
11 whatever we do in the halls here at City Halls  
12 are in the service of your families, of your  
13 children and of your children's children. You  
14 are the people that built the neighborhood. You  
15 have invested your lives in the neighborhood.  
16 You send your children to the schools in the  
17 neighborhood and you have weathered the tough  
18 times and you're here now on the easier times,  
19 but the easier times now bring new challenges.  
20 Those challenges consist of forces of  
21 gentrification and force of ht market that we  
22 can't control here. We can't control the  
23 government, but what we can do is ensure that  
24 your voice is heard and that your concerns are  
25 addressed to the greatest extent possible. So I

1  
2 want to thank Council Member Reynoso for  
3 standing up on behalf of you and your families,  
4 and I want to thank you for being here, and  
5 we're going to have a real discussion here  
6 today with tough questions, and we're going to  
7 ensure that your voice is heard and I look  
8 forward to hearing from you in the time that we  
9 have here today. Thank you very much, Mr.  
10 Chairman.

11 CHAIRPERSON WEPRIN: Thank you, Mr.  
12 Levin. Please, please. So I just want to be  
13 clear as we go through with the hearing, we're  
14 not going to be able to keep clapping, alright?  
15 We're going to have to limit that. So I  
16 apologize, but you've expressed it and we got  
17 to see everyone, but please be respectful of  
18 everybody's speaking. Thank you. Muchas  
19 gracias. Ahora. Okay. so we're joined now by  
20 the--okay, go ahead. You want to translate for  
21 me Antonio?

22 COUNCIL MEMBER REYNOSO: [speaking  
23 Spanish]

24 CHAIRPERSON WEPRIN: Gracias. Okay.  
25 So we're joined by the following panel. We

1  
2 have David Lombino representing Two Trees, Jed  
3 Walentas from Two Trees, Vishaan Chakrabarti,  
4 close enough, and Ray Levin. Gentleman, again,  
5 when you speak please make sure to state your  
6 name. Mr. Walentas, I see you're nearest the  
7 microphone, so you're going to be starting.  
8 Thank you. No, try again.

9 JED WALENTAS: Ah-ha.

10 CHAIRPERSON WEPRIN: There you go.

11 JED WALENTAS: Magic button. Thank  
12 you, Chair Weprin. Thank you to Steve and  
13 Antonio for all their work with our  
14 organization through this process. I'm here  
15 with Vishaan who's the lead architect from SHoP  
16 and Ray Levin who's our Land Use Council on the  
17 project and we will make as thorough a  
18 presentation as we can about the project that  
19 we're proposing here and then we'll obviously  
20 take questions from you all and whoever else  
21 it's appropriate for us to take questions from.  
22 First and foremost, I want to give a little bit  
23 of overview and really pick up on the spirit of  
24 what Steve and Antonio had to say. We're here  
25 before you all to present a project where there

1 has already been tremendous debate and a  
2 process that we went through as a city four or  
3 five years ago that ended up in a project that  
4 we bought and inherited that was previously  
5 approved that I thought really did not  
6 integrate this piece of New York City and this  
7 piece of Brooklyn with its community. And what  
8 you're about to see here today in our  
9 presentation, the whole spirit and the  
10 underpinning of the new project that we're  
11 proposing before you today is to put forth a  
12 vision that better integrates this piece of  
13 waterfront with its community, with many of the  
14 folks that are here and provides a lot of the  
15 real opportunities that Steven and Antonio  
16 spoke about. We bought the Domino Sugar site  
17 about 18 months ago now and acknowledged at  
18 that point both privately and publicly that we  
19 did not have a lot of experience in this  
20 community. We immediately reached out not just  
21 to the local elected officials but to all of  
22 the civic organizations and local groups and  
23 this is a list of some of them, and me and my  
24 staff and colleagues and the development team  
25



1 spent hundreds and hundreds of hours personally  
2 meeting with folks in the community, getting  
3 their thoughts about the old process and the  
4 old project and what things they'd like to see  
5 improved as we went back through a ULURP  
6 process. We've tried to be very respectful and  
7 responsive to many of those things. This list  
8 is a small sampling of some of those people  
9 that we met with over the last 18 months. As I  
10 said, there is an existing plan that's approved  
11 with exactly the same zoning map, the same  
12 basic density and what came out of both our  
13 office's work and the community's work is four  
14 major critiques of the old plan that we're  
15 trying to improve here today. We wanted to  
16 improve the open space, both from a quantity  
17 standpoint but also from a quality of  
18 programming and an accessibility standpoint. We  
19 wanted to provide an integrated mix of uses on  
20 the site that created real job creation  
21 opportunities and not just an enclave of  
22 housing. We wanted to improve the affordable  
23 housing opportunities that were presented in  
24 the previous plan and most importantly, to lock  
25

1  
2 them in and make sure they were delivered with  
3 certainty and not just a promise as you've seen  
4 with so many other developments around town,  
5 and lastly, we thought there was tremendous  
6 opportunity to improve the quality of the  
7 architecture, the urban programming and the  
8 overall civic approach to the project. So I'll  
9 go through the beginnings of these and then  
10 I'll turn it over to Vishaan to deal with some  
11 of the more architectural considerations. The  
12 site is as most of you know, the five blocks  
13 north of the Williamsburg Bridge. It starts  
14 basically at the bridge and it ends at Grand  
15 Street at Grand Ferry Park which you can see  
16 here on the diagram. This is a simplified  
17 representation of the old plan. Did we bring  
18 the model? Doesn't matter. This is a  
19 simplified version of the old plan, which  
20 really was for those of you that's seen what's  
21 been built in North Williamsburg, it's sort of  
22 a monotonous wall of buildings along Kent  
23 Avenue that create a private enclave on the  
24 waterfront. It does not connect the street  
25 [phonetic] through the site. It does not create

1 a lot of visual and physical transparency from  
2 the Upland Neighborhood down to the waterfront.  
3 And that urban condition that you see in North  
4 Williamsburg was going to be replicated down  
5 here in the South Williamsburg. We thought  
6 there were several opportunities to improve on  
7 that. The biggest and I think most influential  
8 urban gesture that we're making here is we have  
9 pulled the building footprints back from the  
10 waterfront and run a public street, what will  
11 become a public street, through the site to  
12 separate the building masses from the park.  
13 And if you think about all the great parks in  
14 our city, they're all bounded by public  
15 streets, and if you can think about how  
16 different some of the both local and regional  
17 parks in our city would feel if buildings and  
18 residents and office space came crashing right  
19 down into the park. It would totally change the  
20 psychological feel of that park. If you took  
21 Washington Square Park or City Hall Park right  
22 here, if the buildings came right down into the  
23 park, and those parks were somebody's front  
24 lawn, those parks would function very  
25

1  
2 differently as public spaces. And in the old  
3 plan that's what happened here. And what we've  
4 decided to do is take River Street, which is an  
5 existing street to the north here, starting at  
6 Grand Ferry Park and run that street all the  
7 way through this site, making the building  
8 footprint smaller, expanding the open space but  
9 mainly changing the accessibility both  
10 literally and psychologically of how that open  
11 space feels by creating a public connection and  
12 distance between the building footprints and  
13 the proposed park. The second thing that we did  
14 is we acknowledged that the surrounding  
15 neighborhood consist of a bunch of low and mid-  
16 rise building, really low-rise buildings. And  
17 with the rezoning that was done four years ago,  
18 there is not going to be a built contextual  
19 response to the existing neighborhood. So the  
20 whole underpinning of this plan is to try and  
21 create a social and emotional context where the  
22 people who live in this surrounding  
23 neighborhoods that have been walled off from  
24 the waterfront for years can integrate  
25 themselves with this project in a totally

1 different way. And we decided that the  
2 activities at the street, both the retail  
3 activities, the open space activities have a  
4 weighted influence in how the community feels  
5 about a project, much more so than what goes on  
6 40, 50 stories in the air. So what we've done  
7 is we have taken the whole development and  
8 we've reallocated the mass, and we've taken all  
9 of the mass off one of the inland sites, made  
10 all the adjacent buildings taller as you can  
11 see here and created an addition to a larger  
12 waterfront park. We've created an inland park  
13 as well, and we thought that the tradeoff that  
14 got made by adding additional open space to a  
15 neighborhood that's incredibly starved for open  
16 space, that the positive impacts of that were  
17 greater than adding six or eight or ten stories  
18 to some of the adjacent buildings to  
19 accommodate the same amount of density. So this  
20 is a depiction of what we've done graphically  
21 with the two major urban gestures of running a  
22 street through to make the open space and the  
23 project feel truly public and not like you're  
24 playing on somebody's front lawn, and second,

1  
2 to add an inland component of parkland and open  
3 space to both make the waterfront more visually  
4 and physically accessible and also to add a  
5 full acre of programmable open space to the  
6 project. So this just briefly compares the open  
7 space plan and the park plan in the 2010  
8 approve plan with what we're proposing today.  
9 You can see there's a significant difference  
10 both in overall open space and in park land.  
11 And I would also argue that the quality of this  
12 open space is infinitely better for the  
13 residents. We've really transformed something  
14 that's open space but really not technically  
15 private but will feel private if you're there  
16 or really feel like you're somebody's front  
17 lawn to I think a proposal to make a world  
18 class regional park for this part of Brooklyn,  
19 which is desperately in need of it. This just  
20 gives a little more data on the 2010 versus the  
21 proposed. One plan shows with all the streets  
22 and sidewalks and the other is just actual what  
23 people would consider park area. We're working  
24 with a world class landscape architect Field  
25 Operations who has done a number of the great

1 parks around the city. Lisa Switching  
2 [phonetic] is here to answer questions in the  
3 future, and this just shows the overall  
4 landscape plan, which really goes from more  
5 active uses to the south adjacent to the  
6 Williamsburg Bridge, where you have noise and  
7 shadows from the bridge that make for a less  
8 quiet and melancholy environment to more  
9 passive uses as you go north and get closer to  
10 Grand Ferry Park. And all the uses in the park  
11 are totally consistent with the work we did at  
12 the grassroots level in the community, the  
13 requests that people had for what they wanted  
14 to see in that park land. It was a very  
15 collaborative process that we and the team went  
16 through with a lot of the neighborhood  
17 constituents to really understand what their  
18 priorities were to see and feel in this park.  
19 This is a rendering of what it would look like  
20 from out in the middle of the river. Again,  
21 with the more active uses to the south going  
22 towards more passive uses up toward Grand Ferry  
23 Park, which right now is really the only piece  
24 of publicly accessible waterfront in south  
25

1 Williamsburg. So that concludes the park and  
2 open space discussion. The next big thing that  
3 we wanted to do is we wanted to build a real  
4 integrated mixed-use community. I'm sure most  
5 of you are familiar with our work in DUMBO. One  
6 of the things we learned there was that the  
7 commercial office space not just had a  
8 tremendous economic impact from a job creation  
9 and economic development standpoint, but it  
10 really created a much more interesting urban  
11 place and space than a lot of the residential  
12 only neighborhoods that you've seen developed  
13 around the city for the last, you know, several  
14 generations. So we've proposed in the plan is  
15 to reduce the amount of residential square  
16 footage that gets built in aggregate by 160,000  
17 feet and also to reduce the amount of retail  
18 that gets built by 55 or 60,000 feet. This has  
19 a negative economic consequence on our overall  
20 plan, but we think it's terribly helpful to the  
21 overall urban idea of the plan. It gets your  
22 more integrated community. It generates a huge  
23 number of high quality jobs that are accessible  
24 to all sorts of different people of different  
25



1 skill sets, different residences, different  
2 geographic locations around the city. These are  
3 very available and upwardly mobile jobs. And it  
4 also has the consequence of tremendously  
5 reducing the environmental impact of this  
6 project within the same overall density. By  
7 reducing the residential square footage in the  
8 project, you're taking huge stresses off of the  
9 local infrastructure that are agreeably taxed.  
10 And so I think in every way the proposal that  
11 we're making here is both a better urban plan  
12 and a more environmentally conscious plan and a  
13 better economic generating plan than the  
14 approved plan, and it still enables us to have  
15 enough economic activity to finance and build  
16 the projects and live up to all of our  
17 commitments. The new office space will be  
18 predominantly in two locations. The old  
19 refinery building is the landmark that you'll  
20 hear more about from Vishaan and other members  
21 of the team. The redevelopment of that site has  
22 been fully approved by the Landmarks  
23 Preservation Commission. That's the big  
24 building in the middle with the smoke stack. It  
25

1 will be the predominant piece of adaptor for  
2 use in the project and then there will be a  
3 mixed-use building on Grand Street. We think  
4 Grand Street is an active commercial  
5 thoroughfare. It is the closest site to the L  
6 train. The south side of the site is closer to  
7 the JMZ train and there'll be a large  
8 commercial component in the Grand Street  
9 building as well. As I said before, what we  
10 really want to do is integrate a lot of the  
11 existing community in the social fabric that's  
12 there into the proposal. We do not want this to  
13 feel like a separate enclave or isolated  
14 community that sort of landed here from Mars  
15 and has nothing to do with what's going on in  
16 the site, and architecturally, that's going to  
17 be very difficult to do that. So one of the  
18 ways that we're going to try very hard to do  
19 that is with the ground floor retail, and  
20 again, we have a lot of success with this in  
21 DUMBO. To take advantage of the existing scale  
22 of the retail stores in the surrounding  
23 community to work with existing local  
24 entrepreneurs and create small scale retail  
25

1 shops that are of and for and by this  
2 neighborhood, and to continue to have the  
3 people that live in the immediate walking  
4 vicinity and the radius of here to continue to  
5 participate in this community so that socially  
6 and personally this becomes an outgrowth of the  
7 existing neighborhood that's there and less of  
8 a separate enclave within a community. We're  
9 trying very hard. Everything that we're doing  
10 here is trying to integrate what we're doing  
11 with the folks that are already there. And this  
12 is a rendering of what Kent Avenue could look  
13 like with the proposed new school and some of  
14 the small entrepreneurial neighborhood shops  
15 that would take place there. I just want to  
16 touch affordable housing. I'm sure there will  
17 be a lot of questions and I can leave a lot of  
18 the details to the questions so we can move  
19 this along. This is a brief slide that shows a  
20 lot of the other projects that our organization  
21 has built. We are not what I would call an  
22 affordable housing developer, but we do have  
23 strong experience building high quality  
24 integrated affordable housing. Every unit of  
25

1 affordable housing we've ever built has been  
2 integrated in its buildings. The constructions  
3 finishes have been identical in every single  
4 way to the market rate units, to the point  
5 where our construction crews do not know which  
6 units are affordable and which units are  
7 market, and I'd also like to say that every  
8 single one of these projects that you've seen  
9 here has been through some sort of public  
10 process and I'm proud to say that we've lived  
11 up to every single commitment that we've made  
12 both personally or privately in a ULURP forum  
13 or to local residents or groups. Our buildings  
14 look exactly like what we say they're going to  
15 look like and we've done everything we always  
16 said we were going to do in every one of these  
17 projects. They've been built. They've been  
18 built on time. The community benefits have been  
19 delivered in a way that acknowledged both the  
20 letter and the spirit of their agreements, and  
21 the buildings all look exactly like the  
22 rendering when they're done. We're incredibly  
23 proud of that track record. As I said, we can  
24 get more into specifics. I'm sure there'll be a  
25

1 lot of questions, but basically the affordable  
2 housing here is out of 2.2 million square feet,  
3 I think, of total housing. There is 537,000  
4 square feet of affordable housing that is  
5 locked in through the zoning, not a memorandum  
6 of understanding, not a promise, actually  
7 through the zoning we cannot go and get  
8 building permits to build these building unless  
9 the affordable is delivered in the way that the  
10 zoning calls for it to be. So we've delivered  
11 on our promise for certainty. That was a major  
12 issue in the Community Board. The affordable  
13 will all be permanent, which I know is a large  
14 issue at this body. Very often you all are  
15 forced to have a discussion about whether or  
16 not the affordable housing will be permanent.  
17 The buildings will be fully integrated  
18 throughout the buildings. They will be at AMI  
19 levels that are consistent with what the  
20 Community Board resolution called for, and I  
21 would like to make clear to the committee, the  
22 local Community Board voted in favor of this  
23 project 24 to four. We're incredibly proud of  
24 that and I think it's reflective of all of the  
25

1  
2 good work that's shown here, and a genuine  
3 effort to put our best foot forward. And there  
4 will be a wide range of unit mixes here as  
5 well. So with that, I will turn it over to  
6 Vishaan to complete our presentation.

7 VISHAAN CHAKRABARTI: Good morning.  
8 I'm Vishaan Chakrabarti, Lead Architect from  
9 SHoP Architects, and I'm just going to go  
10 through this very quickly as I know there are  
11 many issues to be discussed here. But  
12 fundamentally architecturally, we think the  
13 problem that is somewhat emerging on the  
14 Brooklyn and Queens waterfront is that we're  
15 getting to see a monotonous wall, and we  
16 fundamentally believe that Brooklyn and Queens  
17 deserve better than the monotonous wall that is  
18 coming up along that waterfront and it is  
19 looking rather frighteningly like the  
20 waterfront from across the Hudson. No offense  
21 to our friends from New Jersey, but that  
22 instead of this kind of a wall that walls off  
23 the community from the water, we wanted to  
24 create, and this shows the approved plan at the  
25 top and our proposed plan at the bottom. We

1 wanted to provide a great skyline for Brooklyn,  
2 great architecture for Brooklyn and a sense of  
3 porosity which is a fancy word for saying that  
4 light and air can reach the community through  
5 these buildings by making them more slender,  
6 and we thought that was very important as a set  
7 of first principles. The architecture of the  
8 proposal has, I think, been very highly  
9 regarded by various critics. I think some of  
10 that's in your packet, but I think even more  
11 importantly by the community. As Jed said,  
12 we've reached a lot of great community  
13 consensus on the architecture and the way in  
14 which light and air comes back. I think the  
15 thing that's very important to understand is  
16 that three million square feet was approved  
17 before. It will get built no matter what.  
18 They're going to be large buildings. The  
19 question is how can those large buildings be  
20 treated in a way that actually opens up the  
21 waterfront to this community? And it's really  
22 by creating a series of apertures in the  
23 buildings, by pushing one building back, which  
24 is right next to the refinery, and that's the  
25

1 building to the right of the refinery right  
2 there, to create that public square. As Jed  
3 mentioned, the landscape has been very heavily  
4 coordinated with the community in terms of  
5 needs, including things like high school  
6 graduations, which need a certain amount of  
7 hardscape, and so there's a mix of both  
8 hardscape and green space. We think that,  
9 again, Landmarks approved this building  
10 proposal and we think it's very important to  
11 push that building back so you can experience  
12 that landmark. That landmark is going to be an  
13 office building, and so it really is going to  
14 be at the center, the heart of this new  
15 community. We've tried to really capitalize on  
16 the industrial past of this project by using  
17 some of the industrial artifacts that you see  
18 to create this artifact walk, which again was  
19 very highly regarded. Just quickly in terms of  
20 flooding, this is a waterfront site, and I know  
21 everyone's very concerned with this. By pulling  
22 the buildings back we have made the project  
23 much more flood resistant. There's more open  
24 space in front of the buildings which makes it  
25



1  
2 more porous to absorb flood water. And then I  
3 think I'm just going to turn it to my colleague  
4 Ray Levin to talk about the technical changes  
5 in the ULURP.

6 RAY LEVIN: As you can tell this is  
7 not your normal project and therefore the way  
8 the zoning works we needed a number of changes.  
9 We requesting special permits for to modify the  
10 height and set back on this project. We're  
11 modifying the parking regulations to move the  
12 required parking from the waterfront to the  
13 inland site. We're also looking to eliminate  
14 curb cuts around building E, the inland site  
15 for the small shops that will be there. So  
16 we're going to eliminate the loading berths  
17 requirement, which required a text change and a  
18 special permit. There are a number of  
19 authorizations that relate to the waterfront  
20 plan. Since it's a very long narrow site, a lot  
21 of the requirements look to a more squares  
22 sites, so there are some dimensional  
23 requirements that are going to be waived. The  
24 height of the fence around the dog run is going  
25 to be a little bit higher. Some of the planting

1 areas are going to be a little bit less than  
2 the what it required. So there are a number of  
3 those changes. There are also some  
4 certifications, certification to subdivide the  
5 waterfront zoning lot, certification that our  
6 waterfront plan is in conformance with the  
7 zoning as the authorization's granted, and  
8 there's a text change which has been the  
9 subject of a lot of discussion, to modify the  
10 inclusionary housing requirements to basically  
11 require that all the development above the  
12 first floor be subject to the requirements of  
13 affordable zoning, and that includes the  
14 refinery, which will be all commercial, yet it  
15 will have a requirement to generate affordable  
16 housing in order to reach its maximum floor  
17 area potential. I think those are--those are  
18 the requirements to the extent that anyone  
19 wants to go into those in more detail, I'm  
20 here. But to make sure that you all stay awake,  
21 I would advise you not to do that. Thank you.  
22  
23 Jed?

24 JED WALENTAS: With that, I guess we  
25 will take questions.

2 CHAIRPERSON WEPRIN: Great. Alright.

3 I think I'm going to start with Council Member  
4 Levin, let him get right into the questions.

5 And I'm going to just step out for a minute  
6 while you start that but Council Member Levin,  
7 I know you have a number of questions for this  
8 panel, so whenever you're ready.

9 COUNCIL MEMBER LEVIN: Thank you very  
10 much, Mr. Chairman. I'm going to ask some  
11 questions. I'll turn it over to Council Member  
12 Reynoso and then maybe we'll go back and forth  
13 for a little bit.

14 CHAIRPERSON WEPRIN: I'm leave you in  
15 charge for now.

16 COUNCIL MEMBER LEVIN: Thank you very  
17 much, Mr. Chairman. I miss being a Land Use  
18 Subcommittee Chair, so I'm revisiting that.  
19 That was in the last term. I want to thank the  
20 panel for being here today, Mr. Walentas and  
21 your team. I appreciate the amount of work that  
22 you've done on this project since purchasing  
23 the project from CPC a few years back. I know  
24 that you've been out there in the community,  
25 you've talked to a lot of folks. You met with

1  
2 me numerous times, and so I appreciate you  
3 being here and going through this tortuous  
4 process.

5 JED WALENTAS: Thank you very much.  
6 It's not so torturous.

7 COUNCIL MEMBER LEVIN: So, I want to  
8 get right into it. I want to start talking  
9 about the affordable housing. How many  
10 affordable housing units are planned for this  
11 project?

12 JED WALENTAS: I don't know the  
13 answer to that. As I said in the presentation,  
14 we'll be building a guaranteed minimum of  
15 537,000 square feet.

16 COUNCIL MEMBER LEVIN: Okay.

17 JED WALENTAS: I think that's out of  
18 2.--it's out of 2,150,000 square feet. We  
19 obviously have not done unit counts that go out  
20 through multi-year project. The SEQR technical  
21 guidelines with City Planning I think studied  
22 about 2,200, 2,300 units for this project.  
23 That's a prescribed study metric bylaw. I think  
24 they check in on that periodically to make sure  
25 it's a reasonable thing to study. So from a

1  
2 environmental standpoint that's where that  
3 number comes from, and as a developer with a  
4 billion and a half dollar project over many  
5 years before us, I would say there's as good a  
6 chance that we built fewer than those number of  
7 units as there is that we built more than those  
8 number of units going forward.

9 COUNCIL MEMBER LEVIN: I'm going to  
10 come back to the questions about total number  
11 of units in the project. I'm kind of just going  
12 to stick to the affordable housing component  
13 for the time being if that's alright.

14 JED WALENTAS: So the 537,000 feet  
15 is probably, you know, my best guess, again, we  
16 have not done unit layouts on any of these  
17 buildings. My best guess would be somewhere  
18 between 660 and 700 affordable units depending  
19 on their size and configuration.

20 COUNCIL MEMBER LEVIN: Now what--what  
21 are the AMI levels for those affordable units?  
22 So how's--specifically what--how many units at  
23 what AMI level is the plan, and how is that  
24 enforced?

1  
2 JED VALENTAS: So there is not a  
3 technical enforcement mechanism that comes with  
4 the zoning that mandates an AMI level in the  
5 same way that the 537,000 feet is mandated. As  
6 you're well aware there are state programs.  
7 What's generally referred to as the 80/20  
8 program is how we plan on building this project  
9 as we sit here today. The city has not offered  
10 us any discretionary subsidy through its  
11 agencies to help meet this obligation. So the  
12 way the 80/20 program works to the extent that  
13 we're successful in getting bond cap for the  
14 affordable units, which we will apply for, the  
15 first building in this project will get started  
16 at the end of this calendar year. We've already  
17 started to design that building. It will get  
18 built whether this plan gets approved or  
19 whether we revert to the other plan, and that's  
20 the site we will start with. We will--the  
21 process that we as a developer go through is we  
22 apply to state FHA for bond cap. To the extent  
23 we're successful in getting that bond cap, the  
24 affordable units are--of the 20 percent that  
25 are affordable, the first 20 percent that are

1 affordable, 15 percent of those affordable  
2 units are at 40 percent of AMI and 85 percent  
3 of those affordable units are at 60 percent of  
4 AMI, and the remainder to the extent we go  
5 beyond 20 percent, which we will have to do, I  
6 think increment per pursue with the density  
7 that we build. The remaining units will be at  
8 80 percent of AMI.

10 COUNCIL MEMBER REYNOSO: Can you--I'm  
11 sorry, can you repeat that one more time, that  
12 part?

13 JED WALENTAS: Yes. So a typical  
14 80/20 program that our organization builds, and  
15 I think is consistent with most other people do  
16 around the city to the extent we get bond  
17 allocation from state FHA which we'll apply  
18 for. We obviously don't control, but we've  
19 never applied and not gotten it. Fifteen  
20 percent of the affordable units will be at 40  
21 percent of AMI, 85 percent of those units will  
22 be at 60 percent of AMI. The units that go  
23 beyond the 20 percent will be at 80 percent of  
24 AMI, and then our agreement that was fairly  
25 publicized that came out of the City Planning

1 Commission, there is 50,000 square feet of the  
2 entire 538,000 feet project wide that can get  
3 built at 125 percent of AMI. SO when you get  
4 all done in however many years it'll take us to  
5 execute the whole project, subject to all the  
6 state laws not changing and subject to us  
7 getting bond cap, which I think are both highly  
8 reasonable expectations, the project-wide  
9 average AMI comes out to like 66 percent.

11 COUNCIL MEMBER LEVIN: Now, if the  
12 bond cap, if--there's nothing obligating you to  
13 pursue the HFA bond cap, correct?

14 JED WALENTAS: Just rational self  
15 interest.

16 COUNCIL MEMBER LEVIN: Okay, but  
17 there's--but you're not under an obligation by  
18 law to do that. There's no mandate that you do  
19 it, there's no mandate that they grant it to  
20 you if you do it, even if reasonable  
21 supposition says that that would happen, right?

22 JED WALENTAS: That's correct.

23 COUNCIL MEMBER LEVIN: But there's no  
24 guarantee, right?

25 JED WALENTAS: Definitely not.



1  
2 COUNCIL MEMBER LEVIN: If that were  
3 to not happen, what would the affordable  
4 housing component look like in terms of AMI?

5 JED WALENTAS: I do not have the  
6 answer to that question. It's something we can  
7 work up as an office and send to you. To be  
8 totally honest, I mean if the world change--I  
9 want to be clear that the--we're still dealing  
10 with an inclusionary housing program here. And  
11 we're still talking about a project and what  
12 you just saw was a project where that  
13 inclusionary housing was built to the maximum  
14 density allowed. In your scenario there are  
15 certainly theoretical scenarios where  
16 government decided to do strange enough things  
17 with the affordable housing programs, that we  
18 could elect to build a much, much smaller  
19 project and build no affordable housing.  
20 That's--so that's the theoretical other end of  
21 the spectrum. I can tell you that--

22 COUNCIL MEMBER LEVIN: [interposing]  
23 Well--

24 JED WALENTAS: [interposing] I can  
25 tell you that as a developer who does this as

1  
2 an economic profession, not as a philanthropic  
3 one, right now it's pretty overwhelming and we  
4 are incredibly self-interested. In other words,  
5 the policies do make sense where we would go  
6 ahead and build exactly what we just showed,  
7 and there's a fair amount of--

8 COUNCIL MEMBER LEVIN: [interposing]  
9 I mean--sorry to interrupt, but if you were to  
10 not use the HFA financing, then the affordable  
11 housing component would then be governed under  
12 the inclusionary program, right?

13 JED WALENTAS: But there's no--those  
14 are separate things. The inclusionary speaks to  
15 zoning and how much density--

16 COUNCIL MEMBER LEVIN: [interposing]  
17 I understand.

18 JED WALENTAS: we can build. HFA is a  
19 financing mechanism. It--to the extent the  
20 affordable housing is built, it will get built  
21 at the AMI's I just described. Okay, there's  
22 not--

23 COUNCIL MEMBER LEVIN: [interposing]  
24 If you--

2 JED WALENTAS: There's not another--  
3 or they could go change the state law. But--

4 COUNCIL MEMBER LEVIN: [interposing]  
5 No, no, you could go--you could forgo the HFA  
6 financing. You could forgo that, right? We  
7 established that as that's a possibility. Under  
8 that scenario, you would be obligated under the  
9 inclusionary program to build a certain number  
10 of units at 80 percent of AMI and then you  
11 would have an obligation to build 50,000 square  
12 feet at 125 percent of AMI, because that's the  
13 inclusionary bonus. Now, I also want to  
14 establish another fact here, which is that  
15 you're under no obligation to pursue the  
16 inclusionary bonus. Is that correct?

17 JED WALENTAS: That's correct.

18 COUNCIL MEMBER LEVIN: Okay. So--

19 JED WALENTAS: [interposing] I don't--  
20 -I'm not positive that the first thing you said  
21 is correct, but I'm not sure that it's not. I  
22 can get back. We have never build affordable  
23 housing as an organization outside of the 80/20  
24 program. So, and I'm not an expert on this. So  
25 we can probably get somebody to testify who is.

1  
2 COUNCIL MEMBER LEVIN: The reason  
3 that I ask, Mr. Walentas, is that I've been  
4 through this before, as you know. I was here  
5 four years ago when we did the first Domino  
6 rezoning, and a lot of commitments were made  
7 that were memorialized and memorandum of  
8 understanding. They were not legally  
9 enforceable, so it's logical for me and totally  
10 reasonable and appropriate and responsible for  
11 me to ask what the worst case scenario is and  
12 what we would be looking at if these things  
13 were to fall through, because that's what  
14 happened to me last time and this community as  
15 well.

16 JED WALENTAS: A, I totally  
17 understand. I'd also like to laud both you and  
18 your colleague Mr. Reynoso and the community at  
19 large and the de Blasio Administration as well,  
20 from day one when we started this process, I  
21 think the very first time I met with you on  
22 this, this was an issue for you, and you said  
23 to me, "I don't want to go through this again,  
24 and I want whatever commitments you make to be  
25 binding." And I said, "Steve, we're in this

1 for the long haul. We're going to be neighbors  
2 here. We did not buy this site to flip it. We  
3 want to develop it." The reason we're going  
4 through all this, most people probably don't  
5 believe the process does not add economic value  
6 to this, our organization wants to build  
7 something that we're proud of, that we can be  
8 long term owner of. The previous plan was  
9 really a plan to develop to build condos for  
10 that developer to build and get out. We all  
11 know what happened to that. We're long term  
12 owners and investors and we become partners  
13 with communities and we wanted to create a plan  
14 that worked with that way of doing business and  
15 way of thinking about things. From day one you  
16 have been very, very clear that you wanted us  
17 to come with a mechanism to make as much of  
18 this real, locked in, determined and not  
19 through some non-binding MOU, which has been  
20 unfortunately the way this body has kind of  
21 been forced to do business for a very long  
22 time, and our organization took that very  
23 seriously. It was something that the Community  
24 Board asked of us in addition to you and  
25

1 Antonio, and our organization worked really,  
2 really, really hard with the City Planning  
3 Commission to come up with a mechanism where  
4 the affordable housing has to be built to  
5 538,000 feet if this project is built now.

7 COUNCIL MEMBER LEVIN: Well, no, no,  
8 but that's not quite accurate because you could  
9 always go back and not take the inclusionary--

10 JED WALENTAS: [interposing] That's  
11 why I said to the extent this project is built  
12 that you saw here. So we can go and build a  
13 much, much, much smaller project--

14 COUNCIL MEMBER LEVIN: [interposing]  
15 Right.

16 JED WALENTAS: with a much, much,  
17 much smaller project with no affordable  
18 housing. That is absolutely your legal and  
19 theoretical worst case. I can't dispel you of  
20 that and for people that are advocates of an  
21 inclusionary housing framework where the deal  
22 is you get a small amount of density if you  
23 don't build any affordable and you get a larger  
24 amount of density if you build x amount of  
25 affordable. That's always going to be the case.

1  
2 COUNCIL MEMBER LEVIN: Okay, no, but  
3 let's be clear what that smaller amount of  
4 density is. A smaller density without an  
5 inclusionary bonus is still 40 story buildings.

6 JED WALENTAS: No, I don't--I can  
7 have somebody testify. I don't know off the top  
8 of my head. There are--if it's okay with you,  
9 I would like to have somebody in my office come  
10 and testify later that can--the restrictive  
11 deck--Ray, so why don't you just--

12 CHAIRPERSON WEPRIN: [interposing]  
13 You could just get someone to provide the  
14 information. It's fine. You don't need--

15 JED WALENTAS: [interposing] Okay.

16 COUNCIL MEMBER LEVIN: Okay, but it's  
17 not--a development, and as of right, non-  
18 inclusionary development is not a miniature  
19 development. It is a--it's a--there's  
20 significant amount of square footage. I mean,  
21 we could go back and say the amount of  
22 residential square footage that's allowed as of  
23 right, no inclusionary and we can get a good  
24 picture as to what the density would look like.

2 JED WALENTAS: Listen, I want to--the  
3 smaller developments are not only smaller in  
4 zoning FAR, but the--another request of the  
5 community and from our local council folks  
6 here, yourself included, was that there is no  
7 bait and switch on the architecture either,  
8 right? So one of the things that ULURP does is  
9 it locks in all of the building forms that  
10 Vishaan showed you all and spoke to. So those  
11 building--but those building forms are locked  
12 in not only in the full building scenario.  
13 They're also locked in and very constrained  
14 with much lower height limits in the non-  
15 inclusionary scenario, or the smaller scenario  
16 or whatever that is, and we can have somebody  
17 submit those to you so you understand what  
18 those are.

19 COUNCIL MEMBER LEVIN: Okay. Alright,  
20 thank you. Is the project--

21 JED WALENTAS: [interposing] But I do  
22 want to assure you, one last time. Right now  
23 the economic imperative overwhelmingly is for  
24 us to build the full project and to build the  
25 affordable housing.



2 COUNCIL MEMBER LEVIN: I understand--

3 JED WALENTAS: [interposing] By a  
4 wide margin. So I can't guarantee you with my  
5 life for some bond or some contract or  
6 something like that, but ultimately as folks  
7 who need to work together and I'm speaking more  
8 broadly here about just me and you, but as the  
9 real estate industry and our civic and  
10 government leaders and our elected officials  
11 trying to solve a civic problem in this town of  
12 housing and affordable housing more  
13 specifically. To some degree we're going to be  
14 able to codify things and to a large degree  
15 we're going to have to rely on people using  
16 rational self-interest, and we need programs  
17 and policies that work and I think this is a  
18 really good example of a nexus of those things.

19 COUNCIL MEMBER LEVIN: I understand,  
20 Mr. Walentas. I just having gone through the  
21 experience of seeing an economic picture turn  
22 on the previous owner of this development site,  
23 I have a healthy skepticism, because we all  
24 know what can happen to an economy in a very  
25 short order, and an economic picture changes

1  
2 and individual's economic picture change.  
3 Individual organizations have things--unless  
4 something is guaranteed, it's like, you know,  
5 the Harry Truman mantra if you know. It's the  
6 show me state, right? It's the--he's from  
7 Missouri, that's their motto. You want to see  
8 facts. You don't want to go just on promises.  
9 I wanted to ask you about condominiums, are  
10 there any condominiums envisioned for this  
11 project, and if so, are those going to be any  
12 affordable condominiums?

13 JED WALENTAS: As I've said  
14 throughout the two years we've been working on  
15 this, it's incredibly--our--let me start with  
16 this. Our preference and our objective as a  
17 development organization is to be long term  
18 owners of real estate and therefore to build as  
19 many rental units as possible. That said, the  
20 economic challenges of building rental housing  
21 in this city today are significant. The  
22 economics of that business are incredibly  
23 challenging, and I think it's incredibly  
24 unlikely that we're able to build and finance  
25 this entire project without building any

1 condominium units. That would strike me as  
2 being highly unlikely as I sit here today. That  
3 would be our objective, but I think that's  
4 highly unlikely. It was made even more highly  
5 unlikely by what transpired six weeks ago, but  
6 we will endeavor to build as many rental units  
7 as we can here, and I think there will be  
8 moments in time where economic realities force  
9 us to do some for sale product. Right now we do  
10 not envision any of that for sale product being  
11 affordable. We envision all 538,000 square feet  
12 of affordable housing to come as a rental  
13 product that is permanently affordable and  
14 completely integrated throughout the project.

15  
16 COUNCIL MEMBER LEVIN: So no--so the--  
17 -a condominium component to the extent that it  
18 would exist would not include--no affordables  
19 would be included in that?

20 JED WALENTAS: Again, it's very hard  
21 to sit here and tell you every detail about,  
22 you know, buildings that are not designed and  
23 not financed over many may years, right? It  
24 would be like asking, me asking the City  
25 Council what the 2022 budget looks like today.

1  
2 Right? You can give me some idea based on your  
3 knowledge today and lots of things are going to  
4 change between now and then. As we envision  
5 the project--

6 COUNCIL MEMBER LEVIN: [interposing]  
7 I mean, we do do a, you know, a couple, an out  
8 year plan.

9 JED VALENTAS: Yeah. Well, we do out  
10 year plans to, they just change. So as I sit  
11 here today, we have no plans to do any for sale  
12 affordable product, but that could certainly  
13 change.

14 COUNCIL MEMBER LEVIN: With regard to  
15 site E, originally Two Trees came to us going  
16 back a few months and said that site E would  
17 contain 50 percent affordable units. Is that--  
18 and that was a compelling reason for the  
19 rezoning was that a lot of the units would be  
20 at the front end because site E would be  
21 developed first. Site E is the Upland site for  
22 those of you don't know, and the one between  
23 Whythe [phonetic] and Kent. Is that--is it  
24 still the case that 50 percent of those units  
25

1  
2 would be affordable and if so, what are the AMI  
3 bands with that particular site?

4 JED WALENTAS: No, that is  
5 unfortunately not still the case. We had heard  
6 the community very loudly that they wanted as  
7 much front loaded affordable housing as  
8 possible. There certainly has been a long  
9 history as I don't need to tell you of broken  
10 and unfulfilled promises, both in terms of  
11 affordable housing and open space and other  
12 public benefits from government to these  
13 communities and we were trying to be responsive  
14 to that and as I noted at that time we were  
15 negotiating with HPD under the previous  
16 Administration to basically build a 50/30/20 on  
17 the first site and we were expecting to get  
18 about 40 million dollars in subsidy from the  
19 city agencies to facilitate that. And as you  
20 know, there's generally not a bright line, but  
21 there are generally--there's a framework of  
22 both AMI's and bedroom sizes that come along  
23 with those programs to get that subsidy. In our  
24 negotiations or conversations with the  
25 Administration and the City Planning

1  
2 Commission, however you want to characterize  
3 that negotiation, the city subsidy was all  
4 removed from the project and the Administration  
5 basically made a policy choice that they were  
6 going to lock us into an additional amount of  
7 affordable housing, the 538,000 feet. I want to  
8 point out and be clear that by HPD guidelines,  
9 the 660 units that your original MOU referenced  
10 as opposed to the 440 as of right, the 660  
11 units can be accommodated in about 500,000  
12 square feet under HPD guidelines. So the  
13 Administration negotiated for a mandatory  
14 additional 37,000 square feet of affordable  
15 housing. They also removed all of the subsidy  
16 and the 538,000 feet of 437,000--537,000 square  
17 feet of affordable housing now gets uniformly  
18 distributed through all of the building  
19 footprints at a minimum it does, but we have  
20 lost the ability to front load it in the way  
21 that we had discussed and hoped to accomplish.

22 COUNCIL MEMBER LEVIN: Thank you. I'm  
23 going have one more line of questioning and  
24 then I'll turn it over to Council Member  
25

1  
2 Reynoso and then I'm going to have,  
3 unfortunately for you, some more questions.

4 JED WALENTAS: I have nothing more  
5 important to do today, sir.

6 COUNCIL MEMBER LEVIN: I wanted to  
7 ask about the market rate component to the  
8 project, and it's a concern for me because as  
9 you said before, the SEQR analysis calls for a  
10 total number of units in the project of around  
11 2,300, right?

12 JED WALENTAS: Yes.

13 COUNCIL MEMBER LEVIN: Okay. So,  
14 2,300 is what it studied for. That's what its  
15 studied for, and in doing the math here, it's  
16 pretty simple. I'm not a great mathematician,  
17 but there's 2.2 million square feet of  
18 residential.

19 JED WALENTAS: I think 2,150,000.

20 COUNCIL MEMBER LEVIN: 2,150,000,  
21 right. 2,115,000, right? 2.215, correct?  
22 Somewhere around there. Let's just for  
23 argument's sake, it's right around there. You  
24 subtract from that the affordable component,  
25 right, which is 538, right?

JED WALENTAS: Yes.

COUNCIL MEMBER LEVIN: And that leaves the remainder residential to be developed at market rate.

JED WALENTAS: Yes.

COUNCIL MEMBER LEVIN: Right, okay. you take out 15 percent of that. That's by my calculation that's 1.678 or 1,678,510 square feet.

JED WALENTAS: Sorry, what do you come up with?

COUNCIL MEMBER LEVIN: 1,678,510 square feet.

JED WALENTAS: Yeah.

COUNCIL MEMBER LEVIN: That's your market rate developable square feet as per the zoning.

JED WALENTAS: Okay.

COUNCIL MEMBER LEVIN: Okay. So you subtract from that 15 percent for common area. So that's the industry standard is around 15 percent. You take out for hallways and things like that and elevators, and so that's--15 percent of that is 251,776 square feet. So that



1 leaves you with 1,425,000 square feet that can  
2 be developed for units, for individual units.  
3 So you've already taken out the common area and  
4 we're left with about 1,425,000 square feet.  
5 Under my calculations based on the unit sizes  
6 that Two Trees has done in other developments  
7 and other new construction developments, the  
8 Mercedes House, 125 Court Street in Brooklyn,  
9 developments that are--I looked them up last  
10 night. There's, you know, there's units for  
11 sale or units for rent--

13 JED WALENTAS: There are no units for  
14 sale.

15 COUNCIL MEMBER LEVIN: Units for  
16 rent. Units for rent. I looked up the square  
17 footage, and you know, I'll tell you what's up  
18 there. So Mercedes House has a studio for 460  
19 square feet, a one bedroom for 587, a two  
20 bedroom for 517, that's a two bedroom one bath,  
21 a two bedroom two bath for 5--sorry, for 948.  
22 125 Court Street has a studio for 465, a one  
23 bedroom for 620, a two bedroom for 1,000,  
24 another two bedroom--or 1,068, another two  
25 bedroom for 1,009 square feet. So, you know

1 based on, you know, taking an average of those  
2 things, by my calculation, Two Trees could  
3 build in their market rate component somewhere  
4 between 2,100 and 2,300 market rate units. So  
5 you add to that the 660 or 700 affordable units  
6 and it's much closer to 3,000 units that could  
7 be developed in the project, and that's a major  
8 source of concern for me. I've brought this up  
9 to you. I brought it up to City Planning, and  
10 I'm con--I just don't understand--because  
11 you're unwilling to commit to a unit size  
12 breakdown on your market rate and you're  
13 unwilling to say that you're going to cap it at  
14 2,300 units, I'm concerned that the opportunity  
15 is there and the math bears out for a  
16 development that is much closer to 3,000 units  
17 than 2,000 units, and that's a major source of  
18 concern for me because it has a major impact on  
19 the neighborhoods infrastructure. It has--and  
20 it actually effects the percentage of  
21 affordable housing. If you're talking about the  
22 number of units and it's 660 out of 2,300,  
23 that's a much different picture than 660 out of  
24 2,800 or 2,900.  
25

1 JED WALENTAS: A couple things. One,  
2 I respectfully disagree with your math.

3 COUNCIL MEMBER LEVIN: It's math.  
4 It's arithmetic. I did it like 10 times. I come  
5 up with the same--

6 JED WALENTAS: [interposing] No, no,  
7 but you have a self--I mean, I don't know what  
8 few vacant units you picked and choose from.

9 COUNCIL MEMBER LEVIN: I didn't pick  
10 and choose. I went from what's available on  
11 your website.

12 JED WALENTAS: Okay, but that's--

13 COUNCIL MEMBER LEVIN: [interposing]  
14 All of them. All of them.

15 JED WALENTAS: [interposing] Out of  
16 the--

17 COUNCIL MEMBER LEVIN: [interposing]  
18 I picked all of the ones that were available.

19 JED WALENTAS: You didn't choose  
20 anything at 66 Water or 81 Washington Street,  
21 because--

22 COUNCIL MEMBER LEVIN: [interposing]  
23 66 Water and 81 Washington Street are adapted  
24 for use buildings.  
25

JED WALENTAS: They are.

COUNCIL MEMBER LEVIN: So there's going to be a different--I picked new construction because this is going to be new construction.

JED WALENTAS: Okay, fair enough.

But some of these buildings will be inefficient because of the architecture. A couple of things to respond to your question. Number one, there's a--in a project like this, in a neighborhood development like this there are significant areas of things that get attributed to residential FAR that are not part of your 15 percent loss. There are amenity spaces. There are significant areas that effect the dominator of your calculation and reduce it that count against our residential FAR sadly for us, number one. So I don't think you're factoring in a number of those things.

COUNCIL MEMBER LEVIN: So then instead of 15 percent, we should be looking at say 20 percent? What's a reasonable number?

1  
2 JED WALENTAS: I don't know what the  
3 reasonable number is, I'm just pointing out  
4 that there are significant--

5 COUNCIL MEMBER LEVIN: [interposing]  
6 I mean, there's got to be a reasonable number.  
7 What's the reasonable--

8 JED WALENTAS: [interposing] What's  
9 that?

10 COUNCIL MEMBER LEVIN: There has to  
11 be a reasonable number? If you're saying that  
12 my number is unreasonable and--

13 [cross-talk]

14 JED WALENTAS: [interposing] At  
15 Mercedes House is an example. At Mercedes House  
16 is an example. There is a 65,000 foot amenity  
17 space.

18 COUNCIL MEMBER LEVIN: Right, but our  
19 amenity space here is, I mean, is the community  
20 facility space.

21 JED WALENTAS: No.

22 COUNCIL MEMBER LEVIN: Are you  
23 talking about a gym or what are you talking  
24 about?

1 JED WALENTAS: No, totally different.  
2  
3 There will be a community facility benefit,  
4 whether it's a YMCA or an asphalt green or  
5 whatever that is, that is a community benefit.  
6 That is not a neighborhood gym. Those things  
7 are totally different.

8 COUNCIL MEMBER LEVIN: Okay, what is  
9 a reasonable number then? If you're saying 15  
10 percent is unreasonable, then what is it?

11 JED WALENTAS: It's just larger. I  
12 don't know. There's another whatever tens or  
13 maybe 100,000 square feet in additional space  
14 that goes away.

15 COUNCIL MEMBER LEVIN: Okay, so then  
16 we're at--

17 JED WALENTAS: [interposing] Second--

18 COUNCIL MEMBER LEVIN: 1.3 million,  
19 then.

20 JED WALENTAS: Okay. So if you take  
21 our most recent new construction project at  
22 Mercedes House, I would tell you that the  
23 square footage which is a project where over 30  
24 percent of the apartments were developed as two  
25 and three bedroom units. Okay, more than 30

1 percent. This is the most recent project that  
2 our organization has completed, okay. Over 30  
3 percent of those units were two and three  
4 bedrooms, and I would be willing to bet that  
5 the average square footages are exactly what  
6 you're questioning. Okay? Now, you're also not  
7 factoring in any condominiums in your analysis.  
8 Court Street, the 125 Court Street building was  
9 a building where both because the block size  
10 was unnatural, there was 180 foot block there,  
11 not a 200 foot block because of the size of  
12 Atlantic Avenue. Okay? So we had an abnormally  
13 small site, and it was also not the  
14 neighborhood that it is today when we built it.  
15 It was not a family neighborhood. There were  
16 not amenities around there. That project was  
17 developed with abnormally small units, 'cause  
18 the--  
19

20 COUNCIL MEMBER LEVIN: [interposing]

21 Two bedrooms in that, to be honest with you, I  
22 mean the two bedrooms at 125 Court are bigger,  
23 at least the ones that are for rent on your  
24 website are bigger than the ones, the two  
25 bedrooms at Mercedes House.

2 JED WALENTAS: Yes. You can--Mercedes  
3 House is a project with 900 and some odd units.  
4 So I don't know if there are 15 vacant  
5 apartments there now, I don't think that that's  
6 an accurate sample size of what was developed  
7 there.

8 COUNCIL MEMBER LEVIN: My point, Mr.  
9 Walentas is this, that by any math I, and I've  
10 brought this up to you numerous times, I don't  
11 come up with a scenario by which the number of  
12 units reflect what that's being--the number of  
13 units that is being portrayed. So--

14 JED WALENTAS: [interposing] I  
15 respectfully disagree, and if you envision a  
16 scenario where some significant number of units  
17 have to get built as condominiums, you will end  
18 up with significantly fewer than 2,300 units,  
19 significantly fewer. Further, I would also--but  
20 so--

21 COUNCIL MEMBER LEVIN: [interposing]  
22 How, but--

23 JED WALENTAS: [interposing] You can  
24 choose to not believe me about that, but that's  
25 my honest opinion--



1 COUNCIL MEMBER LEVIN: [interposing]  
2 I know, I've asked you numerous times to have  
3 this conversation with me and my staff. You  
4 said you would. We haven't had that  
5 conversation. We haven't. We haven't. I think  
6 the last time we spoke you said that we were  
7 going to have a meeting and that meeting never  
8 materializes. What I'm--so that's accurate.

9 JED WALENTAS: That's not.

10 COUNCIL MEMBER LEVIN: So, this is--

11 JED WALENTAS: [interposing] I just  
12 can't--

13 COUNCIL MEMBER LEVIN: [interposing]  
14 a major source of concern for me, and I have  
15 not received any concrete information as to why  
16 that's not the case. So maybe we can have that,  
17 continue that conversation. We have--

18 JED WALENTAS: [interposing] I'm  
19 happy to continue--

20 COUNCIL MEMBER LEVIN: [interposing]  
21 some time left in this process.

22 JED WALENTAS: the conversation. I  
23 just can't--I can show you what we've done. I  
24 can try and articulate why we've done and what  
25

1  
2 some of the peculiarities of certain  
3 developments are that cause certain square  
4 footages to skew larger rather than smaller. On  
5 this project, I sitting here today find it to  
6 be reasonable assumption. I really do. You  
7 clearly don't. I don't know--

8 COUNCIL MEMBER LEVIN: [interposing]  
9 You'd have to explain to me why you do and  
10 we're not going to do this now, but I would  
11 appreciate that.

12 VISHAAN CHAKRABARTI: Council Member  
13 if it's helpful, just because we're designing  
14 millions of square feet all over the city, that  
15 15 percent efficiency number you're talking  
16 about is an extraordinarily idealized number,  
17 even on a floor plate before you talk about  
18 gyms and all of that. If, you know--and  
19 frankly, I don't think your constituents would  
20 want buildings that would result from those  
21 kinds of pure efficiencies, because they are  
22 just enormous slabs that have no light, no air.  
23 Those are just--it's not what you'd want to  
24 build here by any stretch of the imagination.  
25 So I just think those numbers are very, very

1  
2 idealized, and you're actually looking at a--  
3 there's a lot to the architecture here that is  
4 going to create, you know, some inefficiencies  
5 that will get you away from--

6 COUNCIL MEMBER LEVIN: [interposing]  
7 Well then what is in your opinion a more  
8 accurate efficiency number?

9 VISHAAN CHAKRABARTI: I this it's v--  
10 we're in ULURP and it is very--these buildings  
11 are not designed. There's an enormous amount of  
12 work that still needs to be done in terms of  
13 understanding unit layouts--

14 COUNCIL MEMBER LEVIN: How about a  
15 range, can you give me a range?

16 VISHAAN CHAKRABARTI: It's just I  
17 don't want to give you a piece of information  
18 that'll prove false later, because it's just  
19 very difficult to project without--

20 COUNCIL MEMBER LEVIN: [interposing]  
21 But you do understand--

22 VISHAAN CHAKRABARTI: [interposing]  
23 designing the building.

24 COUNCIL MEMBER LEVIN: then why I'm  
25 skeptical, is because you're telling me that 15

1  
2 percent is not reasonable, but then you're not  
3 giving me what a reasonable amount is. And from  
4 my position, as a City Council Member who is  
5 tasked with making a judgment on this proposal  
6 to not have--

7 VISHAAN CHAKRABARTI: [interposing]

8 Yeah.

9 COUNCIL MEMBER LEVIN: that  
10 information is frustrating and it makes me  
11 question everything. So I welcome--

12 [cross-talk]

13 COUNCIL MEMBER LEVIN: I welcome your  
14 input. I welcome your input.

15 VISHAAN CHAKRABARTI: Thank you.

16 COUNCIL MEMBER LEVIN: But your input  
17 has to be positive. It can't just be--

18 CHAIRPERSON WEPRIN: [interposing]

19 Mr. Walentas, before you answer this.

20 JED WALENTAS: Yeah.

21 CHAIRPERSON WEPRIN: So obviously you  
22 see what his concern is. If you don't have an  
23 answer and you don't have, you say you can't  
24 give it today, and again that's fine, that's

1  
2 the answer, and then we can move on, but  
3 obviously you can tell what his concern is.

4 JED VALENTAS: His concerns have been  
5 certainly noted. We will try. I'll work with  
6 Vishaan and his team to try and give you a  
7 better sense of what we think the efficiencies  
8 in these buildings will be. Certainly site D  
9 is an incredibly inefficient building. But  
10 getting back to the macro issues here. I would  
11 like to underscore that we are reducing the  
12 overall amount of residential square footage in  
13 this project relative to the as of right by  
14 200,000 square feet, number one. And if your  
15 concern is--it's not clear to me if your  
16 concern is a percent of affordable unit  
17 concern, which is a little esoteric, or if it's  
18 more fundamentally an environmental concern,  
19 I'm not sure that I fol--I'm not sure. The  
20 environmental impacts and the neighborhood  
21 constituency impacts of this project visa vis  
22 water and schools and sewer and congestion and  
23 noise and all those things is going to be a  
24 function of the number of people that live  
25 here, not the number of units.

COUNCIL MEMBER LEVIN: Well--

JED WALENTAS: [interposing] And I'm  
not sure--

COUNCIL MEMBER LEVIN: [interposing]  
More units means more flushing toilets, if  
that's--I mean, that's a fact.

JED WALENTAS: No, that's not true.  
More bathrooms means more flushing toilets and  
more people mean more flushing toilets, but I'm  
not sure on a per square footage basis if you  
were to take it to the extreme that if you  
built all studios here you would probably end  
up with less people than if you built all three  
bedrooms here.

CHAIRPERSON WEPRIN: Okay, Mr. Levin,  
I'm going to come back to you, okay?

COUNCIL MEMBER LEVIN: But just to  
clarify, Mr. Chairman, my concern is both, and  
I've made that clear that I've--my concern is  
both of those issues that you've numerated.

JED WALENTAS: Okay. We'll get you  
the answers that we articulated, but I do  
think--I think it's important that you keep in  
mind that A, we're reducing the amount of

1 residential space here that was an attempt at  
2 accommodation to this concern, number one, and  
3 I would ask you to go and work with maybe the  
4 City Planning folk, or we can help you on a  
5 more broad basis, but I do not agree with your  
6 assumption that from an environmental stand  
7 point or a person per unit standpoint that your  
8 underlying assumption is accurate that smaller  
9 and more units is going to lead to more people.  
10 I think that's not accurate, but we can--

11  
12 COUNCIL MEMBER LEVIN: [interposing]  
13 Agree to disagree.

14 JED WALENTAS: Okay.

15 CHAIRPERSON WEPRIN: Okay. Thank  
16 you, gentleman. I'd like to call on Council  
17 Member Reynoso and as you know, as briefly as  
18 you can, but I understand you have some  
19 concerns.

20 COUNCIL MEMBER REYNOSO: Thank you.  
21 Thank you, Mr. Chairman. [speaking Spanish]

22 CHAIRPERSON WEPRIN: Mr. Reynoso, I  
23 just wanted to be clear. So you just  
24 translated what we just heard from the last  
25 discussion.

2 COUNCIL MEMBER REYNOSO: Yes, we did.  
3 For the record, I did the best I could to  
4 shorten it, but I did.

5 JED WALENTAS: That's fantastic.

6 CHAIRPERSON WEPRIN: You didn't  
7 mention toilets though I noticed.

8 COUNCIL MEMBER REYNOSO: I didn't  
9 mention toilets. That's a--but I also let them  
10 know what I'm going to talk about as well so  
11 that they are not just sitting there, and I  
12 want to make sure that they're--it's an  
13 interaction happening, and I would like to note  
14 on the record that we as a council should move  
15 forward with figuring out ways that translation  
16 and access to language is something that is  
17 done.

18 CHAIRPERSON WEPRIN: I would agree  
19 with you on that. In certain cases that  
20 certainly makes a lot of sense and it would be  
21 a shame that we would have to do this for  
22 every, you know, for you to have to translate  
23 every time. So you're right. We agree it's duly  
24 noted. In the future we'll talk to people about  
25 having that done.



1 COUNCIL MEMBER REYNOSO: Alright,  
2 thank you.

3 CHAIRPERSON WEPRIN: In the meantime,  
4 going to get to your questions now.

5 COUNCIL MEMBER REYNOSO: Yes. So I do  
6 want to speak to a couple of things. Thank you  
7 guys for being here. I do want to say that we  
8 went, we've been through a long process of  
9 trying to figure out how to do this the best  
10 way possible, and I think we are making process  
11 and we almost got to a very good place where we  
12 could all possibly be happy and move forward  
13 with this project. But I do want to say that  
14 with Council Member Levin, my concerns are  
15 binding commitments and how now of this is  
16 tangible. We speak to--well, some of it isn't.  
17 We speak to the MOU's. You constantly speak to  
18 the MOU's of the past and how they mean  
19 absolutely nothing. And you're moving with a  
20 plan that's much better, commitments that you  
21 think are more solid and more--and are binding,  
22 but our concern is that there's a lot more that  
23 we want to discuss that we think is important  
24 that isn't binding through the ULURP process  
25

1  
2 that I think that you can acknowledge is of  
3 concern to us and are things that we need to be  
4 addressed. So I just want you to be mindful of  
5 why we have concerns. I do want to say that  
6 previously to this committee, to your project  
7 there as another project that had the AMIs  
8 already laid out, that had how many apartments  
9 they were going to build, that had the size of  
10 the apartments all laid out for us without us  
11 having to guess. So it's a little tough for us  
12 to sit here and have to say, well, you don't  
13 know exactly what it's going to be because  
14 there's other issues or other factors that need  
15 to be taken into place, but these folks gave us  
16 something that is more--that we can see and  
17 that we could work with. So, yep, you can  
18 respond to that.

19 JED WALENTAS: I too have presented  
20 individual buildings before this body where you  
21 have a very specific development program that  
22 you intend to execute under today's economy  
23 with today's programs in place and under those  
24 circumstances we too have had very specific  
25 answer to those questions. This is a billion

1  
2 and a half or two billion dollar project over a  
3 long period of time in good economic times and  
4 bad, and I think you're--well, let me invert  
5 that a little bit. I think that relative to  
6 other projects of this scale and scope, our  
7 willingness and ability to make commitments and  
8 provide clarity probably exceeds greatly  
9 anything else that's come before this group or  
10 any other New York city government group if  
11 you're comparing apples to apples and you're  
12 benchmarking us against other projects of this  
13 scale and scope. So--

14 COUNCIL MEMBER REYNOSO:

15 [interposing] Okay, so that's--

16 JED WALENTAS: [interposing] I think  
17 that's a slightly unfair comparison to the  
18 previous--

19 COUNCIL MEMBER REYNOSO:

20 [interposing] And I agree. The last project was  
21 1,200 units, and this project is about 2,200  
22 units, so let's cut that in half. Why can't we  
23 get the numbers of the first project that's  
24 going to be developed and have those solid  
25 numbers? Why--we can have--just talk about the

1 project that you're going to do in the next two  
2 years which is site E, possibly, from what I  
3 understand. We can get the numbers of site E at  
4 least, get the AMIs together and get the  
5 apartment size breakdowns, and I think that's  
6 one, a show of good faith for us to get to a  
7 bigger picture, but also it can allow for us to  
8 be able to better articulate to our community  
9 exactly what they're going to be seeing coming  
10 in the near future.

12 JED VALENTAS: So as you're well  
13 aware, Councilman, we had spent the better part  
14 of a year and a half listening to you and your  
15 community and their concerns. And until six  
16 weeks ago, we believed that we were headed down  
17 a road where on that first building there would  
18 be a significant amount of city subsidy made  
19 available and that when we got to this point in  
20 the process, to be perfectly frank, there would  
21 be essentially a tri-party agreement that would  
22 lock in the amount of city subsidy, the  
23 specific AMI's on that project and it would be  
24 benchmarked to certain unit size or bedroom  
25 size conditions. I think everyone involved in

1  
2 this process from two years ago until two  
3 months ago agreed that that seemed to be a  
4 rational direction for all of us to be headed.  
5 It made economic sense for us or at least made  
6 for a project that we could know that we could  
7 finance and develop and live up to our  
8 commitments and at the end of the day what I  
9 think everyone wants here is something of high  
10 quality to be built more than something not  
11 being built. We need housing. We need parks.  
12 We need jobs. We need all things, so promising  
13 things that are not deliverable is not in  
14 anybody's interest, and then as I think we're  
15 all well aware, the Administration went in a  
16 different direction. So, we had, you know, a  
17 whole economic framework and plan for this  
18 entire project that basically went out the  
19 window. Our internal financial assumptions have  
20 been realign since then. It's a large and  
21 complicated project. So I was in a position  
22 several months ago to give you a much more  
23 clear and full answer than I am today, 'cause  
24 we had the product of 18 months of time to  
25 prepare and work with your community towards

1 what we felt were a common set of goals. I will  
2 revert back to the answer that I gave your  
3 colleague Steve, to answer part of your  
4 question, but not all of it. On the site E  
5 building which we do intend to break ground on  
6 at the end of this year, in either scenario, we  
7 will apply for HFA bond cap for the affordable  
8 units and certainly from an AMI standpoint, the  
9 affordable units in that building will be 15  
10 percent and then we'll be at 40. Eighty-five  
11 percent of them will be at 60 and the balance  
12 will be at 80. So that's a very clear answer to  
13 that piece of it. Again, the rest of the sort  
14 of rules got changed on us and this is not an  
15 instantaneous business where we can just, you  
16 know, recalibrate things overnight. And the  
17 rest of the answers I don't have for you at the  
18 moment, and I'd rather tell you that than make  
19 something up and have it be not true.

21 COUNCIL MEMBER REYNOSO: No, I  
22 respect that. I think that that's fine. I  
23 appreciate the breakdown of the AMIs. I think  
24 we should move forward with figuring out the  
25 apartment size breakdown. I think that's very

1  
2 important. I don't think we're there yet, and  
3 from what I understand it might be something  
4 that's more difficult for you to present to me  
5 today because of the change in the last month  
6 that came through the Administration, but we  
7 need to see that, right? So I would be--my  
8 community is going to be concerned if I wasn't  
9 able to articulate to them clearly what the  
10 bedroom breakdowns are and to ensure that  
11 they're serving a need. So just wanted to let  
12 you know my issue and why I think we--I hope  
13 that you can work in the next couple of weeks  
14 to get some type of economic understanding of  
15 your situation that can present to us the  
16 apartment size breakdown.

17 JED VALENTAS: We'll certainly do the  
18 best we can. I will continue a dialogue. I do  
19 want to point out and I don't want to speak for  
20 the Administration, but as I said before the  
21 660 units that the community had targeted in  
22 the previous MOU and I think--I think our  
23 objective as developer when we started this  
24 process was to make for a better urban plan  
25 that integrated the existing community to the

1 waterfront in a better and more meaningful way  
2 and to create the old MOU that everyone I think  
3 in good faith thought they had negotiated for  
4 in a binding way that turned out not to be in a  
5 binding way. We saw that as a public  
6 responsibility of ours to figure out ways to  
7 make that certainly more binding, right?

8 Certainly to move it along the spectrum of  
9 being more binding, and I think that's what the  
10 Community Board referenced if you go back and  
11 read the Community Board resolution. It echoes  
12 a lot of those things, and so if you follow  
13 basic FHA guidelines, or HPD guidelines in  
14 terms of unit size, you can get the 660 units  
15 the in the 500--in 500,000 square feet. So by  
16 going from 500 to 537 the Administration is  
17 basically providing a balloon or the envelope  
18 to accommodate those larger units or to go  
19 above and beyond the 660 or some combination  
20 thereof. But my point is, if you do the basic  
21 math, if you understand housing finance, if you  
22 go through the numbers, you are going to get  
23 some combination of 660 units of very large  
24 units or more than 660 with a mixture of unit  
25



1 sizes. So I think you're in--I think, even  
2 though we don't have an answer on specifically  
3 how many two or three bedroom are in site E, I  
4 think when you look at the overall affordable  
5 housing that now has to get built on this site,  
6 it's totally consistent with needs and desires  
7 of your community, and the other thing I'd like  
8 to point out about the affordable housing and  
9 it touches on the linguistic aspect. I mean,  
10 one thing that our organization has really  
11 taken incredibly seriously and we've learned a  
12 lot from our experience before is the  
13 overwhelming need and desire for these units to  
14 go to the communities that these projects get  
15 built in and the need to partner with local  
16 organizations, many of whom live and work in  
17 your community, to make sure that not just  
18 half, but well beyond half of the affordable  
19 housing, hopefully all, I mean we're going to  
20 target all of the affordable housing stays in  
21 this community, and the only way to do that is  
22 to work with local groups on the ground to  
23 start early, to do it in a bilingual way, and I  
24 know you know this, but I think it's worth  
25

1  
2 noting that we've made commitments to work with  
3 those groups to start early and often with the  
4 marketing work, to have bilingual websites and  
5 bilingual workshops, and also to get out into  
6 the communities and make people understand the  
7 hoops they have to jump through to qualify so  
8 that people don't get irrationally crossed off  
9 the list for having bad credit or for failing  
10 the criteria in ways that are fixable or  
11 solvable.

12 COUNCIL MEMBER REYNOSO: So I thank  
13 you for that commitment, but again, I hope that  
14 that commitment is a contract of some sort,  
15 'cause that's the only type of commitments we  
16 have to believe in at this point being Council  
17 Members. So, I hope that you got into a  
18 contract with the marketing to some degree with  
19 local organizations that can do this work, and  
20 I want to speak to another portion of it. I've  
21 submitted documentation to Dave Lombino in  
22 regards to a breakdown of apartment sizes that  
23 would all for 65 percent of the bedrooms to be  
24 three and two bedrooms. I do want to state that  
25 we did use the 15 percent common space model,

1  
2 which we understand now can be--might not make  
3 any sense, but we have something that's close  
4 to what we want and I want to make sure that  
5 you have it and that you're looking at it and  
6 that there's an option here where you don't  
7 need to mirror the affordable housing portion  
8 to it to your market rate housing. There is an  
9 option where you can just give 50 percent of  
10 the units larger, two bedrooms or larger, and  
11 would allow you to opt out of having to mirror  
12 them for the rest of your project, and we did  
13 that all hoping that you would consider our  
14 presentation that David Lombino would get to  
15 you and I hope that you've seen, but also want  
16 to speak to you wanting to be a partner in the  
17 community and you wanting to be a part of the  
18 community. There's a lot of opportunities with  
19 this project to integrate and engage with the  
20 community and I want to make sure that you use  
21 that, you take advantage of that. Asphalt Green  
22 for example is something that you were about  
23 to--that you're thinking of or you might  
24 contract with the be part of this big community  
25 space. Even though they might do great work,

1 they're not from the community. It's a resource  
2 that can be provided to community organization  
3 to help sustain them long term. The marketing  
4 is something else that we want to make sure  
5 stays within the community because it helps  
6 sustain these organizations that are going to  
7 do the work for the--to mitigate the impact  
8 that your project will ultimately have. I won't  
9 put the entire burden of displacement on Two  
10 Trees, but it's going to be a problem and these  
11 organizations are the ones that help spot that  
12 from happening. I do want to speak to community  
13 space in your project and hoping that you work  
14 alongside community organizations to help them  
15 be here long term and that your project doesn't  
16 also assist in the displacement of these groups  
17 that are doing this valuable work. I also want--  
18 --so that's jobs as well. I hear that there's an  
19 effort that you want to work alongside possibly  
20 the Brooklyn Navy Yard. There's organizations  
21 in the district that do workforce development  
22 that I also think are things that you should  
23 look into and consider, which I think are  
24 extremely important, and also in our district  
25

1  
2 there's been legal service representation that  
3 have been possibly the sole reason why we even  
4 have any Latinos left in Williamsburg, and  
5 that's they type of work that's important to  
6 me. Your project is going to cause harmful  
7 effects to the residents that have been here  
8 long term through speculation, landlord  
9 harassment, landlord disrepair and neglect, and  
10 we want to make sure that there's sustainable--  
11 there's organizations that can help us sustain  
12 or take on those impacts, and that's what  
13 important to me, and that you be a partner in  
14 knowing that you are part of a community,  
15 you're not going to replace one. And it's more  
16 of a comment than anything else. I don't mind  
17 you answering it, but that's what's important  
18 to me, and I need you to know that, and I want  
19 to make sure on the record that I also make  
20 that statement.

21 CHAIRPERSON WEPRIN: You want to say  
22 something? You don't have to. Alright.

23 JED WALENTAS: Just you've made all  
24 of those points before. I think or I certainly  
25 like to think that we have taken them

1 seriously. We continue to take them seriously.  
2 There's another three or four weeks left in  
3 this prescribed ULURP process and both over  
4 those next three or four weeks, but more  
5 importantly beyond that and I mean this for  
6 both you and Councilman Levin, regardless of  
7 how this body votes on this in a couple weeks,  
8 up or down, we are going to be neighbors. We're  
9 going to be partners in lots of these  
10 activities. This is work that we take  
11 incredibly seriously as real estate developers  
12 and communities around this town, and we're  
13 going to be working with you not just in this  
14 process in a compressed weird dynamic that it  
15 creates, but for years and years and years  
16 outside this process on all of those issues,  
17 and we take them seriously and you've been a  
18 first class representative for your community.  
19 You've treated us incredibly well through this  
20 process and we take those commitments seriously  
21 and we look forward to working with you on.

22  
23 CHAIRPERSON WEPRIN: Thank you. I--un  
24 minute [phonetic] in Espanol, just one minute,  
25

2 though. Go ahead, you want to say it in  
3 Spanish? Alright.

4 COUNCIL MEMBER REYNOSO: So [speaking  
5 Spanish] Gracias.

6 [applause]

7 CHAIRPERSON WEPRIN: Gracias.  
8 [speaking Spanish] Gracias. Alright. Well,  
9 you talked about the first class  
10 representative, the last thing that he said,  
11 okay, alright. Alright. Council Member  
12 Crowley.

13 COUNCIL MEMBER CROWLEY: Thank you,  
14 Chairman Weprin. Mr. Walentas, first, you  
15 know, I'm complimenting you on your plan  
16 compared to the plan a few years ago in terms  
17 of the way it looks. I think you'll bring more  
18 people into the park. It'll be a better  
19 development. How much commercial space is in  
20 the development?

21 JED WALENTAS: Roughly 500,000 square  
22 feet above ground, in terms of--

23 COUNCIL MEMBER CROWLEY:  
24 [interposing] And that's different from the  
25 previous plan?

1 JED WALENTAS: The previous plan had  
2 very little above ground new office space, yes.

3 COUNCIL MEMBER CROWLEY: So while you  
4 appear to be making concessions and giving more  
5 square footage to affordable housing, you're  
6 also--you also have a plan where your company  
7 is going to make more money leasing spaces that  
8 are going to be used for commercial.

9 JED WALENTAS: No.

10 COUNCIL MEMBER CROWLEY: No?

11 JED WALENTAS: No.

12 COUNCIL MEMBER CROWLEY: Why not? I  
13 mean, altogether the plan is much larger than  
14 the previous plan. It's a good plan in terms of  
15 the ratio between residential and commercial  
16 space, and it's a more attractive dwelling to  
17 live in with this plan compared to the previous  
18 plan, therefore the market rate of people  
19 living in this paric--and a desirability, it  
20 goes up with the market rate. So this is a  
21 better plan economically for the Walentas group  
22 as a opposed to what the previous developers  
23 had. I think they were community preservation  
24 corporation, and, you know, I think that's  
25



1  
2 undeniably, you know, for the purpose of the  
3 committee to understand that we understand that  
4 you're giving approximately 25 percent of your  
5 residential square footage to affordable  
6 housing. You're also going to be building a lot  
7 more commercial space than the previous plan  
8 had.

9 JED WALENTAS: So let me--one, thank  
10 you for the nice things you said about the  
11 plan. The basic economics, and I can elaborate  
12 as much as you want.

13 COUNCIL MEMBER CROWLEY: No,  
14 actually, it's a long hearing and I know my  
15 colleagues--

16 JED WALENTAS: [interposing] So let  
17 me give you--

18 [cross-talk]

19 JED WALENTAS: let me give you the  
20 short answer.

21 COUNCIL MEMBER CROWLEY: Yeah, just--

22 JED WALENTAS: [interposing] Let me  
23 give you the short answer. Commercial rents in  
24 this part of the world are about 30 dollars a  
25 square foot, gross.

2 COUNCIL MEMBER CROWLEY: I doubt  
3 that. That's what it--that's what I'm paying  
4 for my office in Middle Village, about 30  
5 dollars a square foot.

6 JED WALENTAS: I don't--we've done--I  
7 can send you all the market data--

8 COUNCIL MEMBER CROWLEY:  
9 [interposing] Those restaurants on Front Street  
10 that you have--

11 JED WALENTAS: [interposing] No, no,  
12 we're not talking about retail.

13 COUNCIL MEMBER CROWLEY: in DUMBO.

14 JED WALENTAS: No, no, no, no. This  
15 is above--

16 COUNCIL MEMBER CROWLEY:  
17 [interposing] Okay.

18 JED WALENTAS: ground office, not  
19 retail.

20 COUNCIL MEMBER CROWLEY: Right.

21 JED WALENTAS: Okay, above ground  
22 office space both in DUMBO where we own and  
23 control a huge piece of the market, our average  
24 rents are well below 30 dollars, that's 'cause  
25 some of the rents are trailing, but market

1 rents today are around 30 dollars and if you  
2 take a blended average, big space and small,  
3 throughout Williamsburg where there's very  
4 little of this product, that's about what the  
5 number is. Okay? Residential rents are much  
6 closer to 60 dollars. We have basically done is  
7 replace 200,000 square feet of 60 dollar space  
8 with 400,000 feet--sorry. We've replaced--yeah,  
9 with 400,000 square feet of 30 dollar space,  
10 okay. It--

11  
12 COUNCIL MEMBER CROWLEY:

13 [interposing] so it evens out. You're giving up  
14 200,000 residential, but you're gaining 400  
15 commercial. It is not a loss, possibly a long  
16 term gain because it attracts more people to  
17 want to live in a development that's--

18 JED WALENTAS: [interposing] Yes,  
19 that's the--

20 COUNCIL MEMBER CROWLEY: mixed use.

21 JED WALENTAS: That's the bet that  
22 we're making. It's a short term loss because we  
23 have to build twice as much space to get the  
24 same amount of rent.

25 COUNCIL MEMBER CROWLEY: I get it.

1  
2 JED WALENTAS: So financing that is  
3 more difficult.

4 COUNCIL MEMBER CROWLEY: But all in  
5 all, it's actually--

6 JED WALENTAS: [interposing] But if  
7 we make a better more valuable more sought  
8 after place, long term that will--that's the  
9 bet that we're making.

10 COUNCIL MEMBER CROWLEY: And I don't  
11 think it's unreasonable for my colleagues to  
12 ask or for the committee and the entire council  
13 to see the plans as best you can. I understand  
14 they're going to change, but in today's day and  
15 age when you have an idea of actually how many  
16 square feet you're going to use in the  
17 buildings, you should have a floor plan for the  
18 developed residential space. That's not  
19 unreasonable to ask and I hope that the  
20 Committee gets to see that before we have to  
21 really consider it for a vote. I want to move  
22 on because in the interest of time, I know my  
23 colleagues have some more questions. You  
24 mentioned earlier it was 1.5 billion dollar  
25 project, roughly. It could be as much as--

JED WALENTAS: [interposing] Billion.

COUNCIL MEMBER CROWLEY: Two billion.

JED WALENTAS: Yeah.

COUNCIL MEMBER CROWLEY: Yea, two  
sorry, two billion. Now, the previous project  
under the previous developer was about 1.5  
billion dollar project. It was over a billion,  
and what my colleagues didn't mention yet is  
that although there was much talk about the  
memorandum of understanding with the community,  
a large part of that had to do with the  
building trades jobs that were going to happen  
throughout the development. And there was a  
PLA, and a Project Labor Agreement that  
guaranteed that every person working on that  
site was coming from a trained apprentice  
program and that they're going to be a paid a  
prevailing wage. Now, is there any  
understanding that you're giving to the  
committee here that all the jobs are going to  
be created in the construction part of this,  
development, are going to be good prevailing  
wage jobs where kids who are coming from the  
community have a opportunity to join a Building

1  
2 Trades Union, and make a life long career out  
3 of that particular trade?

4 JED VALENTAS: So let me answer that  
5 in a couple different pieces. First of all, I  
6 would like to rebuff the characterization of  
7 what the previous MOU said. The previous MOU on  
8 Building Trade said "The applicant will seek to  
9 enter into a project labor agreement with the  
10 building construction trades, whereby the  
11 applicant will construct the project using  
12 contractors that pay discounted prevailing  
13 wages as set forth in such agreement." So  
14 there was no PLA. There was no agreement.

15 COUNCIL MEMBER CROWLEY: There was a  
16 trust--

17 JED VALENTAS: [interposing] There  
18 was an agreement to agree.

19 COUNCIL MEMBER CROWLEY: Okay. I  
20 just--

21 JED VALENTAS: [interposing] There  
22 was an agreement to agree. Hold on, let me  
23 continue.

24 COUNCIL MEMBER CROWLEY: Okay.  
25

1 JED VALENTAS: WE have been in  
2 conversations for the last year, year and a  
3 half, with Gary Labarbara [phonetic] who runs  
4 the Building Trades. A couple things to say  
5 about that. Number one, the work that's  
6 currently going on site today is all union.  
7 They're Local 79 demolition contractors and  
8 laborers out there as we speak right now. We  
9 went through a similar ULURP process on our BAM  
10 South project, and through that process we said  
11 we were not willing to have government tell us  
12 how we had to conduct our work, and that's  
13 something that we still believe. That said,  
14 we've spent the last year and we're very close  
15 to an agreement with Gary and his groups on a  
16 way to incorporate his workers on that site in  
17 a way that's mutually beneficial for all of us,  
18 and I think if you speak to Gary he's extremely  
19 pleased with how those conversations are going,  
20 and we both agreed at our last meeting that our  
21 objective over the next couple of months is to  
22 finalize that agreement and then use that  
23 agreement as a model for this project going  
24 forward.  
25

2 COUNCIL MEMBER CROWLEY: Right.

3 JED VALENTAS: Lastly, on all of our  
4 projects, irrespective of the workers you know  
5 philosophical orientation, whether they belong  
6 to a certain local organization or not, on all  
7 of our sites and we run all of our  
8 construction, we have a strong commitment to  
9 minimum wage requirements, to safety records,  
10 to local and minority hiring practices. Our  
11 most recent project that's underway down in  
12 DUMBO, I think we have a 65 percent minority  
13 workforce threshold that we've met, a very  
14 strong local threshold that we've met. That's a  
15 mixed site, with both union and nonunion  
16 people. So our commitment to labor, to upward  
17 mobility and labor to high quality jobs is  
18 incredibly--

19 COUNCIL MEMBER CROWLEY:

20 [interposing] I understand your commitment.  
21 Earlier you referenced minimum wage. In this  
22 city, there's nobody who could work on minimum  
23 wage and support a family, certainly not live  
24 anywhere the sites that you are--

25 [applause]



2 JED WALENTAS: There is nobody on any  
3 of our--

4 CHAIRPERSON WEPRIN: Alright, please.

5 JED WALENTAS: minimum wage.

6 COUNCIL MEMBER CROWLEY: I'm going  
7 to--

8 CHAIRPERSON WEPRIN: [interposing] In  
9 English and in Spanish, we don't want to have  
10 that outbreak. So--

11 COUNCIL MEMBER CROWLEY:

12 [interposing] Try to wrap and--

13 [cross-talk]

14 CHAIRPERSON WEPRIN: Just one second,  
15 Councilman Crowely, wait. It's gotten really  
16 noisy in here. So, first of all, please don't  
17 have the applause and the outburst, but also  
18 there's a lot of murmuring going on in the  
19 chamber, so--

20 COUNCIL MEMBER CROWLEY:

21 [interposing] This is important.

22 CHAIRPERSON WEPRIN: If we be quiet  
23 so we could hear the questions.

24 COUNCIL MEMBER CROWLEY: Sorry,  
25 Chairman Weprin.

CHAIRPERSON WEPRIN: Where is that coming from, the murmuring in the back there? I feel like I'm in high school and I'm in the back of the room and getting yelled at, but, okay.

COUNCIL MEMBER CROWLEY: It's outside.

CHAIRPERSON WEPRIN: Coming from the hallway?

COUNCIL MEMBER CROWLEY: Those doors.

CHAIRPERSON WEPRIN: Okay. Okay. Thank you.

COUNCIL MEMBER CROWLEY: Thank you, Chairman Weprin. This is a different Council today than it was a few months back. We have much more progressive leaders that care about working families, not that the previous council didn't, but it's much more of a focus today than it's ever been, and your project is going to set a precedent for the rest of the city. You're asking for zoning changes. You're going to receive a significant amount of funding through tax abatements and then government funded bonds. It's hard to know what the

1  
2 economic gain will be to your corporation and  
3 although overall it looks like it could be a  
4 gain for our city, we need to be assured. So us  
5 asking for a MOU, even though it may not be  
6 binding, if we get an agreement, we're going to  
7 trust that agreement, because I believe you'll  
8 be back here at the Council asking for zoning  
9 changes in the future. This is not your first  
10 project. It's not going to be your last  
11 project. We want to work with you to make sure  
12 that every job is a good job, a family  
13 sustaining job, a family sustaining wages, and  
14 that the community has an option to get a  
15 career out of this, and the only way to get a  
16 career in the Building Trades in the City of  
17 New York is being a union employee. And I  
18 understand right now you're working with Gary  
19 Labarbara and you had some demotion happening  
20 and I know that there are laborers working on  
21 that, but when you get to the more technical  
22 mechanical workings that are more costly  
23 because of different levels of education it may  
24 be involved in these jobs, I want to make sure  
25 that no corners are cut and that the kids in

1  
2 the neighborhood that want to work and learn  
3 these trades have an option to do that. And for  
4 well over 100 years in the city of New York,  
5 the best way to do that is becoming a member of  
6 the Building Trades and not just becoming a  
7 laborer, a carpenter, a painter, but also the  
8 other trades, becoming and electrician, you  
9 knee, becoming a steam fitter, becoming an iron  
10 worker. So all of those good jobs, the access  
11 to those jobs need to be given to the community  
12 through a trained apprentice program. I believe  
13 that the city deserves that. It's a 1.5 billion  
14 dollar plan that's going to go on for years  
15 with a significant amount of government  
16 resources put into the project. It's not too  
17 much for the council here to ask for a project  
18 labor agreement.

19 CHAIRPERSON WEPRIN: Okay. Please.  
20 Understood. You can use jazz hands if you want.  
21 That we always accept. Okay.

22 COUNCIL MEMBER CROWLEY: No further  
23 questions, Chair.

24 CHAIRPERSON WEPRIN: Okay. Did you  
25 want to comment? You could just let that go.

1 JED WALENTAS: I have nothing  
2 further my previous response, so.

3 CHAIRPERSON WEPRIN: Thank you, Mr.  
4 Walenats. Thank you Ms. Crowley. I'd like to  
5 call on Council Member Torres followed by  
6 Council Member Barron.

7 COUNCIL MEMBER TORRES: Okay. I thank  
8 you for your testimony. My understanding is  
9 that your project is benefitting from density  
10 bonus. So how much more density are you  
11 receiving under the bonus?

12 JED WALENTAS: I'd like to--the  
13 underlying zoning map is not changing as one of  
14 these actions and both for you and Council  
15 Member Crowley and everybody else. The zoning  
16 map that underlies the project is the same in  
17 the as of right plan that we will go build if  
18 these actions get voted down as it is if we go  
19 forward with this plan.

20 COUNCIL MEMBER TORRES: So it's the  
21 same level of density?

22 JED WALENTAS: It is the same  
23 underlying zoning map.  
24  
25

COUNCIL MEMBER TORRES: Okay. Okay.

And are you able to meet the minimum requirements of affordable housing in the absence of financing that you're going to pursue from HFA?

JED WALENTAS: No.

COUNCIL MEMBER TORRES: No. Okay, so the financing is essential to meeting the 537--

JED WALENTAS: [interposing] Well--

COUNCIL MEMBER TORRES: thousand acre requirement?

JED WALENTAS: By--if by financing you're including the 421A laws and the tax abatements and stuff as one package. Without 421A you cannot build any affordable housing on this site.

COUNCIL MEMBER TORRES: No, I get that. But without the--you're pursuing tax exempt bonds, am I understanding?

JED WALENTAS: Yes, we're pursuing tax exempt bonds.

COUNCIL MEMBER TORRES: So with the subsidies that you have received thus far, are those subsidies sufficient?

1 JED WALENTAS: We haven't received  
2 any subsidies thus far.

3 COUNCIL MEMBER TORRES: The 421A tax  
4 abatement, the--

5 JED WALENTAS: [interposing] We don't  
6 receive the 421A tax abatement until you go  
7 through the process to.

8 COUNCIL MEMBER TORRES: Are you  
9 projecting then? You have not received it.  
10 Are you projecting that that would be  
11 sufficient to meet the minimum requirements of  
12 affordable housing?  
13

14 JED WALENTAS: I think Steve  
15 basically asked this question earlier, what  
16 happens if we don't get the bond cap allocation  
17 we're looking for, and as I said to him, I  
18 don't know all the answers to that question. I  
19 can tell you that without 421A, there won't be  
20 any affordable housing built here, and I can  
21 tell you that it's our intention and interest  
22 and we've already started a dialogue with HFA,  
23 'cause it would be our intention and interest  
24 irrespective of which plan we end up building  
25 to go and get bond cap to build the amount of

1  
2 affordable housing that we've laid out on the  
3 first site starting next year, and the AMI  
4 skews, as I said to Antonio, are that 15  
5 percent of those units are at 40 percent of AMI  
6 and 85 percent of those first 20 percent of  
7 units are at 60 percent of AMI.

8 COUNCIL MEMBER TORRES: No, the  
9 reason I ask is if you're able to--if the  
10 existing subsidies or the tax abatement is  
11 sufficient to meet the minimum requirement,  
12 then if you're pursuing additional financing,  
13 would that necessarily mean that you'd be able  
14 to build more affordable housing on top of the  
15 minimum?

16 JED WALENTAS: No. The--in today's  
17 world you cannot build the affordable housing  
18 that we're looking to do here without the 80/20  
19 program and the 421A program working together  
20 to provide state level subsidy to achieve the  
21 affordability targets that we're discussing  
22 here.

23 COUNCIL MEMBER TORRES: Do you know  
24 the community district in which you're  
25



1 building, what community district is it in  
2 Brooklyn?

3 JED WALENTAS: One.

4 COUNCIL MEMBER TORRES: One? And  
5 what's the median income there?

6 JED WALENTAS: What is the median  
7 income in Community Board One, I don't know.

8 COUNCIL MEMBER TORRES: Do you know  
9 if the units that you're creating are  
10 affordable to the median household in the  
11 community district in which you're building?

12 JED WALENTAS: I know that--

13 COUNCIL MEMBER TORRES: About 40  
14 percent of AMI is what, less than 50,000?

15 JED WALENTAS: So at 40 percent of  
16 AMI--40 percent of AMI units will rent for--  
17 studios will rent for 600 dollars. One bedrooms  
18 will rent for 650 dollars, and two bedrooms  
19 will rent for 770 dollars per month, and at 60  
20 percent of AMI, those numbers jump to 900, 950  
21 and 1,100, but again, these are not--these  
22 programs have nothing to do with our  
23 organization, right? These are all city and  
24 state--  
25

1  
2 COUNCIL MEMBER TORRES: [interposing]  
3 Well, I'm not holding you responsible for the  
4 constraints of the program, I'm just wondering  
5 if you know--

6 JED WALENTAS: [interposing] Yeah,  
7 no, no.

8 COUNCIL MEMBER TORRES: whether the  
9 units that you're developing are going to be  
10 affordable to the median household of the  
11 neighborhood.

12 JED WALENTAS: So--

13 COUNCIL MEMBER TORRES: [interposing]  
14 I think it's a fair question.

15 JED WALENTAS: I think that's a  
16 subjective--what's affordable to who is fairly  
17 subjective.

18 COUNCIL MEMBER TORRES: Well, I mean,  
19 median income--

20 JED WALENTAS: [interposing] Those  
21 are--

22 COUNCIL MEMBER TORRES: is an  
23 objective number. There is a number out there.  
24 That's not a--

1  
2 JED VALENTAS: [interposing] No, well  
3 so as I said--I just gave you what the  
4 affordable unit would rent for under the  
5 program as it exists today. Can I tell you what  
6 percent of the families would find those rents  
7 to work for their family situations, no, I  
8 cannot tell you that. Can I cite some study in  
9 Community Board One that says that, no. Can I  
10 tell you that the need for housing and  
11 affordable housing in this town is so deep and  
12 so broad that we will have absolutely no  
13 trouble working with local groups to fill up  
14 these units, yes. But will there be lots of  
15 people how have real needs that don't get  
16 accommodated for a whole variety of reasons,  
17 absolutely.

18 COUNCIL MEMBER TORRES: I just think  
19 it's a fair question. If you're building  
20 affordable housing--

21 JED VALENTAS: [interposing] No, I'm  
22 trying to--

23 COUNCIL MEMBER TORRES: you ought to  
24 know the median income of the community

1 district in which you're building. I think  
2 that's a fair expectation. I don't know, but.

3  
4 JED WALENTAS: We can get back to you  
5 and let you know.

6 COUNCIL MEMBER TORRES: Okay.

7 CHAIRPERSON WEPRIN: Thank you.

8 COUNCIL MEMBER TORRES: Thank you.

9 CHAIRPERSON WEPRIN: And thank you.

10 I'm going to call on Council Member Inez  
11 Barron.

12 COUNCIL MEMBER BARRON: Thank you,  
13 Mr. Chair. I wasn't here for much of your  
14 testimony, so I don't know if this question has  
15 been asked already. But one of the main points  
16 for your justification of the rezoning was to  
17 include two acres of park land, two additional  
18 acres?

19 CHAIRPERSON WEPRIN: Okay. This is  
20 going back to the PowerPoint here, here we go.

21 COUNCIL MEMBER BARRON: Okay, two  
22 additional acres and 1.1 acre of that is  
23 hardscape, is that correct?

24 CHAIRPERSON WEPRIN: Mr. Walentas?  
25

1  
2 JED WALENTAS: Keep going with your  
3 question.

4 COUNCIL MEMBER BARRON: And 0.9 of an  
5 acre is a city block? So I wanted to  
6 understand how a city block, a street, a city  
7 street is considered a park.

8 JED WALENTAS: City streets are not  
9 considered parks. City streets and sidewalks  
10 are considered open space. The chart here, I  
11 think, very clearly articulates the tremendous  
12 open space and park land improvements that  
13 we've made over the existing as of right plan  
14 from a quantitative standpoint, and that does  
15 not address the programming and psychological  
16 and accessibility issues that we discussed when  
17 we went through our proposal, that by putting  
18 in the public street that separates the  
19 building from the park, you make this park a  
20 truly public park that's open to its  
21 neighborhood and not a front lawn for the  
22 people that will be living here in a private  
23 enclave. Second, we're taking what was  
24 previously basically a privatized lawn for  
25 these folks and we're programming it in a way

1  
2 that's entirely consistent with a community  
3 outreach process and a list of programming  
4 activities that the existing community and  
5 Community Board requested be developed in this  
6 park. So I would argue strongly that the open  
7 space plan in the proposed plan visa vies the  
8 as of right plan is superior not just from a  
9 quantity standpoint, which clearly is, but also  
10 overwhelmingly from quality standpoint and I  
11 think that both the Community Board, the local  
12 neighborhood civic groups and the citywide  
13 parks advocacy organizations all agree with  
14 that assessment.

15 COUNCIL MEMBER BARRON: well, I would  
16 argue that privately owned city street that's  
17 monetized by Two Tress, controlled by them does  
18 not benefit directly to the community. So that  
19 would be my argument, and I want to echo all of  
20 the concerns of my colleagues as to the vague  
21 numbers as to the inability to even give us a  
22 range of what might be considered a percentage  
23 that would be reasonable and concern in  
24 determining the amount of square foot and I  
25 would hope that you would be able to address

1  
2 those issues so that when we vote we will have  
3 concrete specific information on which to make  
4 our decisions. Thank you.

5 JED WALENTAS: We will do the best we  
6 can. Thank you.

7 CHAIRPERSON WEPRIN: Thank you.

8 Alright, I'm going to go back to Council Member  
9 Levin who wanted to continue his line of  
10 questioning and some other questions as well.  
11 Steve, obviously, we have a lot of people who  
12 want to testify and I understand you have a lot  
13 of important questions, but we want to try to  
14 ghetto them as soon as possible.

15 COUNCIL MEMBER LEVIN: Thank you very  
16 much, Mr. Chairman for the second round of  
17 questions. Mr. Walentas, I wanted to--before  
18 I'm going to ask about open space, but I just  
19 wanted to go back a small rejoinder on our  
20 previous questions. With regard to what is as  
21 of right without the inclusionary bonus, I went  
22 back looked in the restrictive deck on page 24,  
23 table B. It speaks to the maximum floor area  
24 without inclusionary and the maximum height  
25 without inclusionary, and for the heights of

1  
2 the buildings, just to be clear, building A has  
3 a maximum height without inclusionary with 355  
4 feet, building B has a maximum height without  
5 inclusionary of 410 feet. Building D has a  
6 maximum height of 445 and 345 because it's a  
7 dual tower building, and then building E has a  
8 maximum height of 90 feet. So just to be clear,  
9 two of the towers exceed 400 feet, which is 40  
10 stories, and one is around 345 feet, so that's  
11 34 or 35 stories. So depending on how you build  
12 the--I mean, it's not necessarily a one to one  
13 in terms of how you build your building and the  
14 floor height, but 445 feet is the max without  
15 inclusionary. So I just wanted to make that  
16 clear, according to the restrictive data.

17 JED WALENTAS: Correct.

18 COUNCIL MEMBER LEVIN: Yep, okay. So  
19 just before moving onto open space, I just  
20 wanted to have one other question about the  
21 affordable component to the project. With  
22 regard to unit size, I want to be clear that  
23 there's an understanding here and that it's in  
24 the record that--I'm going to just read the  
25 regulations on 421A and the regulations on



1 inclusionary so that it's clear. This is for  
2 421A. Unless the---with regard to the unit  
3 size, bedroom mix of the units. Unless pre-  
4 empted by federal requirements, affordable  
5 units in the GEA must have either a comparable  
6 number of bedrooms as market rate units and a  
7 mixed proportional to the market rate units or,  
8 and that's the important word, at least 50  
9 percent of the affordable units must have two  
10 bedrooms, two or more bedrooms and no more than  
11 50 percent of the remaining units can be  
12 smaller than one bedroom or the floor area of  
13 affordable units must be no less than 20  
14 percent of the floor area of all the dwelling  
15 units. With regard to the inclusionary program,  
16 the proposed text would replace the existing  
17 inclusionary housing unit size requirements  
18 with HDC standards to prevent conflicts. The  
19 proposal would also encourage a mix of unit  
20 sizes that includes family sized units by  
21 requiring that either A, the unit, the  
22 affordable units have the same bedroom mix as  
23 the mix of the other residential units in the  
24 development or B, at least half of the  
25

1  
2 affordable housing units have two or more  
3 bedrooms with no more than 25 percent of the  
4 affordable units smaller than one bedroom. So  
5 there is--I want to be clear. There is an  
6 option in this development that 50 percent of  
7 the affordable units can meet--you can meet the  
8 requirements for inclusionary and 421A by  
9 having 50 percent or more be two bedrooms or  
10 above.

11 JED WALENTAS: Yes.

12 COUNCIL MEMBER LEVIN: just want to  
13 be--okay. SO that's clear, because I've had  
14 now a conversation going back six months with  
15 Two Trees about this. Most recently it came up  
16 yesterday that you can do option B. you don't  
17 have to do option A, is that correct?

18 JED WALENTAS: As an option, nobody  
19 every disputed that, an option, yes.

20 COUNCIL MEMBER LEVIN: Okay. I mean--

21 RAY LEVIN: [interposing] The  
22 financial feasibility is different than an  
23 option.

24 CHAIRPERSON WEPRIN: Mr. Levin, just  
25 make sure to state your name when you speak,

1  
2 okay, whenever you speak so we can keep it  
3 straight.

4 RAY LEVIN: Okay.

5 CHAIRPERSON WEPRIN: Especially we  
6 have too many Levin's.

7 COUNCIL MEMBER LEVIN: Want to make  
8 it clear. Might want to make it clear that  
9 that's an option, and I know that you don't  
10 have the answer today as to what the unit size  
11 breakdown is in the affordable units. Will we  
12 have an answer by the time we vote later on  
13 this month, what the unit size breakdown will  
14 be on the affordable units?

15 JED WALENTAS: We'll do as much work  
16 as we can over the next couple weeks to provide  
17 you as much information as we can. I can't--

18 COUNCIL MEMBER LEVIN: [interposing]  
19 Okay, there's an expectation on my end, just to  
20 be clear, there's an expectation on my end that  
21 we are going to have a clear picture of what  
22 the unit size breakdown is going to be, and  
23 that that is--I think it's in the community's  
24 interest for option B in both of these  
25 languages, the inclusionary and 421A

1 requirements, that that is the option that is  
2 adhered to and that 50 percent or more of the  
3 affordable units are family sized two bedroom  
4 or above, and that's my expectation. Moving on  
5 to open space. I want to go back to the  
6 proposal from last January. I'll hold this up.  
7 It says all of this means 60 percent more open  
8 space for two additional acres of park space,  
9 and I highlighted park space in pink there, for  
10 south Williamsburg. Is that still the case?

12 JED VALENTAS: I think you're  
13 obviously aware of the project that got  
14 certified and how it compares to its as of  
15 right alternative. I think you are clearly  
16 aware of the changes that projects go through  
17 in their precertification time frame. In fact,  
18 your office was an active participant in making  
19 this project change in its precertification  
20 months. So we're here today to talk about--

21 COUNCIL MEMBER LEVIN: [interposing]  
22 And just to be clear, what--and just so  
23 everyone knows, 'cause I want to address that,  
24 is that my office insisted that the 60 story  
25 tower that was proposed come down to a 53 story

1  
2 tower. So just to be clear, that's what my  
3 office did. That's what I insisted.

4 JED WALENTAS: There were other  
5 things the office did--

6 COUNCIL MEMBER LEVIN: [interposing]  
7 And just so that that's on the record as well.  
8 Go ahead.

9 JED WALENTAS: No, I don't.

10 COUNCIL MEMBER LEVIN: But that--  
11 there was never a discussion about the impact  
12 of open space, unpen space to that, of that  
13 change at the time.

14 JED WALENTAS: That's--I disagree  
15 with that assessment sir. I don't.

16 COUNCIL MEMBER LEVIN: Okay.

17 JED WALENTAS: I do not--

18 COUNCIL MEMBER LEVIN: [interposing]  
19 Just be clear--

20 JED WALENTAS: [interposing] I do not  
21 disagree with your assessment that open space  
22 is a huge need in this community, and we would  
23 certainly be ready, willing and able to work  
24 with your office and the city Administration on  
25 expanding the incredible park that we've built

1 here or we're proposing here to the south, to  
2 Williamsburg Bridge Park and to other places I  
3 the district. By no means, just like on the  
4 affordable housing conversation am I trying to  
5 indicate that our contributions to public  
6 benefits by developing this project are  
7 anywhere near sufficient to solve these issues  
8 on a district or citywide basis.

10 COUNCIL MEMBER LEVIN: Okay. But just  
11 want to be clear that one of the main  
12 compelling reasons for rezoning was additional  
13 park space, not just open space, but park  
14 space, and that as of last January that was two  
15 additional acres of park space. That is now  
16 down to 1.1 additional acres of park space, and  
17 by my calculation that means we're 0.9 acres  
18 short of a commitment made by Two Trees early  
19 on in this process, and I just want to make  
20 that clear that that--and I've said it before  
21 that that is a major source of concern for me.  
22 That was a--that was one of the reasons cited  
23 why it was, we needed to have a new rezoning,  
24 was that the benefit to the community on a  
25 quantitative level of open space was

1  
2 significant and that increase has been cut in  
3 half. Just want to make that clear.

4 JED VALENTAS: I think that our open  
5 space plan in the proposed project is a world  
6 class open space plan. I would put it up  
7 against any open space or park plan in any  
8 development in the city. I am proud of it. I  
9 look forward to building it, and I'm sorry that  
10 you're not more enthusiastic about it.

11 COUNCIL MEMBER LEVIN: Okay. Then,  
12 okay, speaking to that, what percentage of the  
13 proposed open space is hardscape, and what  
14 percentage is lawn, so grass, specifically  
15 grass? Because I like grass in my parks. I'm a  
16 big fan of grass.

17 CHAIRPERSON WEPRIN: Don't be  
18 sarcastic.

19 COUNCIL MEMBER LEVIN: Not that kind  
20 of grass.

21 CHAIRPERSON WEPRIN: Whatever you're  
22 about to say.

23 JED VALENTAS: I had transported  
24 myself to Colorado. Sorry.

1  
2 CHAIRPERSON WEPRIN: I knew you were  
3 going there.

4 JED WALENTAS: I wasn't actually.

5 COUNCIL MEMBER LEVIN: What  
6 percentage is hardscape and what percentage--

7 JED WALENTAS: [interposing] I do not  
8 know the percentage of the plan that will be  
9 "planted grass." There is a very comprehensive  
10 piece of work that was done as part of the  
11 ULURP that your office probably has or we can  
12 have field op send it to you. I do not know the  
13 answer sitting here. As I have said several  
14 times through this presentation, the purpose of  
15 the open space here was to satisfy a whole  
16 number of priorities that came out of a very  
17 intensive and extensive community process where  
18 members of your constituents and Antonio's  
19 constituents and others made it very clear what  
20 their priorities are for how this open space  
21 was utilized and programmed, and certainly a  
22 large number of those folks voiced a preference  
23 for lawn areas and passive recreation  
24 opportunities which are well represented in the  
25 plan, and at the same time, there was a huge



1  
2 outcry for more active places, places that  
3 wouldn't get trampled on, places to have  
4 concerts and movies and ice skating and high  
5 school graduations, and much more active  
6 recreation as is consistent with lots of our  
7 urban parks around the city.

8 COUNCIL MEMBER LEVIN: [interposing]  
9 There are in fact--

10 JED WALENTAS: [interposing] I think  
11 that this plan does an incredibly good job at  
12 satisfying and integrating those different  
13 requirements. It's the work of one of the most  
14 renowned firms in the world, and as I said, I'm  
15 extremely proud of it and I look forward to  
16 building it.

17 COUNCIL MEMBER LEVIN: Okay. so what  
18 percentage of the additional open space above  
19 or of additional park space or additional open  
20 space above what the 2010 plan required, what  
21 new open space is hard scape?

22 RAY LEVIN: The waterfront walkway,  
23 waterfront access area--

24 CHAIRPERSON WEPRIN: [interposing]  
25 Ray Levin.

2 RAY LEVIN: Ray Levin. The waterfront  
3 walkway, the waterfront access area, the zoning  
4 requires it to--50 percent to be planted. We  
5 are proposing 42 percent which is 55,500 square  
6 feet of planted area. Since the waterfront  
7 area, I believe we're a little bit larger since  
8 we have some supplemental open space areas--

9 COUNCIL MEMBER LEVIN: So, Mr. Levin,  
10 just to be clear, I'm not actually asking about  
11 the waterfront area, which there is no change  
12 from the previous 2010 plan to this plan in  
13 terms of the amount planted, what I'm asking  
14 about is the additional park land. So Domino  
15 Square and what the streets and sidewalks which  
16 you're citing as additional open space, how  
17 much of that is--how much of Domino Square,  
18 I'll be more concise, how much of Domino Square  
19 is planted?

20 RAY LEVIN: That I do not know  
21 because it's not a requirement that we plant  
22 any of it in zoning.

23 COUNCIL MEMBER LEVIN: So how much is  
24 going to--how much is planned to be planted?  
25 You--I would think that you would know that,

1  
2 actually, at this point in time. How much is  
3 proposed to be planted?

4 JED WALENTAS: Thematically, Domino  
5 Square is not designed or thought of as a area  
6 for passive recreation, not dissimilar from  
7 Bryant Park or other urban place around the  
8 city where very little of it is planted.

9 Domino--

10 COUNCIL MEMBER LEVIN: [interposing]  
11 So how much--how much is planted? I'm going to  
12 ask the--it's a very simple question. How much  
13 is planted?

14 JED WALENTAS: None of the three of  
15 us know the answer sitting here today exactly  
16 what percentage is planted.

17 COUNCIL MEMBER LEVIN: Can you give  
18 me a range?

19 RAY LEVIN: Between 25 and 30.

20 COUNCIL MEMBER LEVIN: Between 25 and  
21 30--

22 RAY LEVIN: Ray Levin.

23 COUNCIL MEMBER LEVIN: Is planted, of  
24 Domino Square?

25 RAY LEVIN: Yeah.

2 COUNCIL MEMBER LEVIN: Okay.

3 RAY LEVIN: But we can get you an  
4 exact number if you're willing to wait.

5 CHAIRPERSON WEPRIN: Please state  
6 your names when you speak.

7 VISHAAN CHAKRABARTI: Vishaan  
8 Chakrabarti. Council Member, I think it's very  
9 important to talk about this from a design  
10 perspective, because these are design questions  
11 that you're really asking. The community  
12 specifically had a desire here for an active  
13 space in which things could occur upon, high  
14 school graduation, a farmer's market.

15 COUNCIL MEMBER LEVIN: I know you  
16 keep on saying high school graduation.

17 VISHAAN CHAKRABARTI: Or a farmer's  
18 market.

19 COUNCIL MEMBER LEVIN: How about a  
20 park? How about a place where people could sit  
21 down? Can you sit down on hardscape? I can't  
22 sit down on hardscape?

23 VISHAAN CHAKRABARTI: Council Member,  
24 with all due respect, there's a quarter mile of  
25 waterfront park. We had--it's kind of like

1  
2 going to Venice and asking if the Piazza San  
3 Marco has a big lawn in it. It is--you know,  
4 you have lawns and open space in some places,  
5 such as the waterfront. You have other  
6 hardscapes that are also very important for  
7 different kinds of urban activities to take  
8 place. I would also just stress that sidewalks  
9 are a critical part of our public space network  
10 in New York City. Our former City Planning  
11 Commission Chair wanted wider sidewalks. There  
12 were all sorts of balances that we tried to  
13 strike in the plan in terms of how much was  
14 grass versus other forms of public space, and I  
15 think it's important to understand that we need  
16 a variety of public spaces. Thank you.

17 COUNCIL MEMBER LEVIN: Okay. So I'm  
18 going to then ask about Domino Square a little  
19 bit here.

20 CHAIRPERSON WEPRIN: Okay, now just  
21 Steve, please go on. I just, you know, I just  
22 want to remind you I know you wanted to hear  
23 from the community later, and there are a lot  
24 of people waiting.

25 CHAIRPERSON LEVIN: I do, thank you.

CHAIRPERSON WEPRIN: Okay.

COUNCIL MEMBER LEVIN: I'll try to wrap it up.

CHAIRPERSON WEPRIN: I want to be respectful and let you get your questions out.

COUNCIL MEMBER LEVIN: Thank you.

CHAIRPERSON WEPRIN: I just--we got a balancing act here.

COUNCIL MEMBER LEVIN: Got it, thanks.

CHAIRPERSON WEPRIN: Okay, thanks.

COUNCIL MEMBER LEVIN: There is for Domino Square, there--are you turning that over to the parks Department, or is Two Trees maintaining control of that?

JED WALENTAS: With all the open space it will be built by us. It will be maintained by us, and as part of our City Planning restrictive deck there is a maintenance and operations agreement which goes on for hundreds of pages and prescribes the manners in which we need to maintain the park up to Parks Department standards, the way the Parks Department can essentially basically

1  
2 wrestle control of the park from us to the  
3 extent we do not live up to those commitments.  
4 It requires that we post security and a bond in  
5 accordance with a budget that they produce  
6 every year to perform these functions. So it's  
7 a way of taking private funding, our funding to  
8 relieve a public burden of maintaining the  
9 parks but at the same time making the park not  
10 only look and feel like a public park but  
11 actually conform to all the rules and standards  
12 that are created by the Parks Department. And  
13 on top of that, that agreement calls for a body  
14 that will created to program, I believe, both  
15 Domino Square and the waterfront park that will  
16 be made up not just of a representative from  
17 our organization but from your office,  
18 Councilman Reynoso's office and other local  
19 civic organizations.

20 COUNCIL MEMBER LEVIN: Okay. So I'm  
21 just going to ask very quickly about that and  
22 then I'm going to come back to another issue  
23 around Domino Square. So about that review  
24 board, why does Two Trees appoint all members?  
25 I read the agreement yesterday and the

1  
2 agreement states that Council Member Reynoso,  
3 myself, the Community Board, the Borough  
4 President can all nominate members to this  
5 board, but that all seven member or up to seven  
6 members of this board, all seven members are  
7 appointed by Two Trees. Why is that the case?  
8 Why don't we just have direct appointees?  
9 Because I, to be honest with you, I don't--I  
10 mean, I would rather have, be able to appoint  
11 somebody rather than nominate somebody to be  
12 appointed by Two Trees.

13 JED WALENTAS: Correct me if I'm  
14 wrong, I believe what the agreement states is  
15 that you nominate two people and we pick  
16 amongst the two. So, I don't--I think that's  
17 how it's works without editorializing about it.

18 COUNCIL MEMBER LEVIN: But why, why  
19 is that--why can't--why is it that the Council  
20 Members or the Community Boards or the Borough  
21 President can't just appoint somebody directly?  
22 Why is it--why is Two Trees given the  
23 discretion to do that?  
24  
25



1  
2 JED WALENTAS: That is probably more  
3 a question for the City Planning Commission  
4 than for me.

5 COUNCIL MEMBER LEVIN: Okay. 'Cause  
6 that's something that obviously I'd like to see  
7 changed, and I'm going to work to change that  
8 over the next few weeks. Also with regard to  
9 that board, I was looking at what in terms of  
10 programming, because the board decides about,  
11 around the amount of programming to be allowed  
12 to be done at Domino Square. So say they allow  
13 for concerts to take place, but it seems that  
14 the board cannot decrease the amount of  
15 programming from the previous year, and so if  
16 there's a--if the board or the community  
17 determines or the community says that there's  
18 too much programming going on, that, you know,  
19 there's a concert there every weekend and we'd  
20 rather have a concert there every other  
21 weekend, that there's no mechanism by which  
22 that board can mandate that there be less  
23 programming than what is previously  
24 established. Is that correct?

2 JED WALENTAS: I don't think that's  
3 an accurate characterization of how that group  
4 is supposed to work.

5 COUNCIL MEMBER LEVIN: How is that  
6 not an accurate characterization?

7 JED WALENTAS: I think the board  
8 meets annually to determine what the  
9 programming criteria will be for the upcoming  
10 year, each and every year.

11 COUNCIL MEMBER LEVIN: and they can  
12 decrease the amount of programming from the  
13 previous year?

14 JED WALENTAS: They can agree to do  
15 whatever they choose to do. They can make there  
16 be no programming.

17 COUNCIL MEMBER LEVIN: I mean,  
18 that's--so you're saying that--okay, 'cause  
19 I've--we've looked at the language and that's  
20 not been our understanding. So that's obviously  
21 something that needs to be clarified on our  
22 end.

23 RAY LEVIN: Excuse me. This is Ray  
24 Levin. What it says is that if there is no  
25

1  
2 plan adopted the following year, then the prior  
3 years plan continues.

4 COUNCIL MEMBER LEVIN: But that  
5 there's no--but we've--what we've said is that  
6 there's--or what we've seen is that there's no  
7 apparatus for diminishing the amount of  
8 programs.

9 RAY LEVIN: Every year there's a new  
10 plan. The only time that the previous plan  
11 continues is if there's no agreement.

12 COUNCIL MEMBER LEVIN: Okay. We're  
13 going to take that up with City Planning. With  
14 regard to Domino Square, Mr. Chairman, I'm just  
15 wrapping up here, there is two kiosks, is that  
16 correct?

17 JED WALENTAS: Yeah, there's  
18 possibility of having two kiosks.

19 COUNCIL MEMBER LEVIN: What, how big  
20 are they and what are they used for?

21 JED WALENTAS: We don't know what  
22 they're used for. They were put in the plan at  
23 the request of City Planning to allow us some  
24 flexibility should we want to have a vendor of  
25 some sort there, but there's no plan to use

1  
2 them at this point. We don't have to build  
3 them.

4 COUNCIL MEMBER LEVIN: With regard to  
5 the kiosks and with regard to other  
6 programming, for instance, if you were to have  
7 Brooklyn Flea [phonetic] which is very popular  
8 a couple blocks to the north, there's  
9 Schmorgusburg [phonetic] or what have you. The  
10 revenue generated by those activities, the  
11 kiosks, other commercial activities, where--who  
12 gets those revenues?

13 JED WALENTAS: If there's an  
14 insinuation in any way that any of this open  
15 space will be a profit center for us--

16 COUNCIL MEMBER LEVIN: [interposing]  
17 I'm not insinuating anything. I'm asking a  
18 question.

19 JED WALENTAS: I'm sad to report that  
20 that's not the case.

21 COUNCIL MEMBER LEVIN: I'm asking a  
22 question. Where does the revenue go? 'Cause  
23 like for instance, at Eastover State Park, the  
24 Brooklyn Flea, or the inutilities [phonetic]  
25 for East River State Park, Brooklyn Flea pays

1  
2 for the use of the space. They pay rent. That  
3 revenue goes into the East River State Park and  
4 that's how they meet their maintenance and  
5 operations obligations. So, and it helps the  
6 State Parks Department.

7 JED WALENTAS: Yes.

8 COUNCIL MEMBER LEVIN: My question  
9 is, if that were to happen here because it's  
10 programmable space, where does the revenue go?

11 RAY LEVIN: I believe that's part of  
12 the annual plan. This is Ray Levin. The annual  
13 plan sets forth not only the kind of  
14 programming but whether there are going to be  
15 fees or not.

16 COUNCIL MEMBER LEVIN: So but like if  
17 the Flea is there, I mean, the kiosk for  
18 example say--

19 JED WALENTAS: [interposing] The  
20 revenue--

21 COUNCIL MEMBER LEVIN: [interposing]  
22 number seven--just, excuse me. Say number seven  
23 sub wants--there's a bid out like they do in  
24 Brooklyn Bridge Park where number seven sub is  
25 there or the Red Hook Lobster Pound or

1  
2 whatever, it's good. It draws people into the  
3 park. It's great. It's concession, but there is  
4 a clear agreement as to where--there's revenue  
5 generated from there. They pay to be there, and  
6 then that money goes back into Brooklyn Bridge  
7 Park, and I'm just wondering what is--I would  
8 imagine that this would be something that would  
9 be determined now at the outset because there's  
10 an arrangement that Two Trees is retaining  
11 control of the open space, and they're not  
12 turning it over to the Parks Department. So I  
13 imagine this would be something that we would  
14 address at this point, not by a review board in  
15 six years.

16 JED WALENTAS: The ancillary revenues  
17 that come from the open space and the parks as  
18 this plan will go to us to help defray the  
19 maintenance and operations costs that are being  
20 privately born and not publicly born in this  
21 scenario. So just like in all the other  
22 examples that you said, the little bit of  
23 revenue goes to help subsidize the people that  
24 have a financial responsibility to maintain and  
25

1  
2 provide upkeep for the park. The same will be  
3 the case here.

4 COUNCIL MEMBER LEVIN: Okay. Because  
5 we're looking at, I mean, in is it Bryant Park  
6 the--in Madison Square Park, excuse me.

7 Madison Square Park, Shake Shack collected in  
8 2009 4.9 million dollars in revenues, 220,000  
9 of that went to the city and 348 went to the  
10 park, the Madison Square Park. That is--that's  
11 a clear arrangement of the concession in that  
12 public space.

13 JED WALENTAS: What's the annual park  
14 operating budget at Madison Square Park?

15 COUNCIL MEMBER LEVIN: Sorry?

16 JED WALENTAS: What's the annual park  
17 operating budget?

18 COUNCIL MEMBER LEVIN: That I don't  
19 know off the top of my head. I can probably  
20 find that out or there's Parks Department  
21 Officials here in the audience and they could  
22 answer that question. But the--I just want to  
23 also be clear that if Two Trees were to turn  
24 over this space to the Parks Department, Two  
25 Trees would still be obligated to main--pay for

1  
2 the maintenance of it, right? I mean, that's--  
3 in terms of the maintenance of the waterfront  
4 access space and other development on  
5 Williamsburg waterfront, the--even under the  
6 scenario in which its turned over to the Parks  
7 Department, the developer still pays for the  
8 maintenance and operation. So if you go to the  
9 Edge or Northside Piers, they don't still--they  
10 still pay for the operation, the maintenance  
11 and operations, no?

12 JED WALENTAS: No, not exactly. First  
13 of all, there is no similar component as to  
14 Domino Square in those developments, number  
15 one, and there would be no protocol whereby we  
16 would pay for that, or that's a unique  
17 condition here that's--

18 COUNCIL MEMBER LEVIN: [interposing]  
19 But Domino Square is the unique--

20 JED WALENTAS: [interposing] hold--  
21 yes.

22 COUNCIL MEMBER LEVIN: okay.

23 JED WALENTAS: Second, if you look at  
24 the open space that's been created in the  
25 adjacent developments up the river, they are



1 not nearly programmed, built or programmed  
2 anywhere near to the degree that we are  
3 proposing here. It's an entirely different  
4 level of park and regional attraction and  
5 public amenity that we're creating here. So the  
6 maintenance and operation budget of this park  
7 visa vis the little bit of open space that's in  
8 front of The Edge or similar projects has very  
9 little--

11 COUNCIL MEMBER LEVIN: [interposing]

12 But regard--

13 JED WALENTAS: [interposing] has very  
14 little to do with each other and I believe the  
15 agreement up there is that the Parks Department  
16 maintains those spaces and gets a fee from the  
17 developers that's prescribed and to the extent  
18 that the actual parks maintenance budget grows  
19 or changes or changes with time, it's a very  
20 different relationship. The developers do not  
21 bear that risk. In this case, we are dealing  
22 with the direct operating burden of a totally  
23 different level park. The relationships and  
24 public benefit are totally different in the two  
25 different projects.

1  
2 COUNCIL MEMBER LEVIN: But  
3 regardless--but regardless, Two Trees would  
4 bear the responsibility of paying the  
5 maintenance and operations of the waterfront  
6 portion of the open space, right?

7 JED WALENTAS: As I said, we would  
8 bear the operation of paying a formulaic fee  
9 that somebody estimated was what it would cost  
10 to maintain it, which is very different than  
11 actually maintaining it.

12 COUNCIL MEMBER LEVIN: Okay, alright,  
13 fine. And we can just--we can discuss that  
14 outside of this situation, outside of this  
15 circumstance, but with regard to Domino Square,  
16 because you said that that's the outlier here,  
17 that that's what makes this very different--

18 JED WALENTAS: [interposing] No, I  
19 think the whole thing is very different.

20 COUNCIL MEMBER LEVIN: If it's all  
21 hardscape, what's the maintenance and  
22 operations of hardscape? I mean, it's not--you  
23 don't have to tend to the lawn.

24 JED WALENTAS: First of all it's--  
25

2 COUNCIL MEMBER LEVIN: [interposing]  
3 You don't have to water the lawn.

4 JED WALENTAS: It's not--

5 COUNCIL MEMBER LEVIN: [interposing]  
6 you don't have to feed the grass. You don't  
7 have to replace sod.

8 JED WALENTAS: all hardscape.

9 COUNCIL MEMBER LEVIN: It's  
10 hardscape.

11 JED WALENTAS: The maintenance and  
12 operation of a hard--of operating a hardscape  
13 park is considerably more than operating a  
14 grassy knoll, considerably more.

15 COUNCIL MEMBER LEVIN: I'd like to  
16 know, I'd like to see the details on that.

17 JED WALENTAS: Great.

18 CHAIRPERSON WEPRIN: Okay.

19 COUNCIL MEMBER LEVIN: Okay, thank  
20 you very much, Mr. Chairman.

21 CHAIRPERSON WEPRIN: More to look  
22 forward to. Alright I'm now going to call on  
23 Council Member Reynoso who has one question  
24 he'd like to ask, and hopefully this will be  
25 the last one, I think. Right? Okay.

2 COUNCIL MEMBER REYNOSO: Thank you,  
3 again. We'll try to be--please try to be as  
4 brief as possible so that we can allow for  
5 other folks to speak. So I'm going to be as  
6 quick as possible as well. The restrictive  
7 declaration outlines two development options,  
8 one involving a transfer of floor area from the  
9 sites waterfront parcel to the upland parcel  
10 and the other without this transfer. Can you  
11 describe this transfer, the reasons behind it,  
12 and the implications for both affordable  
13 housing and density on both parts of the site?

14 CHAIRPERSON WEPRIN: Big question.

15 RAY LEVIN: The--

16 CHAIRPERSON WEPRIN: [interposing]

17 And what's your name, sir?

18 RAY LEVIN: Ray Levin. The density is  
19 being transferred from the waterfront to the  
20 inland site, which is going to be the first  
21 site developed. It also helps with keeping the  
22 building to their minimal sizes with only 50  
23 stories by moving the floor area inland and  
24 also helps to create that Domino Square. And as  
25 the first building as Jed mentioned, the idea

1  
2 until six weeks ago was this 50/30/20 project  
3 which if that had gone forward, we would have  
4 been able to build a significantly more than 20  
5 percent on that inland site, which would help  
6 with the development going forward since we  
7 could lock in those subsidy up front rather  
8 than speculating on whether we could achieve  
9 them down the road. So for those--those are the  
10 reasons why we're looking to transfer the floor  
11 area form the waterfront zoning lot to the  
12 inland lot.

13 COUNCIL MEMBER REYNOSO: Thank you.

14 CHAIRPERSON WEPRIN: Okay. Does  
15 anyone have any more questions? PS? Okay.  
16 Alright, gentleman, you are excused for now.  
17 Thank you very much.

18 JED WALENTAS: Thank you very much.

19 CHAIRPERSON WEPRIN: So, ladies and  
20 gentleman, I apologize for the delay but there  
21 was a lot of questions to be asked, a lot  
22 information to be ascertained. I want to remind  
23 you what we're doing for those who came late.  
24 So we are going to call up panels I guess four  
25 at a time for two minute each. So in your mind

1  
2 now, please make sure you try to get that  
3 testimony within two minutes. If I let people  
4 go over, everyone's going to want to go over.  
5 So try to summarize what you have to say. We'll  
6 take any testimony, add it to the record, but  
7 we're going to call people up alternating  
8 between those in favor of this project and  
9 those opposed and there may be some more  
10 questions as we go along, and again, we're not  
11 voting today. There was a lot of discussion to  
12 be had and as you can tell, a lot of questions  
13 to be answered. Also, I know it's been a late  
14 day and people have other places to go, if you  
15 do have to leave we will read your name into  
16 the record with what position you have taken if  
17 that is necessary. I know we did lose some  
18 people. I know it's been a long day and it's  
19 past lunch. I was fine until Steve Levin  
20 started talking about Shake Shack, but that's  
21 another story. Alright. So I'm going to call  
22 up the first panel now in opposition. Vivian  
23 Keys, John Skinner, Abraham Rosaro [phonetic],  
24 Colin Miles. I want to keep the applause to a  
25 minimum, no matter how well dressed the person

1  
2 testifying is. You got four seats there? Okay.  
3 Mr. Skinner, you want to lead since you have  
4 the fan club, sound like? Okay. Thank you.

5 JOHN SKINNER: Good afternoon,  
6 Chairman Weprin and members of the committee.  
7 Thank you for giving us this opportunity to  
8 testify. My name is John Skinner. I am the  
9 President of Metal Lathers Reinforcing  
10 Ironworks Local 46. We represent 1,500 men and  
11 women in the New York City construction  
12 industry. We obligate for good jobs for all New  
13 Yorkers, real affordable housing and  
14 responsible development with long term benefits  
15 for our communities. We elected a progressive  
16 city government creating a sweeping mandate to  
17 create good jobs, build real affordable housing  
18 and raise up our communities. Two Trees'  
19 proposal for this massive mostly luxury  
20 development at Domino Sugar fall short of  
21 fulfilling these goals. We applaud Two Trees  
22 recent decisional to add 40 affordable units to  
23 this 2,300 unit project representing a seven  
24 percent increase in below market share.  
25 However, community groups and labor unions have

1 raised significant concerns which to be  
2 addressed before the City Council votes on this  
3 proposal. Two Trees is receiving tremendous  
4 public benefits for Domino Sugar including a  
5 tax abatement nearly 700 million tax exempt  
6 bonds from the State. In return, they should  
7 commit to real community benefits including low  
8 income housing, enhanced public and community  
9 space, local community hiring and good jobs for  
10 all construction workers on the site.

11 Unfortunately, Two Trees wants to pick and  
12 choose which construction works will receive  
13 adequate wages, healthcare requirement,  
14 retirement benefits and safety training leaving  
15 other workers out in the cold. I am confident  
16 City Council agrees that this tale of two  
17 cities scenario at Domino Sugar is  
18 unacceptable. Two Trees' refusal to commit to  
19 good jobs for all construction workers is more  
20 troubling giving the company's history of  
21 hiring irresponsible contractors who exploit  
22 workers and violate the law, as did happen on  
23 the Dock Street project where a company was  
24 found to engage in employment fraud. Local 46  
25



1  
2 is easy to work and partnership for the  
3 community, Two Trees, and the Administration to  
4 create good jobs, build real affordable  
5 housing, create long term community benefits.  
6 Before you vote on this plan, I urge City  
7 Council to ensure Two Trees addresses the  
8 issues outstanding the community and concerns.  
9 City Council should look hard at these details  
10 of this project and this new Administration,  
11 ensuring that all project and developments in  
12 the future would be subject to this precedent  
13 and we need to make sure that it goes right.  
14 Thank you.

15 CHAIRPERSON WEPRIN: Thank you. Thank  
16 you, Mr. Skinner. Thank you for the hands,  
17 thank you. Next, who wants to go next? Ms.  
18 Keys?

19 VIVIAN KEYS: Good afternoon  
20 Chairman Weprin and members of the committee.  
21 My name is Vivian Keys, and I am a member. I am  
22 a resident of Bushwick and I'm also a proud  
23 member of Iron Workers Local 46. I would like  
24 to speak about the need for good jobs, middle  
25 class career and opportunities and real

1 affordable housing at the Domino Sugar project.

2 As a local resident, I can tell you what our

3 communities need good jobs and a real career

4 opportunities. As a member of Iron Workers

5 Local 46, I can tell you firsthand what a good

6 job really is. I receive middle class wages,

7 excellent benefit, and important safety

8 training additionally. My apprenticeship

9 trainings gives me the skill needed for a

10 lifelong career in the construction industry

11 and the opportunity to work in major

12 construction project in the New York city area.

13 When wealthy developers like Two Trees comes

14 into our community and asks for zoning changes

15 and other special benefits, they need to give

16 back to the community. This means Two Trees

17 should commit to creating middle class jobs and

18 real career opportunities like I have as a

19 member of Local 46. Not just short term low

20 wage jobs. Unfortunately, Two Tree has not

21 committed to providing good jobs for all

22 construction workers on the project. If Two

23 Tree is able to pick and choose which workers

24 receive decent wages, benefit and adequate

25

1  
2 safety training at Domino Project, our  
3 communities will have less opportunity to get a  
4 good job on the project and a real career  
5 opportunity. It is simple. All construction  
6 worker and the Domino Sugar project should have  
7 the same middle class job and the same career  
8 opportunity that I have as a member of Local  
9 46. Two Trees should be able to stand--should  
10 not be able to stand in the way of this. Thank  
11 you.

12 CHAIRPERSON WEPRIN: Thank you, Ms.  
13 Keys. Sir, whenever you're ready.

14 ABRAHAM ROSARO: Good afternoon. My  
15 name is Abraham Rosaro. I'm a resident of  
16 Bushwick Brooklyn. I'm not a union rep. I'm not  
17 a union worker. I'm a hardworking construction  
18 man. Our community lacks in jobs and companies  
19 that come in and developers that take advantage  
20 of our resources and takes it elsewhere should  
21 go on stricter restrictions. We need decent  
22 jobs in our community that provide healthcare  
23 and retirement benefits. I'm telling you from  
24 experiences, I work for a company named Super  
25 Structure New York Hoist US Crane and Rigging.

1  
2 This company here took advantage of its workers.  
3 I'm in a class action suit against them and  
4 companies like Two Trees should not pick and  
5 choose who they want at the expense of workers  
6 or the community. I lost my place. Quick. I  
7 urge the City Council to make a rational  
8 decision on companies like Two Tree to create  
9 better jobs which means making sure that  
10 companies like Super Structure US Crane and  
11 Rigging are not part of projects like these.  
12 Two Trees should not be able to pick and choose  
13 workers and give good wages, good benefits, and  
14 understand the safety and training of all its  
15 employees and its community as well. Thank  
16 you. I am a resident of Brooklyn.

17 CHAIRPERSON WEPRIN: Thank you.

18 Bushwick, Brooklyn. Yes? There you go.

19 COLIN MILES: Yes, my name is Colin  
20 Miles. I represent an organization called  
21 Saved Domino. I want to thank you, Antonio,  
22 Steve, council, thank you. Finally a  
23 progressive Council to hear what we need. The  
24 bible says don't build on sand. How much public  
25 money will take to protect lives in public and

1 structure along the Brooklyn waterfront?  
2 Council, you of all people should know,  
3 hurricane Sandy caused 19 billion in damage and  
4 loss of economic activity for the city and it  
5 was a similar storm--and if a similar storm  
6 were to strike in 10 years, the cost could be  
7 90 billion. During the twilight of the  
8 Bloomberg reign, had developers rushing to get  
9 waterfront development projects passed by local  
10 and city government, yet one important detail  
11 time and time again continues to be left out of  
12 the discussion, the hundreds of thousands if  
13 not millions of dollars this city will need to  
14 protect critical surrounding infrastructure and  
15 human lives along the Brooklyn waterfront, but  
16 fear not, the Two Trees economic conscious plan  
17 will fall on your shoulders through New York  
18 tax payers subsidized the cost to protect more  
19 waterfront dormitories for the wealthy with no  
20 help from the developer, integrating their own  
21 tenant's needs for your benefit. Now that's  
22 progressive. Developers speak of connectivity  
23 that creates more vibrant neighborhood. Well  
24 then how is it that the one percent get to live  
25

1 on the water's edge, while only one percent of  
2 verdant unfettered green space and pavement is  
3 left for the community, and only a minimal  
4 amount of affordable housing comes in at  
5 nonbinding AMI levels. How vibrant will a  
6 shoreline community look after the next 100  
7 year storm comes in? In 2005, one critical  
8 person missed that midnight hearing to up zone  
9 our Williamsburg Greenpoint community. Her name  
10 was Sandy. My question to the community, or my  
11 question to the committee assembled today is do  
12 we really understand climate reality?  
13 Developers speak of pulling back to increase  
14 more green space. Is that really going to  
15 protect our community? Why are we building the  
16 greatest digital city of the 21<sup>st</sup> century with  
17 crossed fingers and toes when the next 100 year  
18 storm is on our doorstep? What steps is the  
19 city taking not by just talking but doing to  
20 protect critical infrastructures, schools,  
21 communications before anymore shoreline  
22 development is to a cure? Thank you so much.

24 CHAIRPERSON WEPRIN: Thank you. I  
25 like the old school notes there. That's good.

1  
2 Council Member Reynoso had a comment he wanted  
3 to make.

4 COUNCIL MEMBER REYNOSO: Yes, I just  
5 wanted to thank you guys for being here,  
6 especially from Bushwick. Impacted in  
7 communities throughout this and making sure  
8 that your opinions and what you want to say is  
9 heard is very valuable to us and what we do. So  
10 thank you. Thank you.

11 CHAIRPERSON WEPRIN: Thank you all  
12 very much. I appreciate your patience too.  
13 Okay. Alright. We're going to call up the  
14 following people, panel in favor, Eric Rodeski  
15 [phonetic], if I pronounced that right, Carlo  
16 from the chamber, you here? Michael Porto and  
17 Evelyn Cruz from Council Member--Congress  
18 Member Nydia Velazquez, I'm sorry, is here as  
19 well. I don't know how to characterize her as  
20 in favor or neutral or against, but I'm going  
21 to put here up there anyway. Carlo, welcome.  
22 Okay. Gentleman and lady, wait, so we missed--  
23 did I lose one along the way there? Okay. Why  
24 don't we let the three of them go. Again, we're  
25

1 going to have two minutes and then we'll  
2 alternate. Whoever wants to go first?

3  
4 EVELYN CRUZ: Okay, alright. Thank  
5 you. Good afternoon, Council. Thank you  
6 Chairman. Thank you Councilman Reynoso, my  
7 Council Member, and Council Member Levin and of  
8 course, Councilwoman Crowley who we work with.  
9 I'm here on behalf of Congresswoman Nydia  
10 Velazquez. My name is Evelyn Cruz. I do not  
11 have written statements. I actually came here  
12 to listen to what the community had to say.  
13 Because of the debate and discussion, much of  
14 the community has left. On behalf of the  
15 member, I'm here to state that we urge the City  
16 Council to carefully review the presentation  
17 before you. We have, like Mr. Jed Walentas  
18 mentioned, met with him to discuss the  
19 presentations that the has been--the plans that  
20 have been evolving over the past 18 months, but  
21 the concern remains the same. We are concerned  
22 that there needs to be real inclusionary  
23 affordable housing for the community residents  
24 of the Southside Community. The median income  
25 for that neighborhood is 33,000 dollars as



1  
2 opposed to what is used citywide. The AMI of  
3 125,000 dollars is not applicable here, and  
4 that would be a tremendous hardship to our  
5 community residents, and over the pa--since the  
6 rezoning in 2005 of Williamsburg and  
7 Greenpoint, our community has lost over 8,000  
8 rental units of affordable housing because, not  
9 only because of displacement but because of the  
10 impact that rezoning in a community. Once we  
11 hear the words rezoning, developer are out  
12 there with a tickle down impact that does  
13 result in harassment and displacement of  
14 residents and this is what's happened in the  
15 Southside community. So we need affordable  
16 housing and we see the goodness in a fair  
17 project, but that is what the Congresswoman is  
18 urging, a sound and balanced development plan  
19 that will really speak to real affordable units  
20 with spaces or apartments with dignity. We do  
21 not need closet-sized apartments and call them  
22 affordable. We need a unit that also can help  
23 two families, families that need two bedrooms.  
24 We have a lot of blue collar workers in our  
25 community, teachers that need fair housing in

1 Williamsburg. We also need jobs of justice,  
2 fair jobs like councilwoman Crowley mentioned,  
3 job opportunities that lead to future  
4 employment in the skills trade business. So I  
5 want to make it brief now because I'm being cut  
6 off. I didn't come with a statement, but again,  
7 we urge the Chair and my colleagues in  
8 government to really look at this plan and see  
9 how we can best really do something with  
10 dignity and pride, and I know that they  
11 distributed this--someone distributed this nice  
12 quotes from all the newspapers saying this is a  
13 wonderful project, and it probably really is.  
14 Aesthetically, it is beautiful, but I know that  
15 Mr. Jones from Community Service Society will  
16 say it's a great project. We need to read the  
17 entire news clip.

19 CHAIRPERSON WEPRIN: Got it.

20 EVELYN CRUZ: It needs to be affordable  
21 and with jobs of justice.

22 CHAIRPERSON WEPRIN: Thank you very  
23 much.

24 EVELYN CRUZ: Okay. Thank you.

2 CHAIRPERSON WEPRIN: Gentleman, who  
3 wants to go next?

4 MICHAEL PORTO: Okay. Originally it  
5 was good morning. Good afternoon. I thank you  
6 for the opportunity to submit this written  
7 testimony. I'm Michael Porto, speaking for  
8 Roland Lewis, the President and CEO of MWA,  
9 Metropolitan Waterfront Alliance. The MWA is a  
10 coalition of over 750 community and  
11 recreational groups, educational institutions,  
12 businesses and other stakeholders committed to  
13 transforming New York and New Jersey harbor and  
14 its waterways to make them cleaner and more  
15 accessible, a vibrant place to play, learn and  
16 work with great parks, great jobs and great  
17 transportation for all. The MWA supports Two  
18 Trees vision for improving public access to the  
19 South Williamsburg Waterfront and restoring  
20 small manufacturing to the site to create a  
21 21<sup>st</sup> century working waterfront. We believe  
22 this proposal follows many of the principles of  
23 our waterfront edge design guidelines program,  
24 WEDG, which seeks to ensure that development  
25 along the water's edge provides equitable

1 public access, promotes resiliency, enhances  
2 ecology and encourages maritime use. This  
3 unique collaboration between government,  
4 nonprofit groups, consultants, and other  
5 stakeholders has resulted in a set of guiding  
6 principles or core values for best design  
7 practices for the waterfront edge. We believe  
8 Two Trees' current proposal provides a valuable  
9 public good like connecting the esplanade to  
10 the existing street grid in Grand Ferry parked  
11 to the north creating a contiguous multi-use  
12 public waterfront. MWA recognizes we will not  
13 turn our back on the waterfront and provides  
14 various recommendations for more responsible  
15 development and resilient design features  
16 within our changing environment. The proposal  
17 for the Domino site incorporates resilient  
18 design strategies that will help fortify the  
19 area against storm surge such as raising the  
20 platform along the water's edge, setting back  
21 buildings as appropriate and improving storm  
22 water management. We also welcome Two Trees  
23 acknowledgement that this site may be well  
24 suited to accommodate future ferry service  
25

1 which would relieve pressure from nearby  
2 overcrowded subway lines and provide emergency  
3 access as needed. The current proposal also  
4 includes a shuttle service to better connect  
5 users to key transportation lines. Two Trees  
6 has followed some of WEDG's preliminary  
7 recommendations for public access by exceeding  
8 the DCP's waterfront zoning access requirements  
9 and restoring visual corridors in the street  
10 grid for better circulation and access by the  
11 public. A more permeable edge and interface  
12 with the upland community creates more  
13 welcoming environment and avoids the  
14 psychological barrier that often characterizes  
15 many waterfront developments. I'll just skip  
16 ahead and say we are pleased that Two Trees'  
17 proposal includes a commitment to improving and  
18 crucially maintaining public access on the East  
19 River, creating new waterfront jobs and  
20 provides infrastructure for emergency relief.  
21 We welcome continued discussion about how this  
22 development can best suit the needs of this  
23 community and thank you for your time and we've  
24

1 submitted 20 copies of this testimony which  
2 actually has a little bit more. Thank you.

3  
4 CHAIRPERSON WEPRIN: Okay, Carlo?

5 CARLO SCISSURA: Thank you. Thank  
6 you. Good afternoon everyone. Chairman  
7 Weprin, always a pleasure to see you, and of  
8 course to our Brooklyn members, Council Members  
9 Barron, Levin, Reynoso and Mr. Chairman, David  
10 Greenfield of Land Use, thank you. You have  
11 copies of my testimony. I will not read it so  
12 that you can move forward quickly. I'm just  
13 here to tell you that as the President CEO of  
14 the Brooklyn Chamber of Commerce we are the  
15 largest chamber in New York City, over 1,600  
16 members and growing, members across the  
17 borough, which we're very excited about. I'm  
18 here in full 100 percent support of Two Trees'  
19 application and I really want to touch on two  
20 thing. Number one, the economic development  
21 aspect. One of the things I deal with every  
22 day, and I'm not exaggerating, every day  
23 companies call us and say we want to grow in  
24 Brooklyn, but there is zero office space in  
25 Brooklyn. These companies don't have to be in

1  
2 Brooklyn. These new creative talented companies  
3 can be anywhere. They can be in Stanford,  
4 Connecticut. They can be in Jersey City. They  
5 can be Demoine, Iowa. They can be in Fort  
6 Lauderdale in the sun. They want to be in  
7 Brooklyn. If we don't do something about this  
8 challenge right now, five years from now we  
9 will lose this entire creative class to another  
10 city. We don't want that to happen. And by the  
11 way, this affects Brooklyn and Queens, because  
12 Queens is facing the same issues. What Two  
13 Trees is doing here is creating the borough's  
14 first new office construction in a very long  
15 time. It is our hope that what Two Trees does  
16 with this office construction will be modeled  
17 and replicated by other developers across the  
18 borough so that five, ten years from now when  
19 these buildings are open and when the offices  
20 are open we have room for tenants. It's very  
21 critical and I know you've heard a lot about  
22 the housing and the waterfront and everything  
23 is important, but I want to really stress jobs,  
24 that if we don't find space for these companies  
25 to be, they will leave Brooklyn. This is an

1  
2 incredible--the vision is beautiful. The  
3 aesthetics are gorgeous, the mixed-use  
4 component is great. I think the fact that the  
5 waterfront will be open to all of Brooklynites  
6 is incredible. Please support this. It's a  
7 great project.

8 CHAIRPERSON WEPRIN: Oh, wait, and  
9 Eric did you want to quickly--good. You were a  
10 little shy there. What happened? We thought  
11 we lost you.

12 ERIC RODESKI: Yes, thank you. I  
13 love to be fashionably late.

14 CHAIRPERSON WEPRIN: Okay.

15 ERIC RODESKI: My name is Eric  
16 Rodeski [phonetic] and I'm here representing  
17 Assemblyman Joseph Lentol who represents the  
18 Domino area and he is Albany this morning,  
19 could be here. He wishes he could be, but I  
20 think what he would say is that this developer,  
21 Two Trees Management, has gone out of its way  
22 to listen to the needs of the community and  
23 reach out to anyone who was interested in  
24 expressing their concerns about this project.  
25 So not just the elected officials and not just



1  
2 the Community Board which would be the minimum  
3 amount of outreach that a developer might do in  
4 this type of case, and they've sat down with  
5 community groups, with individuals that live in  
6 the community and they've taken the time to try  
7 to really understand what the community needs  
8 and then address those needs as best they can  
9 in this project. So what we heard earlier was a  
10 lot of very important questions from the  
11 members of this committee, questions that need  
12 to be addressed, and what it comes down to is a  
13 matter of trust. Do we trust these developers  
14 to answer these questions even if they don't  
15 have the specifics right now today for us. And  
16 based on the outreach they've already done,  
17 based on their going out of their way to do  
18 more than just the bare minimum since they've  
19 taken over this project, Assemblyman Lentol is  
20 confident that we can trust them to do what is  
21 right and to listen to our concerns as we go  
22 forward. Thank you.

23 CHAIRPERSON WEPRIN: Thank you very  
24 much. Anybody have any questions for this  
25 panel?

2 COUNCIL MEMBER LEVIN: One question,  
3 Mr. Chairman.

4 CHAIRPERSON WEPRIN: Okay. let me go  
5 to Steve first and then I'll go to Antonio. I'm  
6 sorry.

7 COUNCIL MEMBER LEVIN: Oh, I'm sorry.

8 CHAIRPERSON WEPRIN: That's okay. I  
9 didn't know who had their hand up first. Go  
10 ahead Steve.

11 COUNCIL MEMBER LEVIN: Thank you. My  
12 question is for Mr. Scissura. Do you know of  
13 any programs that are out there--one concern  
14 that I have, and I'm excited about additional  
15 commercial space, I know the challenges that  
16 are facing small businesses. The need for  
17 space is really a premium in Brooklyn, and I  
18 know that I have constituents in that area of  
19 Greenpoint and Williamsburg that there's no--  
20 there's not adequate commercial space for these  
21 new and emerging industries. My concern,  
22 though, is that the jobs that would be created  
23 or will be created as part of this plan are  
24 some of--are higher end jobs, are good paying  
25 jobs, but jobs that may require a college

1 degree or more, and training in a particular  
2 specialized field that I don't have the  
3 training for, and you know, that its emerging  
4 technology fields, things like that. I was  
5 wondering are you aware of opportunities or  
6 organizations that are helping to bring those  
7 skills to a workforce that wouldn't otherwise  
8 have it? I mean, it's a big challenge that we  
9 have as a city is to make sure that our young  
10 people are receiving the education and training  
11 for 21<sup>st</sup> century jobs. Are you familiar with  
12 any organizations that are doing that?

14 CARLO SCISSURA: So I think there's  
15 two answers to that. First, I'll answer your  
16 question second if that's okay. I think the  
17 first answer is no matter what happens, we  
18 should be thrilled that high paying good jobs  
19 want to come to Brooklyn. So I think that  
20 regardless of what the second part of the  
21 question is we have to make sure that whatever  
22 economy wants to be in Brooklyn that we have  
23 space for them. So, I think we have to really  
24 understand that, but to answer your question  
25 it's a very valid question and I think that

1 what the chamber is doing in workforce  
2 development, there are other groups,  
3 Opportunity for Better Tomorrow, Southwest  
4 Brooklyn Industrial, Vid-Co [phonetic], we're  
5 all doing interesting workforce development  
6 partnerships. We're about to announce, and I'll  
7 share it here with you first, that we're going  
8 to start a new workforce component where we're  
9 going to target several housing projects across  
10 Brooklyn, five or six of them to start, connect  
11 them with the growing tech world and then have  
12 the tech world take in these young people and  
13 start doing trainings, etcetera, etcetera,  
14 because obviously what we're finding is a lot  
15 of these jobs are not going to Brooklynites  
16 across the borough, and they're certainly not  
17 going into communities where there's 30, 40  
18 percent unemployment, but the answer to  
19 question is we are all in terms of workforce  
20 starting these programs. Again, we don't know  
21 which companies are going to go in there, but  
22 we'll have a few years to start really doing  
23 some good job training with that.  
24

2 COUNCIL MEMBER LEVIN: Thank you very  
3 much.

4 CARLO SCISSURA: Thank you, Steve.

5 CHAIRPERSON WEPRIN: Mr. Reynoso?

6 COUNCIL MEMBER REYNOSO: Yes, this  
7 is for MWA. You mentioned the restoration of  
8 small manufacturing to the site. Can you  
9 elaborate on that a little bit, and I agree  
10 with you, Carlo, so we're good. But small  
11 manufacturing.

12 CARLO SCISSURA: I knew I liked you.

13 MICHAEL PORTO: I think we're  
14 talking about not heavy manufacturing. I don't  
15 know the details of their plan, but light  
16 manufacturing, office jobs, something that's a  
17 little bit more less blue collar.

18 COUNCIL MEMBER REYNOSO: This is--so  
19 this is just to let you know, this is office  
20 space, not small manufacturing space. That's  
21 been completely eliminated from the waterfront.  
22 So I just want you to be mindful of that. This  
23 vibrant place for small manufacturing and for  
24 the shipping or some type of maritime use. I  
25 think it's a little--it's not necessarily

1  
2 what's going to happen here. So just want you  
3 to be mindful of that. But thank you guys.

4 CHAIRPERSON WEPRIN: Okay.

5 Gentleman, thank you. You are excused. I'd  
6 like to call on the next panel in opposition,  
7 Daren Litman [phonetic], Javier Bosque  
8 [phonetic] Bess Long, and Melinda Gonzales.

9 Four takers? Once--how many we got? No, no,  
10 we got four. This young lady. Okay. Ladies  
11 and gentleman, let you guys decide who goes  
12 first. Again, we're going to give you two  
13 minutes. Please try to keep within the two  
14 minutes. That would be great.

15 DAREN LITMAN: Daren Litman.

16 Allowing building on a flood plain is reckless  
17 and short sided. Our President says climate  
18 change is real and water levels will rise. The  
19 newly updated 2014 FEMA flood zone building  
20 guidelines will not be sufficient in 2080 as a  
21 previously amended guidelines were not  
22 currently. It is time to rethink the 2005  
23 waterfront rezoning before it's too late.  
24 Developers should be responsible for paying for  
25 any future needed levees, not tax payers. If

1                   you approve this project, Brooklyn's tallest  
2 building will be on the flood zone. Lottery  
3 housing is not the solution to the  
4 affordability problem, 56,000 applications in a  
5 recent Chelsea housing lottery. We are not  
6 going to fill the needs with the inclusionary  
7 housing program. A more equitable solution  
8 would be a developer funded housing voucher  
9 system. We must get speculation out of the  
10 market to promote housing affordability. Hong  
11 Kong has a 15 percent tax on foreign  
12 purchasers. I recommend any non-New York  
13 resident purchaser pay seven percent on  
14 purchase and seven percent on sale. This would  
15 drive down speculation, increase the tax base  
16 and lower prices. Transportation, Domino  
17 shuttle should only go to the city. The L and M  
18 trains are already over capacity and Domino's  
19 thousands of residents will make this situation  
20 even worse. Wealth disparity, Two Trees has  
21 done nothing good for the affordability of  
22 DUMBO, literally kicking the artist that helped  
23 gentrify their neighborhood to the curb. This  
24 project does little to solve this problem. The  
25

1 free market units will be unaffordable only--  
2 will be affordable only by the 90<sup>th</sup> percentile  
3 wage earners and above. While we provide all  
4 this welfare, and I don't mean needy welfare, I  
5 mean corporate welfare, tax breaks for  
6 construction, 421A abatements, round field  
7 subsidies, low interest bonds, etcetera. Jed  
8 does not even pay the same income tax as his  
9 attorney. While his attorney pays somewhere pay  
10 in the 39 percent range, billionaire Jed pays  
11 similar to what Mitt Romney pays, 14 percent.  
12 Real estate partnerships get the same carried  
13 interest tax loophole as hedge funders. Let's  
14 stand together and send a clear message to the  
15 feds that we need to close this tax loophole.

17 CHAIRPERSON WEPRIN: Thank you. You  
18 were Mr. Litman, right?

19 DAREN LITMAN: Yeah.

20 CHAIRPERSON WEPRIN: Okay. Thank  
21 you. Yes, make sure to state your name at the  
22 beginning, and you must be Bess.

23 BESS LONG: Hello. My name is Bess  
24 Long. I'm a native New Yorker priced out of my  
25 childhood neighborhood and have witnessed my



1 parent's home lose its sky and sunlight in a  
2 city of compromised infrastructure. Three  
3 points which need to be openly addressed among  
4 so many others. One, let's be clear,  
5 inclusionary housing is not affordable housing.  
6 Gentrification is not the issue, rather  
7 displacement. Two, of the equation supply and  
8 demand, demand is rarely addressed. This has  
9 little to do with immigration, rather global  
10 over population and climate change, i.e.  
11 shrinking usable land. Due to our total  
12 disregard, we now live in a fully aware and  
13 interconnected world of the 21<sup>st</sup> century rather  
14 than the 20<sup>th</sup> century, a brief shout out to  
15 women's reproductive rights. And three, local  
16 population and land use. The 2005 final  
17 environmental impact statement justified  
18 tremendous increased density to the Greenpoint  
19 and Williamsburg areas, only with regards to  
20 residential population. The non-residential  
21 population was addressed only in terms of  
22 square footage. If one were to take the  
23 provided non-residential square footage numbers  
24 and translate these into actual counts of  
25

1  
2 people, I promise you, something of tremendous  
3 interest would be revealed. This may be  
4 accomplished by referencing the building codes  
5 means of eagers [phonetic] chapter in which a  
6 table is supplied, calculating maximum  
7 capacities. Doing so would partially explain  
8 our overstressed urban infrastructure, as a  
9 protected population increase resulting from  
10 the 2005 rezone would nearly double. And so it  
11 is time to consider a down zone to accommodate  
12 this city's community and not just the real  
13 estate market. Thank you.

14 CHAIRPERSON WEPRIN: Thank you. Good  
15 timing, too.

16 JAVIER BOSQUE: My name is Javier  
17 Bosque [phonetic]. Good afternoon. And I'm here  
18 as a resident of the neighborhood for more than  
19 30 years. I raised my children in Williamsburg.  
20 They are now professionals. My daughter is a  
21 teacher in the area. And as a resident, and  
22 also as a director of the Southside Community  
23 Mission serving hundreds of needy people in the  
24 community. I'm coming here to tell you two  
25 simple things. One, I like to see my

1 neighborhood improving and getting better  
2 conditions and more housing and everything, but  
3 please, please Council Members, be sure that  
4 you keep asking the questions that you were  
5 asking before, because I don't trust these  
6 guys. I really--I heard--I like the  
7 presentation, but I don't see the facts. I  
8 don't see the numbers. I don't trust at this  
9 moment. I want you to keep asking the questions  
10 and be sure that we are getting what we need,  
11 and we need affordable housing. We need our  
12 residents to get those house and not people  
13 from the outside, and I want jobs and I want  
14 space for the community and you are in charge  
15 of that. Please, keep asking those questions.  
16 Thank you.

17  
18 CHAIRPERSON WEPRIN: Thank you.

19 Gracias.

20 MELINDA GONZALES: Good afternoon,  
21 Council Members. My name is Melinda Gonzales  
22 and I am a community member of the 33<sup>rd</sup> Council  
23 District. My family has lived in Williamsburg  
24 since my great grandmother moved here from  
25 Puerto Rico to work at the Brooklyn Navy Yards

1 during World War II. I have been a resident for  
2 13 years. I am co-founder of Bon Bayo  
3 [phonetic], which is Afro-Puerto Rican drum and  
4 dance ensemble that provides workshops,  
5 community events and performances. As an  
6 artist, I actively engage young people and  
7 senior citizens who see their identity  
8 reflected in their roots music. In  
9 Williamsburg, there is a limited number of  
10 cultural venues, which therefore limit our  
11 visibility and engagement. I am here today to  
12 call for greater community benefits on the  
13 Domino Sugar proposed redevelopment by Two  
14 Trees. In a community that is quickly becoming  
15 tight on space, the Domino site represents the  
16 best opportunity for our local Latino community  
17 to have the sort of community cultural space  
18 our neighborhood lacks. Specifically, as a  
19 performer, I see the need for a comprehensive  
20 arts and cultural center, specifically for the  
21 Latino community but inclusive of all the many  
22 cultures present in our neighborhood. The  
23 Domino proposal has community facility space  
24 within which the recreational facility and  
25

1  
2 school fit, but there in unallocated space that  
3 could be dedicated to this great cultural need,  
4 a space where people can gather, express their  
5 cultures, celebrate and learn from each other.  
6 Thank you.

7 CHAIRPERSON WEPRIN: Thank you.

8 Steve Levin has a comment or a question.

9 COUNCIL MEMBER LEVIN: Thank you.

10 Just a very quick comment, Mr. Chairman. I just  
11 want to thank this panel for being outspoken  
12 and calling everybody including myself to task  
13 time and again. I very much appreciate your  
14 dedication and your hard work.

15 CHAIRPERSON WEPRIN: And Antonio

16 Reynoso as well.

17 COUNCIL MEMBER REYNOSO: I just want

18 to speak to Daren Litman. So what you're asking  
19 for is, you know, is reform in a very real way,  
20 significant way. Domino kind of went through  
21 this process through the, you know, the old  
22 school Bloomberg era and I believe that Mayor  
23 de Blasio and of course we here in the City  
24 Council are looking to be more creative and  
25 more comprehensive about how we look at the way

1  
2 affordable housing is being built and whether  
3 that is the answer. I already know that 80/20  
4 doesn't work for me in my community, but just  
5 to let you know that we are working towards it,  
6 but that it's not going to be one big leap. I  
7 think it's going to be smaller increments until  
8 we get to where we need to be.

9           DAREN LITMAN: Right. I think I read  
10 an article the other night that somebody at  
11 this, maybe a Senator, I guess the State level  
12 was trying to re-institute the Mitchell-Lama  
13 program. What's better, maybe a little better  
14 about the Mitchell-Lama program is that it  
15 looks at your income. So if your income  
16 increases, then you know, then it's a--then  
17 your rent is adjusted based on that, and just  
18 the opposite if your rent decreases. That's a  
19 decent program, but again the Mitchell-Lama  
20 program has the same problems inclusionary  
21 housing program, is its limited, right? So if  
22 we create just housing vouchers, that way we  
23 can help all the people in need, not just the  
24 people, not just a limited number of people.  
25 Let me give you an example. I have a friend

1  
2 that applies for these housing lotteries. When  
3 you apply for the housing lottery, there's a  
4 very specific--like, this is the application  
5 level, not your level, not the AMIs and all  
6 this business, but actually you apply for it.  
7 The range of income is very small. So it's like  
8 26 to 28,000. So if you don't have your--if you  
9 don't have your last year's tax return in that  
10 little special level, then you can't qualify  
11 for that, right? And then the same thing is  
12 that every, you know, 50 percent's usually  
13 reserved for the community. The rest of it is,  
14 you know, for everybody. So that means out of  
15 towers. That means, you know, illegal  
16 immigrants. It means everybody. That's my  
17 understanding of it. So it's this--it's a  
18 lottery.

19 COUNCIL MEMBER REYNOSO: Thank you.

20 CHAIRPERSON WEPRIN: Thank you very  
21 much. Alright. I'd like to call the next panel  
22 is Ray Vasquez, Daniel Contreras, Carla Villa,  
23 and William Harvey. They all here still?  
24 These are all people in favor of the project.  
25 Yes, all four. Welcome. See 'em. They should

1  
2 have a--they should have a little check off  
3 here for pregnant women. I don't know if--they  
4 got to get up earlier, but welcome. Gentleman  
5 and lady, whenever you're ready. Who wants to  
6 go first?

7 RAYMOND VASQUEZ: Good afternoon and  
8 thank you for the opportunity to speak today.  
9 My name is Raymond Vasquez, and I have been a  
10 proud member of Service Employees International  
11 Union Local 32 BJ for 13 Years. SEIU Local 32  
12 BJ represents 75,000 New Yorkers like me in the  
13 property service industry. We are the security  
14 officers, doorman, porters and janitors who  
15 help make the city home. Over 1,000 of us live  
16 in Brooklyn Community Board One where this  
17 project is being located. On behalf of SEIU  
18 Local 32 BJ I am here to support Two Trees  
19 project. I have been incredibly fortunate to  
20 be a porter for 13 years and to be able to be a  
21 member of a Local 32 BJ. This was provided--  
22 this has provided me with the chance to make a  
23 life in New York City. Two Trees is innovating  
24 and respected developer that has made  
25 significant commitments to the city, the



1  
2 community and to the people working on their  
3 projects. As the city reflects on better ways  
4 to tackle new development, we should make sure  
5 we are creating jobs that provide a solid  
6 future for both the residents and for the  
7 community. That's the best way to make sure New  
8 York City continues to be a thriving,  
9 multigenerational place to live. Two Trees has  
10 done just that, by committing to make sure that  
11 all jobs created at this project are good jobs,  
12 providing hundreds of units of permanently  
13 affording housing and creating a beautiful  
14 designed project and public park. This is an  
15 exciting project and we urge you to vote yes on  
16 this project. Thank you.

17 CHAIRPERSON WEPRIN: Great. Got any  
18 others?

19 DANIEL CONTRERAS: Good afternoon.  
20 Thank you, Mr. Chair, the committee, Council  
21 Member Reynoso, Council Member Levin. My name  
22 is Daniel Contreras, and I'm here on behalf of  
23 SEIU Local 32 BJ. On behalf of 170--sorry. On  
24 behalf of 75,000 property service members who  
25 live right here in New York City, I'm here to

1  
2 express our support for Two Trees and it's  
3 innovative Domino Sugar project. Two Trees is a  
4 proven well-regarded developer and they have  
5 already agreed to ensure that Domino project  
6 will create good, high quality jobs for  
7 community residents in addition to significant  
8 other community benefits. Not only will there  
9 be more than 530,000 square feet of affordable  
10 housing with preferences for neighborhood  
11 residents, but its important to note that this  
12 is an integrated affordable housing site and  
13 will not have a separate facility or a separate  
14 poor door [phonetic] like so many other  
15 Williamsburg projects. This is a great start  
16 for the city.

17 CHAIRPERSON WEPRIN: Sorry, we  
18 didn't--

19 DANIEL CONTRERAS: This is a great  
20 start for the city. This project will create  
21 good middle class jobs and provide integrated  
22 and high levels of affordable housing. More  
23 than a half of million square feet of  
24 commercial space for Brooklyn's growing  
25 innovation economy and small businesses and a

1  
2 real public park, not just a front yard for  
3 condo owners. Jed Walentas and Two Trees made a  
4 point of reaching out to the community months  
5 in advance to the ULURP process to hear exactly  
6 what neighbors and residents wanted  
7 incorporated into this plan, to this project.  
8 This is exactly the type of responsible  
9 development that our communities deserve and is  
10 why this new plan should be approved. Thank  
11 you.

12 CHAIRPERSON WEPRIN: Thank you.

13 CARLA VILLA: Hi, my name is Carla  
14 Villa. I'm a resident of Williamsburg and I  
15 work at Brooklyn Brewery. I'm reading a letter  
16 on behalf of Steve Hendy [phonetic] the co-  
17 founder of Brooklyn Brewery who was unable to  
18 be here today. "Since the rezoning of north  
19 Brooklyn I have heard many complaints that the  
20 new developments on the waterfront were not  
21 substantially different than say apartment  
22 towers in Jersey City or Houston, and I have to  
23 say that I did not disagree. The towers did not  
24 seem appropriate for the creative dynamic  
25 population of Brooklyn. Two Trees has

1  
2 dramatically changed the shape and focus of the  
3 already approved Domino development. I think  
4 the new vision deserves approval because it  
5 provides for more commercial development, which  
6 means jobs and for affordable housing that is  
7 more integrated into the market rate housing  
8 units. It is also an exciting expression of a  
9 revitalized Brooklyn. It is not just another  
10 bedroom community, but a real community  
11 providing space for startup businesses of all  
12 kinds and more open space for people to choose-  
13 -for people choosing to live and make families  
14 in Brooklyn. What makes Brooklyn great is its  
15 people. Brooklyn is a community of strivers, of  
16 people trying to better themselves and create a  
17 better world for their families. Two Trees re-  
18 imagined Domino development will attract the  
19 kind of folks who want to put down roots and  
20 contribute to their community, not just ride  
21 the L train back and forth to Manhattan.

22 Brooklyn once was a city with a plethora of  
23 industrial businesses and solid jobs, company  
24 like Pfizer, Schaeffer [phonetic] and Rheingold  
25 Beer, American Lithograph, Heckla [phonetic]

1  
2 Ironworks and Domino Sugar. The people pouring  
3 into Brooklyn today have what it takes to  
4 create a new Brooklyn economy for the 21<sup>st</sup>  
5 century. It will not be like the smoke stack  
6 economy of old, but rather a range of tech,  
7 film, fashion, hospitality, food and beverage  
8 companies and artists and writers of all kinds.  
9 In short, an economy of makers, creators and  
10 inventors. The Domino effect will raise the bar  
11 for future development in Brooklyn. I urge you  
12 to approve this project. Thank you, Steve  
13 Hendy, Co-Founder at Brooklyn Brewery."

14 CHAIRPERSON WEPRIN: Thank you.

15 WILLIAM HARVEY: Thank you Council.

16 My name's William Harvey. I'm a resident of  
17 North Brooklyn since 1986. I'm a musician,  
18 artist, writer, I'm that guy. I'm speaking for  
19 the Creative Economy Group, which is a ad hoc  
20 group of people that--group of residents and  
21 business in support of the creative economy in  
22 North Brooklyn. In the interest of social and  
23 economic justice, urban vitality and culture  
24 diversity, we need to build affordable housing.  
25 At the same time, to ensure economic

1  
2 opportunity for all New Yorkers, we need to  
3 build space to work. It's in the long term  
4 economic and cultural interest of our  
5 neighborhoods and the city that mixed-use non-  
6 retail space is built into new development in  
7 Williamsburg, Brooklyn. Williamsburg's diverse  
8 residents, legacy, businesses, cultural  
9 organizations and entrepreneurs have created a  
10 neighborhood that's the envy of the world.  
11 Williamsburg and Greenpoint are diverse,  
12 walkable, live/work neighborhoods. It's why  
13 innovative companies like Amazon, Vice Media,  
14 and Kickstarter to name a few have decided to  
15 join North Brooklyn's dense creative economy.  
16 In North Brooklyn, demand for non-retail  
17 commercial space far exceeds supply and demand  
18 is increasing. Yet, due to the zoning changes  
19 of the past decade, the amount of non-retail  
20 commercial space in Williamsburg and Greenpoint  
21 is decreasing rapidly. To ensure North  
22 Brooklyn's future is prosperous and innovative  
23 for all, we need to build non-retail commercial  
24 space that will accommodate legacy businesses  
25 and a new creative economy endeavors. If we

1  
2 build single-use residential developments  
3 instead of being home to a vibrant complex new  
4 economy, North Brooklyn will become a inter-  
5 ring commuter suburb, the commuter model of  
6 borough development is antiquated. Mass transit  
7 to Manhattan is overburdened and many people  
8 would prefer to live and work in their  
9 neighborhood as it has been.

10 CHAIRPERSON WEPRIN: Thank you sir.  
11 I'd like to call on Council Member Levin.

12 COUNCIL MEMBER LEVIN: I just want to  
13 thank this panel for your testimony and for all  
14 the good work that you do on behalf of working  
15 New Yorkers. I want to especially thank Mr.  
16 Harvey because I know that he's been beating  
17 this drum for a long time about making sure  
18 that we have a good mix of economic development  
19 in our community and even when the idea was not  
20 in vogue, Bill was creating the groundwork for  
21 this. And so I really want to acknowledge his  
22 contribution and his good work. Thank you.

23 CHAIRPERSON WEPRIN: Thank you all  
24 very much. Thank you for your patience. Good  
25 luck. Alright. Thank you, Mr. Marlia

1 [phonetic]. I'd like to call up the following  
2 people in opposition, Martin Needleman, Ron  
3 Lee, Luiz Esparanza Rosaro [phonetic], Miguel  
4 Hernandez, Senior. Are they all here? One,  
5 two? Three? And quatro, all here, right?  
6 Yeah. Okay. Alright, Mr. Needleman, you sat  
7 first, you can start. I don't know. Okay.  
8 Just push the mic, otherwise we can't hear.  
9 Push the button.

11 MARTIN NEEDLEMAN: I think I went to  
12 the same high school as your mother, but  
13 anyhow. Good afternoon and thank you--

14 CHAIRPERSON WEPRIN: [interposing]  
15 Thank you.

16 MARTIN NEEDLEMAN: for considering  
17 our community's concerns. My name is Marty  
18 Needleman. I am Chief Counsel at Brooklyn Legal  
19 Services Corporation A, which since 1968 has  
20 been the primary provider of free legal, civil  
21 legal services to low income residents of north  
22 and east Brooklyn and the community  
23 organizations that serve them. Among other  
24 things that we do in the primary focus of my  
25 personal legal work since the 1970's has been



1  
2 to protect low income residents from being  
3 forced out of their homes and forcing their  
4 landlords to maintain decent levels of repairs  
5 and basic services working with a great network  
6 of community groups and their tenant organizers  
7 throughout Williamsburg, Greenpoint, parts of  
8 Bed-Stuy and more recently Bushwick, east New  
9 York, Brownsville, Canarsie, and Cypress Hills.

10 I myself am a long term resident of  
11 Williamsburg Southside living on the same block  
12 for over 40 years. With respect to today's  
13 hearing, I second the concerns of Council  
14 Members Reynoso, Levin and Crowley and thank  
15 Antonio and Steve for their vigorous advocacy  
16 for our communities. Although we strongly  
17 support the Mayor's attempts to increase the  
18 amount of affordable housing in the proposed  
19 development as well as appreciating Two Trees  
20 community outreach. We strongly believe that  
21 there should be no final approval of the  
22 proposed amendments, and indeed any further  
23 rezoning generally without clear and obligatory  
24 mandates to address the negative impacts of  
25 this and similar rezoning, including requiring

1 community participation in getting jobs for  
2 residents, marketing the affordable housing and  
3 operation of community facilities and services.

4 But most important, by far, is assuring true  
5 affordability of affordable units and

6 preventing the displacement of long term and  
7 low income residents. True affordability in

8 Community Board One would be in the 30 to 40

9 percent of AMI range, which is still the income

10 range of a majority of Williamsburg/Greenpoint

11 residents. We believe that if God forbid it's

12 necessary, reinvestment of likely profits to

13 further subsidize the affordable housing should

14 be feasible, contrary to what it appears the

15 developer thinks. Likewise, there must be

16 mechanisms for ameliorating the huge

17 displacement tsunami effects of these kinds of

18 rezoning for luxury market rate developments.

19 These should include expanded anti-harassment

20 zones surrounding the rezoned area, most

21 important, enabling and sustaining meaningful

22 and effective enforcement of legal tenant

23 protections, which on paper are great already,

24 but useless in reality without adequate and  
25

2 increased enforcement capacity and commitments  
3 by HPD, DHER, as well as dramatically increased  
4 funding for tenant organizers and legal  
5 services lawyers. Almost two seconds ago.  
6 With the ability to get three to four times the  
7 current legal rents, criminal and other illegal  
8 landlord tactics to force out existing tenants  
9 is shockingly common. As I tell our law student  
10 interns, "They don't tell you this in law  
11 school, but the law is what you can get away  
12 with." Thank you--

13 CHAIRPERSON WEPRIN: [interposing]

14 Okay. Thank you.

15 MARTIN NEEDLEMAN: again for  
16 considering these issues. There should not be a  
17 granting to developers the capacity to achieve  
18 their economic goals without enabling our  
19 communities and their residents to preserves  
20 their homes as well.

21 CHAIRPERSON WEPRIN: Thank you very  
22 much. Okay. Got a big reaction. You couldn't  
23 hear it, but I saw it. It was there.

24 SALU ESPERANZA-ROSARO: Buenos  
25 tardes. [speaking Spanish]

2 CHAIRPERSON WEPRIN: Gracias. Do you  
3 want to--you're going to translate, is that why  
4 you're--

5 TRANSLATOR: Yes, I'm going to try  
6 to translate.

7 CHAIRPERSON WEPRIN: I had a lot of  
8 volunteers. Maralia [phonetic] here speaks  
9 Spanish too, but you know.

10 TRANSLATOR: Her name is Salu  
11 Esperanza-Rosaro [phonetic]. She is a resident  
12 of North Brooklyn for all her life. She has  
13 been a witness over the past decade that our  
14 community, no one wanted to live there. It was  
15 disinvested, and community members along with  
16 organizations fought together to improve the  
17 neighborhood. Nowadays, it's one of the hottest  
18 neighborhoods in the whole city and people are  
19 moving in, and at the same time people, long  
20 term residents, immigrants, hardworking  
21 families are being displaced of their homes.  
22 She's happy to hear that Domino is being  
23 discussed, that there's a great opportunity to  
24 a right development, but her and along with her  
25 neighbors are concerned about many issues. One

1 is about the affordable housing. We heard  
2 before even Two Trees say that affordable  
3 housing is relative. She is saying that she's  
4 tired to see affordable housing applications  
5 that people in her community cannot apply. They  
6 are either too really really low or extremely  
7 high income. So this development has an  
8 opportunity to have a broad spectrum of  
9 affordable housing that hardworking families in  
10 North Brooklyn can apply for it. The second  
11 issue about the unit size. We are tired as well  
12 of seeing only studios and one bedroom  
13 apartments being offered as a affordable  
14 housing. Enough is enough. We need more two  
15 bedrooms, three bedrooms to house our families.  
16 This is a great opportunity again for you guys  
17 to approve this plan, but we are asking you  
18 right now to put it on hold until Two Trees  
19 comes with a better plan that is going to  
20 satisfy, that is going to have real affordable  
21 housing and that's going to address the needs  
22 of the community residents in North Brooklyn.  
23

24

25

2 CHAIRPERSON WEPRIN: Okay. Great.

3 How'd he do? Okay. Got high marks. Okay. Sir,  
4 whenever you're ready.

5 RONALD LEE: Okay. Good afternoon  
6 and thank you very much for the opportunity to  
7 speak again. My name is Ronald Lee and I'm  
8 Director of Operations at Saint Nicks Alliance  
9 Workforce Development. Saint Nicks has been  
10 talking with Two Trees for about two years now  
11 in regards to good jobs. Saint Nicks has been  
12 training environmental technicians since 2001.  
13 I venture to say we have trained over 500  
14 community residents in over 13 years. All have  
15 been certified and licenses in asbestos  
16 abatement, as asbestos abatement workers, and  
17 in some of the past years have become asbestos  
18 abatement supervisors, and this is not the only  
19 area they are licensed or certified to work in.  
20 Some have as much as nine certifications and/or  
21 license from the 10 hour OSHA health and safety  
22 project monitor. So even with trained and  
23 experienced graduates we were not part of the  
24 community agreement as it related to the ground  
25 remediation and asbestos removal of the

1 project. As this project goes forward, we urge  
2 Two Trees to make a binding commitment to Saint  
3 Nicks to use their graduates and neighborhood  
4 residents as a reliable source to recruit and  
5 hire 25 percent of the workforce needed for the  
6 project. Some of our graduates come with us  
7 with other construction skills such as  
8 carpentry, roofing, plumbing and even some  
9 mechanical workers. We realize the general  
10 contractor and the subcontractor are the ones  
11 who make the choice of who they will employ.  
12 All we ask for is a chance for the graduates to  
13 be interviewed and selected in a democratic  
14 process that is transparent, particularly  
15 transparent and meets the needs of the project.  
16 Lastly, if Two Trees is truly about giving back  
17 to the community, then Two Trees should be an  
18 ambassador for community residents and ensure  
19 that the GC and subcontractors hire at least 25  
20 percent of the workforce directly through Saint  
21 Nicks from the community, not just import from  
22 other project sites. Thank you again.

24 CHAIRPERSON WEPRIN: Thank you. Sir?

1  
2 MIGUEL HERNANDEZ: Thank you very  
3 much to the Council. My name is Miguel A.  
4 Hernandez, Senior. I've been a long time  
5 resident of the Williamsburg community, 54  
6 years to be exact to the day. I've seen this  
7 community strive to be better over the years  
8 and it's now reaching that climax. But  
9 unfortunately, like everything, you know, all  
10 these talks are good, but sometimes they fall  
11 short. I commend this board for asking the  
12 hard questions and I press on them to continue  
13 to keep asking the hard questions because we  
14 need accountability. That is the word of the  
15 day, accountability across the board. We can't  
16 just say, "Okay, well you're going to give us x  
17 amount, alright, that's cool." Word of mouth  
18 doesn't play the game today. Now we need to  
19 have like our parents use to say, "Get it in  
20 writing." You know, get that accountability on  
21 the record. And one of the things I really  
22 wanted to stress is I'm pretty much nowadays  
23 I'm a community activist, and artist. I'm  
24 involved in most of the gardening that's  
25 happening in our area, and one of the things



1  
2 that I like to see is probably an urban farm in  
3 our near future. So I'm working real hard with  
4 NYCHA and all these other institutions and open  
5 lots that we have in the area, but I see that  
6 they have all this green space and all this  
7 common space, but it's not so common, so to  
8 speak, you know? And some of the questions  
9 asked today didn't really clarify, especially  
10 when it came to the point on how much more  
11 money do you need to clean cement, you know? I  
12 mean, I understand if there's green, that's a  
13 lot more costly, you know, and there's more in  
14 to that. But I just want to say that I'm not  
15 100 percent against improvement and growth, but  
16 I am against something that's not guaranteed.  
17 Thank you very much.

18 CHAIRPERSON WEPRIN: Thank you.

19 Council Member Reynoso?

20 COUNCIL MEMBER REYNOSO: I just  
21 wanted to thank this panel for coming up and I  
22 just want to say that Marty Needleman is more  
23 valuable to our community than any affordable  
24 housing development that has gone up in the  
25 waterfront. By himself he is more valuable and

1  
2 he's worth more than all those apartments  
3 combined. So thank you for all the work that  
4 you do. Thank you for your work development and  
5 your workforce development. We're going to get  
6 these apartments to mean more and I really  
7 appreciate your support.

8 CHAIRPERSON WEPRIN: Thank you.

9 Gracias. Okay. Now in favor,

10 UNKNOWN: Marty Duff [phonetic]

11 Thank you.

12 CHAIRPERSON WEPRIN: Orlando Castille

13 [phonetic], Navales Mota [phonetic], Jeff Mann  
14 and Emily Gallagher. Is Orlando here? Orlando  
15 Castille? I'm going to substitute. He's not  
16 here, right? Okay. I'm going to call someone  
17 else. Emily Walker? Ms. Walker here? She--  
18 yes? Okay. Thank you. Did I miss somebody?  
19 Okay. Emily Gallagher, are you here? Oh yes,  
20 okay. I'm missing somebody. Navales Mota? No,  
21 I didn't. I'm sorry. But wait. Navales Mota is  
22 not here? Okay. How about--sorry? Leonardo  
23 Rodevolf [phonetic]? There you go. There you  
24 go. That worked out well then. You must have  
25 read my mind. Okay. So you guys can decide who

1  
2 goes first. I'm going to leave Mr. Levin here  
3 for one minute to run this meeting while I take  
4 a pit stop. Whenever you're ready just please  
5 start.

6 JEFF MANN: There you go. Thank you.  
7 My name is Jeff Mann, and I'm here representing  
8 the Greenpoint Chamber of Commerce. The  
9 Greenpoint Chamber is an advocate for North  
10 Brooklyn businesses. I am here to speak on its  
11 behalf in support of Two Trees Domino Sugar  
12 project and to encourage that the Council  
13 approve their proposal. We believe at the  
14 Chamber that this project addresses fundamental  
15 commercial issues in the North Brooklyn  
16 community, specifically surrounding job  
17 creation and protection of creative economy  
18 space. One of several aspects the 2005 rezoning  
19 of Greenpoint and Williamsburg failed to take  
20 into consideration was the impact to the  
21 community from the loss of commercial and  
22 manufacturing space. North Brooklyn has  
23 undergone an economic renaissance in recent  
24 years leading to a sharp increase in demand  
25 from companies for business space. No one in

1  
2 2005 or very few anyway could have foreseen the  
3 explosion of for example food manufacturing in  
4 Brooklyn and especially North Brooklyn. Supply  
5 has not moved in tandem with its demand making  
6 it virtually impossible for a successful  
7 growing company to remain in the neighborhood.  
8 Domino with its additional commercial space  
9 will help address this problem by more than  
10 doubling the amount of existing office space in  
11 Williamsburg. Moreover, Two Trees has  
12 committed to prioritizing local businesses and  
13 entrepreneurs as requested by CB1 and the  
14 Brooklyn Borough President's Office which would  
15 support local entrepreneurs and protect the  
16 unique business culture of the community. With  
17 this new Domino plan, Two Trees hopes to change  
18 the existing dense residential zoning to add a  
19 significant amount of commercial office space.  
20 Being somewhat familiar with the already  
21 approved plans for the site, the Greenpoint  
22 Chamber fears that losing this once in a  
23 lifetime commercial opportunity that would  
24 result from these plans. On behalf of the  
25 Greenpoint Chamber of Commerce, I'd like to

1  
2 conclude by urging the passage of this project.  
3 As the champions for North Brooklyn business,  
4 we believe this project will offer much needed  
5 relief to businesses looking for space to hire,  
6 develop and expand in our community.

7 EMILY GALLAGHER: Hi, I'm Emily  
8 Gallagher, and I'm representing NAGG and GWAPP,  
9 Neighbors Allied for Good Growth and Greenpoint  
10 Waterfront Association for Parks and Planning.  
11 In 2010, NAGG opposed CPR's Domino rezoning  
12 plan because the proposed density was  
13 unsustainable on our community and because the  
14 developer's promises were not guaranteed.  
15 Despite our opposition, the rezoning was  
16 improved. Two Trees' plan is an improvement in  
17 many ways on CPRs, but there is still an  
18 opportunity to make it better. A single best  
19 way to make this plan better is for Two Trees  
20 and the city to make enforceable commitments to  
21 community benefits that will help to offset the  
22 extreme impact that this project will have on  
23 North Brooklyn. These commitments should  
24 include affordable housing, improved parks and  
25 open space. Our full testimony has been

1 submitted for the record. We would like to  
2 emphasize the following thoughts. Affordable  
3 housing, in addition to guaranteeing the  
4 affordable housing through a restrictive  
5 declaration or other means, we encourage the  
6 city to work with Two Trees to provide the  
7 necessary subsidies to bring the qualifying  
8 income band for affordable housing down as much  
9 as possible and to provide the many larger size  
10 affordable units as possible. The city should  
11 use this rezoning as an opportunity to expand  
12 the anti-harassment zone established in 2006 to  
13 cover the entire Southside and to strengthen  
14 its provision for tenant protections. We  
15 encourage Two Trees and the city to provide  
16 funding for tenant services through the  
17 Mobilization Against Displacement Coalition.  
18 Open space, in general Two Trees open space  
19 plan is an improvement on CPCR's, but the  
20 council should use this zoning action as an  
21 opportunity to do much more. The opportunity  
22 exists right next door to Domino to  
23 substantially enhance the open space Southside  
24 and all of Community Board One. We ask that Two  
25

1  
2 Trees and the council work together to  
3 financially support the community's plan for  
4 the development of the Williamsburg Bridge Park  
5 on the three acre city-owned site immediately  
6 south of the Domino property, and the rest you  
7 can read in the submitted testimony. Thank  
8 you.

9                   EMILY WALKER:  Alright.  Good  
10 afternoon.  My name is Emily Walker.  I'm  
11 Community Outreach Coordinator at New Yorkers  
12 for Parks.  As a research and parks advocacy  
13 organization I'm going to restrict my comments  
14 today to the impact of the development on the  
15 open space resources of the neighborhood.  New  
16 Yorkers for Parks enthusiastically supports  
17 this proposal's introduction of 4.8 acres of  
18 new public open space to Williamsburg and it's  
19 multiple efforts to enhance upland connections  
20 to the new waterfront esplanade.  The  
21 neighborhoods surrounding the development site  
22 lacks both sufficient open space and adequate  
23 public access to its waterfront.  I should also  
24 point out that this particular area of the  
25 waterfront is of particular interest to New

1  
2 Yorkers for Parks. In 1974 our organization,  
3 then known as the Parks Council, worked with  
4 Williamsburg residents and community  
5 organizations to design and create the first  
6 public open space on the North Brooklyn  
7 waterfront. That space, a vacant lot at the  
8 end of Grand Street ultimately became the  
9 beloved park now known as Grand Ferry Park,  
10 located along the northern border of the Domino  
11 Sugar site. With this history in mind, we  
12 enthusiastically support the expansion of the  
13 public waterfront in Williamsburg and the  
14 connection between the future Domino esplanade  
15 and Grand Ferry Park. The new five block  
16 waterfront esplanade will be a significant  
17 amenity to neighborhood residents and Two  
18 Trees' introduction of the Domino Square open  
19 space and the opening of River Street will  
20 significantly enhance connections to the  
21 waterfront for residents living farther inland.  
22 Domino Square's location along the highly  
23 trafficked Kent Avenue will serve as a wide  
24 entrance to the waterfront park and extending  
25 River Street and reconnecting the East/West



1 street grid will provide additional connections  
2 along Kent Avenue. These meaningful design  
3 improvements are certain to broaden the  
4 neighborhood's use of the esplanade and give  
5 the space a truly public feel. A number of  
6 recent park construction projects in North  
7 Brooklyn have been plagued by delays and  
8 setbacks. The current development proposal  
9 states that the public open spaces will be  
10 constructed in tandem with the buildings along  
11 the waterfront with landscaping of the  
12 waterfront occurring sequentially as each site  
13 is built out. We strongly support this phasing  
14 scheme which begins at the parcel's northern  
15 most connection with Grand Ferry Park and will  
16 allow for a continuous gradual expansion of  
17 public access to the waterfront esplanade. We  
18 appreciate the steps taken by Two Trees to  
19 enhance the open space plan for the Domino site  
20 and we are excited to support the creation of  
21 almost five new acres of open space for park  
22 starved Williamsburg and the assertive design  
23 elements that will ensure that the esplanade is  
24 a truly public space. Thank you.  
25

NICHOLAS RONDEROS: Good afternoon.

My name is Nicholas Ronderos and I'm Regional Plan Associations New York Director. RPA aims to improve the New York metropolitan region's economic health, environmental sustainability and quality of life through research, planning and advocacy. RPA supports the proposed redevelopment of the Domino Sugar site because it offers a range of benefits that can more carefully be planned large in the element [sic] such as this one. The project provides a substantial amount of below market housing above the city's current requirements, adds to our borough employment opportunities and strengthens and provides significant new space for Brooklyn's emerging tech industry. It also provides for attractive public access to the waterfront for a community that has long been walled off from the East River. This will complement the Brooklyn waterfront greenway, developing open spaces, including Bushwick inland park and the proposed Williamsburg Bridge Park. RPA believes that zoning modifications under review are warranted and

1 will get improvement over the previous plan. I  
2 want to express our support for this important  
3 project for its expected benefits to North  
4 Brooklyn, New York City and the region. This is  
5 the type of borough development needed in New  
6 York as it creates diverse types of housing,  
7 community facilities, and open spaces in  
8 growing areas of the city. Plans by the  
9 developer to provide a shuttle bus to take  
10 residents and workers to the Drakes [phonetic]  
11 Avenue entrance of the L train and by the MTA  
12 for new bus service in the area are important  
13 to support this project. In the future an East  
14 River ferry stop at Domino might further reduce  
15 pressure on the L train and the JMC lines.

16 Thank you.

17 CHAIRPERSON WEPRIN: Thank you very  
18 much. Nobody had any comments or questions?  
19 No. Thank you very much. Appreciate your  
20 time. I'd like to call up the next panel in  
21 opposition, right? George Hernandez, Liz  
22 Santiago, Gabriella Alvarez, okay, three, and  
23 Miquela Bagel, Bagel [phonetic]. Okay. We'll  
24 call up someone else in opposition then. You  
25

1 have her testimony, testify in her place? Okay.

2  
3 Alright. Well, are you on the list already, is  
4 that it? Okay. And what's your name again?

5 Well, you'll come up there and you'll tell us.

6 Alright. We'll put her back on top. And okay.

7 Anybody else? Alright, we're ready? Who wants  
8 to go first? There you go.

9 UNKNOWN: Good afternoon. I'm here  
10 testifying on behalf of Liz Santiago had to  
11 leave. She is a community member and lives  
12 three blocks from the area and is actually a  
13 small business owner on Kent Avenue, and this  
14 is what she wrote: "Today, I would like to  
15 impress upon you that this project will have a  
16 large impact not only on myself and my family,  
17 but on my neighbors and their families. This  
18 community has high rates of asthma, diabetes  
19 and obesity and we, especially the local Latino  
20 community, need safe, high quality spaces for  
21 outdoor recreation, enjoyment and exercise. I  
22 would like to make sure that this project  
23 brings as much open space as possible and that  
24 those open spaces are accessible to my  
25 community and feature things that we would like

1  
2 to see. I also see that there is a recreation  
3 center proposed for the indoor community  
4 facility space. The organization that has been  
5 identified to manage this space is Asphalt  
6 Green. At that site--on their site on the  
7 Upper East Side, this is how much assessing  
8 their facilities cost, 200 dollar initial  
9 membership fee, 139 per month for family  
10 membership. This means all family members,  
11 adults and kids can use the pool and exercise  
12 rooms. Still have to pay additional for kid's  
13 classes, though membership allows for 20  
14 percent of discount and priority registration.  
15 These membership fees may work for some members  
16 of the Southside community, but it's  
17 unaffordable to many. Since the facility will  
18 be in the community facility space in the new  
19 development, I ask that these resources and  
20 facilities be made accessible to even low  
21 income residents, not just those that can  
22 afford to live in the market rate apartments. I  
23 thank you for your time, and let me know if you  
24 have any questions."

CHAIRPERSON WEPRIN: Thank you. Well done. Next?

GABRIELLA ALVAREZ: Hello, my name is Gabriella Alvarez. I live two blocks from one the Domino sites. I didn't grow up in Williamsburg, but have moved back to a home that family has owned for 30 years. As a newcomer, a homeowner, and a Latina it's alarming to see so much displacement and dispersement of a community that has deep roots in Los Suras [phonetic], and has been largely responsible for the beautiful culture and sense of neighborhood that is there. The lack of protection for, and the lack of protection for or accountability to people of color, particularly the Latino population and low income families is irresponsible and extremely disheartening. The Domino project prioritizes profits and actively perpetuates more inequality in New York City. As citizens and leaders responsible for protecting true and just community development, I urge City Council to seriously consider the community benefits being called for by residents today. We should

1 not be forced to leave or feel like strangers  
2 in our own homes. Who--how are we the existing  
3 community benefitting from this project? We  
4 want a guaranteed enforceable commitment with  
5 or without subsidies to affordable units that  
6 are realistically affordable for our brothers  
7 and sisters living on low income wages. Los  
8 Suras residents make an average of 32,744  
9 dollars per household. Under the 80 AMI, not  
10 even considering the 125, 47,000 dollars for  
11 one person or 67,000 for a family of four makes  
12 the majority of us not even qualifiable for  
13 what's being called affordable. We want more  
14 two to three bedrooms to accommodate families.  
15 We deserve open green space that is programmed  
16 by community leaders and is welcoming and  
17 accessible to all community members. This means  
18 programming that reflects the long-standing  
19 Latino community that still thrives in the  
20 neighborhood today. I'd still like--I'd also  
21 like to emphasize the serious need for cultural  
22 space in Los Suras. A Latino arts and culture  
23 center controlled by the community would  
24 provide a space for cultural reflection of a  
25

1  
2 people that has long been overshadowed by  
3 development project like what Two Trees is  
4 proposing and new residents with little or no  
5 ties to the neighborhood. As a resident who  
6 intends to remain in the Southside of  
7 Williamsburg for many years, I want to see my  
8 people around me and the spaces in my  
9 neighborhood that support and are  
10 representative of Latinos.

11 CHAIRPERSON WEPRIN: Thank you. Well  
12 done. Sir, whenever you're ready.

13 GEORGE HERNANDEZ: How you doing? My  
14 name is George Hernandez.

15 CHAIRPERSON WEPRIN: Just talk into  
16 the microphone.

17 GEORGE HERNANDEZ: okay, and I want  
18 to thank the Council Members for allowing me to  
19 be here today. I'm here to represent my  
20 neighborhood, and I lived in the Southside over  
21 50 years. And I remember--I was born in the  
22 50's. I remember in the late 50's it was a  
23 mixed neighborhood, but then during the 60's  
24 the culture revolution, the hippie movement,  
25 and the Vietnam War--I'm a Vietnam veteran era



1  
2 veteran, and the drugs came into the  
3 neighborhood. It was plagued with drugs. I went  
4 away. I came back, you know, and I started  
5 working at a youth center with a priest 'cause  
6 I knew a lot of the teenagers in the  
7 neighborhood that were in gangs. My brother be  
8 in one who came out in a documentary called  
9 "Youth Terror", who went on to get his Masters  
10 in Social Work and worked for the Board of Ed,  
11 but he had a bullet lodged in his back, and he  
12 didn't remove it because it was 50/50 he might  
13 be handicapped. So he passed away from that,  
14 but, you know, he did a big turnaround. And I  
15 worked in the neighborhood in collaboration  
16 with the priest and with the youth center and  
17 we were able to get the gangs to sit down and  
18 call a truce, and we sort of cleaned up the  
19 neighborhood. But that neighborhood that I come  
20 from was always a ghetto. Nobody wanted to come  
21 into that neighborhood back then. It was  
22 neglected. It's been steamrolled over for year,  
23 for years, and I hear everybody. It's good and  
24 well that they're making these new houses all  
25 over, but you know what, there were people

1 living there. You know, it goes back to what,  
2 more or less what happened with the Dutch, with  
3 the Indians in Manhattan. You know, it was a  
4 ticket for 24 dollars to take--it's not right  
5 what's going on. I say, you know why? The  
6 young rascals put it good in a song they had in  
7 the 60's. People everywhere just want to be  
8 free. You know, I can't understand, it's so  
9 simple to me. It's simple. Everything now is  
10 about greed.

12 CHAIRPERSON WEPRIN: Right.

13 GEORGE HERNANDEZ: You know, they  
14 started the marathon coming through our  
15 neighborhood and suddenly all these investments  
16 started coming in. You know what? But there  
17 was people. We were living there and it's  
18 always been a low income neighborhood. It's  
19 always been a industrial neighborhood. They  
20 took all the industries out from the river  
21 front, so now people, you know, were forced to  
22 evacuate more or less. I mean, I lived in a war  
23 zone basically, and I say, you know what, they  
24 should have some kind of justice for the people  
25 that remain there, and you know, and stood by

1  
2 and didn't leave, and I'm one of them. All my  
3 family left the neighborhood. All my family is  
4 upstate Albany. I got a brother that went to  
5 law school in Albany, law school with John F.  
6 Kennedy, Jr. I mean, you know, we could succeed  
7 but you know what, everybody has an equal  
8 chance to succeed in life.

9 CHAIRPERSON WEPRIN: Thank you very--

10 GEORGE HERNANDEZ: [interposing] I  
11 just ask for an equal chance for everybody in  
12 the neighborhood.

13 CHAIRPERSON WEPRIN: Thanks very  
14 much. Thanks for your service to the community  
15 and to our country and for sticking with  
16 Brooklyn. Thank you.

17 GEORGE HERNANDEZ: Alright, you're  
18 welcome.

19 CHAIRPERSON WEPRIN: Okay, please,  
20 now state your name for us.

21 NANCY SHERA: My name is Nancy Shera  
22 [phonetic] and I'm reading my daughter Miquela  
23 Beagle's [phonetic] testimony. She's a newly  
24 minted voter, and she wrote this 'cause I can  
25 hardly read it, so. "My name is Miquela Beagle.

1 I live at 125 Court Street, and I'm here to  
2 talk in opposition of Two Trees. I moved into  
3 an apartments at 125 when I was nine years old.  
4 In the near decade I have lived at 125 Court  
5 Street. I have never felt safe living in our  
6 apartment. The floor of our kitchen needed to  
7 be replaced a year after we moved in. Since the  
8 first time it was redone, it has needed to be  
9 torn up three separate times. We have  
10 experienced injuries and mold inhalation as  
11 result of this issue. Since childhood I've been  
12 extremely hesitant to have friends to my home.  
13 A home is supposed to be a place in which I can  
14 work, live, and interact with others  
15 comfortably. This issue has prevented me from  
16 doing so. I'm supposed to live in a luxury  
17 building, but living in the building impedes  
18 my life, health and those of the people I love  
19 and live with. I have lived in this building  
20 long enough to know I don't trust Two Trees. We  
21 cannot let them move forward with this  
22 project."  
23

24 CHAIRPERSON WEPRIN: Okay.

25 NANCY SHERA: Words of a babe.

2 CHAIRPERSON WEPRIN: Thank you.

3 NANCY SHERA: You're welcome.

4 CHAIRPERSON WEPRIN: Are you going to  
5 testify yourself too later or no?

6 NANCY SHERA: Yes.

7 CHAIRPERSON WEPRIN: Okay.

8 NANCY SHERA: I pay the rent.

9 CHAIRPERSON WEPRIN: Why don't you  
10 just go right now and do that.

11 NANCY SHERA: Well, a group of us  
12 is--

13 CHAIRPERSON WEPRIN: Oh, okay.  
14 Alright.

15 NANCY SHERA: But thank you so much.

16 CHAIRPERSON WEPRIN: Alright. We'll  
17 hold the group for later. That's alright. Thank  
18 you very much. We're going to call the next  
19 panel now. Lost control for a second. Alright.  
20 Now a panel in favor. Susanna Robelino  
21 [phonetic], Rowan Defrathe [phonetic] Ed Brown  
22 and Will Dis--yeah, you know who are. Will, you  
23 know who are you are, right? I don't want to  
24 mess up that last name. Dickson, oh. Dickson,  
25 you could be a doctor with that handwriting.

1  
2 No, I'm kidding. Okay is anyone else here to  
3 testify in favor of the project, favor the  
4 Domino project? Who's here now to testify?  
5 Okay, so I think this is our last panel in  
6 favor. We do have other people in opposition.  
7 So, gentleman, sorry about butchering the  
8 names. Whenever you're ready.

9 ROHAND DEFREITAS: Thank you. My  
10 name's Rohand Defreitas. I'm the principal  
11 owner of Crescent Consulting. Crescent  
12 Consulting specializes in providing management  
13 services for affirmative action equal  
14 employment opportunity, prevailing wages and  
15 diversity initiatives associated with a  
16 construction industry. Crescent has a  
17 successful track record in achieving contract  
18 requirement goals for the utilization of  
19 minority women and local based enterprises, and  
20 as well as workforce initiatives in the  
21 construction industry. We have a vast  
22 experience in working in Brooklyn on projects  
23 which include the Brooklyn Navy Yard Building  
24 9277, the Greene Manufacturing Center, the BAM  
25 Fisher building, Dock Street, City Point and

1 Steiner [phonetic] studios just to mention a  
2 few. Crescent has worked with Two Trees  
3 Management over several projects as they seek  
4 to improve MWB participation and exceed  
5 ambitious goals set by the state and city based  
6 organizations. Two Trees understands that  
7 extensive outreach is required prior to the  
8 contracting period in order to maximize  
9 participation. Most recently Crescent and Two  
10 Trees launched an aggressive outreach campaign  
11 for the Dock Street and the BAM South projects  
12 to promote contracting opportunities to  
13 minority women and women-owned businesses as  
14 well as Brooklyn based enterprises. We worked  
15 with Two Trees to coordinate with their MWBE  
16 and LB--through an MWBE and LB outreach event  
17 which resulted in over 100 MWBE firms attending  
18 the session held at the Brooklyn Navy Yard.  
19 Separately, Two Trees has revised their bidding  
20 process to require all bidding contractors to  
21 file a detailed plan for MWB participation on  
22 the site. Bids are judged on price, quality,  
23 safety, experience and a strong plan for MWB  
24 participation. We have also worked with Two  
25

1  
2 Trees to develop initiatives for local  
3 businesses in Dock Street running, working  
4 alongside the team Brown Consulting community  
5 based organization who is here with us.

6 CHAIRPERSON WEPRIN: Okay. If you  
7 can just wrap up--

8 ROHAND DEFREITAS: Yeah, I'm wrapping  
9 up.

10 CHAIRPERSON WEPRIN: Do it one in  
11 sentence, go ahead.

12 ROHAND DEFREITAS: Yep. Two Trees is  
13 committed and ambitious goal for the Domino's  
14 project for which Crescent will work closely  
15 with the project managers to accomplish the  
16 project's initiatives. The contracting goals of  
17 32 percent MWB participation and 20 percent  
18 local business participation as well as a  
19 workforce goal for 35 percent minorities and  
20 female in the workforce and 15 percent workers  
21 in the workforce from Brooklyn.

22 CHAIRPERSON WEPRIN: Thank you very  
23 much. Mr. Dickson.

24 WILL DICKSON: Good afternoon. My  
25 name is Will Dickson. I'm an employee of Two



1  
2 Trees, and although I don't live in  
3 Williamsburg, I have family and friends in the  
4 community and I believe that approval of this  
5 should be--it should be done. I mean, I work  
6 for Two Trees. I'm a carpenter. We have guys  
7 that have come in behind me and we believe in  
8 each one teach one. We may not all be union,  
9 but I've been on both sides of the fence, and  
10 union or not, we all have the same trades. We  
11 all have the same skills. It doesn't matter  
12 whether you're union or nonunion. We do the  
13 same job. We teach those that come in behind us  
14 the same trades that we have. We make sure that  
15 they have adequate safety training. We make  
16 sure that they know their jobs and that they do  
17 their jobs properly. When they leave Two Trees,  
18 which by the way is permanent employment. When  
19 they leave Two Trees site on Dock Street they  
20 go to the next site. It's not like they're  
21 doing a temporary job. They're going to the  
22 next site and from there they're going to the  
23 next site, and each site they go to, each one  
24 teaches one. So everybody gets a chance to  
25 learn a trade, not just through the union, but

1  
2 through members who have been union and  
3 nonunion. We all work together. We all do a  
4 good job. I think those same properties will  
5 carry over to Domino.

6 CHAIRPERSON WEPRIN: Thank you.

7 WILL DICKINSON: Thank you.

8 CHAIRPERSON WEPRIN: Thank you very  
9 much. Before you go, Rob Selano, are you here  
10 also? You here to speak for them in favor,  
11 right? Okay. Come here and join us, 'cause  
12 this is the last panel in favor. I don't know  
13 it just showed up. So, okay. Whenever you're  
14 ready.

15 ED BROWN: Alright. Good afternoon.  
16 My name is Ed Brown. I'm the President of Team  
17 Brown Consulting. What we do at Team Brown  
18 Consulting is we work with developers,  
19 contractors to provide them local workforce, a  
20 qualified local workforce to give them the  
21 opportunity to work on these projects. I also  
22 been on both sides of the fence, Council Member  
23 Levin, we've been fighting over many years in  
24 reference to getting more local jobs and  
25 participation on these projects. I'm the former

1  
2 Tenant's Association President for Englesaw  
3 [phonetic] Houses in downtown Brooklyn, and I  
4 fought with NYCHA. I fought with the unions,  
5 and as I said, with Council Member Levin. We've  
6 been pushing to get unions to open up and take  
7 more local people and trying to get more  
8 participation on these jobs. So I started my  
9 firm because I saw that the community needed  
10 someone to advocate for the nonunion people in  
11 the community on their behalf so that they can  
12 be a part of these projects. I too have been  
13 waiting many years, many years for a  
14 progressive Council. So I hear the word  
15 progressive progressive. That goes hand in  
16 foot with Two Trees. They have changed the  
17 game. They set a new bar in reference to having  
18 open shop, some union participation, some  
19 nonunion participation. I don't understand with  
20 all the development that's happening in  
21 Brooklyn. There are other developers who  
22 haven't taken that initiative, that we should  
23 be actually having these hearings about. Two  
24 Trees have built other thing in the community  
25 and I know people that I've placed directly on

1 employment. They're happy with their wages.  
2 They're happy with their jobs. Their families  
3 are eating. The game has changed for them, and  
4 it's one thing to tell a man not to take a  
5 certain amount of dollars an hour in the hopes  
6 of getting a union job while his children and  
7 baby needs Pampers now. These jobs also help  
8 cut down crime. The summer months are coming.  
9 There's a lot of unemployed young minority  
10 black and Latin men who need employment.  
11 Apprenticeship programs are great, but as Mr.  
12 Dickson said, when these young men go on these  
13 jobs, they're actually learning skills from  
14 other workers. So it works together hand in  
15 foot. Support this project. Please pass this  
16 project because our community really needs this  
17 project. Thank you.

18  
19 CHAIRPERSON WEPRIN: Okay. Thank you.  
20 And then this gentleman. This is going to be  
21 our last favorable testimony.

22 BRUNO: Good morning, or good  
23 afternoon at this point, everyone. My name is  
24 Bruno from Churches United for Fair Housing.  
25 I'm here speaking for Rob Selano [phonetic],

1  
2 our Executive Director. Churches United for  
3 Fair Housing is a North Brooklyn community  
4 based organization that rallies and organizes  
5 for housing, specifically on this point for the  
6 waterfront. Rob very vehemently asked me to  
7 reinforce the fact that there's a lot at stake  
8 here for our community. We bussed over an  
9 entire mass from the morning. We stole them  
10 right after worship. There's a lot of eyes on  
11 this and there's a lot of hope and expectation  
12 for what's coming out of this, so he wanted to  
13 make sure that that was recognized and that our  
14 communities are paying attention to this, and  
15 are putting a lot into the outcome. So thank  
16 you.

17 CHAIRPERSON WEPRIN: Thank you very  
18 much. Look at that. Any questions for these  
19 gentleman? Mr. Reynoso, Council Member?

20 COUNCIL MEMBER REYNOSO: Yeah. Thank  
21 you guys for--it's a pleasure to hear from you  
22 and hear your perspective on this. The only  
23 thing is I just want to make sure that we get  
24 these things in writing for our side as well,  
25 alright? That we know it's going to happen on

1  
2 one side. We want it to happen on the other  
3 side as well, and Bruno, and thank you for the  
4 work that you guys do in the community making  
5 sure that our people get a voice. So thank you  
6 guys.

7 CHAIRPERSON WEPRIN: Okay. Alright. I  
8 just--I want to check. We're not sure they're  
9 still here. Raul Otano and Miguel Torres, are  
10 they here? Okay, they were here in opposition.  
11 Alright. We're going to bring up--alright.  
12 There were two and the four, alright. We'll  
13 bring up the four together, I guess. The four  
14 who wanted to be together, Nancy Shera, and  
15 then we have a panel of two after that, Jeffery  
16 Goodman, Yolanda Nickelson, and Ms. Small.  
17 Alright. So you guys are back--okay. Okay.  
18 And then one more panel in opposition after  
19 that.

20 NANCY SHERA: I think people who  
21 have been here for more than six hours should  
22 get some bonus minutes or bonus seconds at any  
23 rate.

24 CHAIRPERSON WEPRIN: Okay. This is  
25 your last time, though, I promise.

1  
2 NANCY SHERA: My name is Nancy  
3 Shera, and I reside at 125 Court Street. It's a  
4 Two Trees property that is an 80/20 421A  
5 building. I've lived there since 2005. I'm the  
6 first resident in my apartment, and I lived  
7 there with--I'm a widow and single mother. I  
8 live there with my twin daughters. I'm here  
9 today to request that the City Council suspend  
10 any further concessions or tax payer subsidies  
11 to Two Trees because they have proven unworthy  
12 of the public trust. In December 2003, the New  
13 York Supreme Court denied Two Trees its motion  
14 to dismiss the charge of consumer fraud and  
15 deceptive practices brought against them by a  
16 group of tenant, including myself. Judge Graham  
17 [phonetic], the judge the trial, observed the  
18 fraudulent and deceptive practices of Two Trees  
19 began the moment a perspective tenant crosses  
20 the threshold of the rental office and simply  
21 inquires about an apartment. As a result of  
22 their illegal rents and increases, hundreds and  
23 I say really hundreds of tenants have either  
24 been illegally evicted or forced out because of  
25 gross increases in rents that are way beyond

1 the authorized amounts. A letter's been  
2 submitted to the council that outlines  
3 allegations based on extent of research of  
4 public records as well as questions regarding  
5 their financing and compliance with the law. We  
6 really request that the council take these  
7 seriously, think about them, review them and  
8 investigate them before considering any more  
9 public largess to Two Trees. We just don't feel  
10 they have earned the public trust and earned  
11 the public tax payer largess. Thank you.

12 CHAIRPERSON WEPRIN: Thank you.

13 Ladies, you want to go next, or sir, whatever.  
14 Whatever you decide.

15 JEFFERY GOODMAN: My name is  
16 Jeffery, Doctor Jeffery Goodman. I'm a tenant  
17 of Two Trees at 125 Court Street for four  
18 years. I live with my family. For the following  
19 reasons among others, this public body should  
20 not award any additional public funds or  
21 concessions to Two Trees. They disregard  
22 building safety laws. They violate and mock the  
23 rent stabilization laws that govern hundreds of  
24 units at 125 Court Street and seek to utilize  
25



1  
2 the public body for private gains on the backs  
3 of working families. We can only look to you to  
4 stop this. I moved into 125 Court Street  
5 knowing it was a rent stabilized building. My  
6 rent has been illegally increased by almost  
7 3,000 dollars since I'm living here. These are  
8 untrusting people that come before you for  
9 handouts under the banner of up zoning that  
10 does nothing--that has nothing more to do than  
11 destabilizing neighborhoods and displace  
12 tenants. They're untrusting, misrepresent  
13 themselves and are glorified slum lords. In  
14 addition to being harassed by illegal rent  
15 increases, we and other tenants are subject to  
16 a management office that stonewall our request  
17 for safety living conditions. You have a few  
18 pictures up there of my apartment. Two Trees  
19 have refused to properly address the hazardous  
20 conditions in my apartment. I understand the  
21 many other tenants also live with these  
22 conditions. We have high levels of mold.  
23 Tenants live in fear of challenging the  
24 landlord of illegal rent increases and  
25 hazardous living conditions. We ask you to deny

1  
2 this application. When Two Trees were told,  
3 made aware of the mold we hired an outside mold  
4 specialist to conclude, who gave us the results  
5 which showed high levels of mold. And Two Trees  
6 basically denied this.

7 CHAIRPERSON WEPRIN: If you could  
8 wrap up please.

9 JEFFERY GOODMAN: Okay. We feel  
10 these allegations along with others that we  
11 have sent to the Council Members in a letter  
12 are serious enough to possibly disqualify Two  
13 Trees from ever being a candidate for tax payer  
14 subsidized in the future. Thank you.

15 CHAIRPERSON WEPRIN: Thank you.

16 KATRICE MOORE: Good evening. My  
17 name is Katrice Moore, and I am a tenant at 125  
18 Court Street which is Two Trees owner. I'm  
19 currently living in the--I'm a affordable  
20 tenant, and I'm currently living in a very  
21 small studio with my four year old son. I have  
22 pictures, documentations and letters. The  
23 apartments have molds. I've been living this  
24 for years. Two Trees, they hired five borough  
25 specialists that came out and found that it was

1  
2 mold in the apartment. It's also--I had tests  
3 that my doctor took and found there was molds  
4 in my baby's system. Also, I've been forced,  
5 I've been harassed to stay in my studio  
6 apartment with a four year old boy who's going  
7 to be five this year. They tell me 'cause I'm  
8 not a high market rent tenant. I have  
9 documentation from HDC when I first moved in  
10 for orientation that says no more than one  
11 tenant cannot stay--no more than one tenant  
12 cannot stay in a studio. It's never an answer.  
13 "Oh, you're not a--you're affordable tenant.  
14 You have to stay in your apartment." I don't  
15 think that's right. I pay my rent, and have  
16 documentation all from HDC that says that  
17 affordable tenants supposed to have the same  
18 equal as high market rate, and this is not  
19 fair. I'm fighting for years. You know, I need  
20 something done about this. It's just not right.  
21 You know, the hazard to me and my son's health.  
22 He said, "Mommy, why I don't have my own  
23 bedroom?" And I tell him 'cause we're not  
24 rich, and I shouldn't have to tell my son  
25 that. You know, we should have equal right, and

1  
2 what Two Trees do is terrible. It's supposed to  
3 be a luxury apartment. You know, this is  
4 affecting me and my baby emotionally and  
5 physical and I need an answer. This is because  
6 I'm not a high market tenant and it's not the  
7 answer and it's not fair, and I'm tired.

8 CHAIRPERSON WEPRIN: Thank you.

9 Ma'am?

10 UNKNOWN: Good afternoon. Good  
11 afternoon, Chairman, and thank you to Council  
12 Members in particular Councilman Reynoso and  
13 Councilman Levin, along with your colleagues  
14 for providing this opportunity for a public  
15 hearing on Two Trees' application. I am here  
16 both as a tenant at 125 Court Street, a Two  
17 Trees managed property and as an attorney. In  
18 fact, in the past I was a quiet attorney. Two  
19 Trees is harassment by illegal rent increases  
20 and constant applications for evictions to the  
21 housing court. It has actually not only made me  
22 an advocate, but has actually have me now  
23 considering representing other tenants. Not a  
24 30 day period goes by that a tenant like  
25 Katrice or Nancy or other tenants or neighbors

1  
2 call to say, "Can you help me because I have to  
3 move once again. Is this an illegal rental  
4 increase? Is this compliant with the rent  
5 stabilization laws?" So I'm asking this panel,  
6 I appreciate and respect and have deference for  
7 this panel's focus on the affordable units and  
8 to ensure that affordable tenants get quality  
9 units, but it's also the case that rent  
10 stabilized units need attention. As Mr.  
11 Walentas correctly said, "The two are  
12 intertwined." The 421A benefits that Two Trees  
13 and developers like this seek, they sort of  
14 seek it like a carrot and a stick. They want  
15 the 421A so that they can give the affordable  
16 units to the city, but there's a misconception  
17 that 421A units are luxury units. It's a rent  
18 stabilization principle that's embodied in this  
19 law and we have been subject to illegal rent  
20 increases. We're working families. So I'm  
21 asking this body to pay attention and note that  
22 Two Trees have shown itself to be a developer  
23 that uses public funds, tax credits and tax  
24 exemptions to create units that they present to  
25 you as affordable, to present to you that

1  
2 they're building communities when in fact what  
3 we've experienced at 125 Court is unstable  
4 communities and displacement. Thank you.

5 CHAIRPERSON WEPRIN: Let me ask this  
6 question before you leave. So have you gone to  
7 DACR or went to housing court on this matter?

8 UNKNOWN: We have. Initially we went  
9 to attorneys who told us that Two Trees can do  
10 what they want. DHCR looked the other way. And  
11 when we actually pulled the DHEL filings with  
12 respect to our units over the past couple of  
13 years, we've found that they were  
14 misrepresentations in the DHCR filings. We  
15 eventually had to hire attorneys ourselves. I  
16 being an attorney had to sit down and say let  
17 me read the law. When I realized--I was so  
18 appreciative of you reading the law, 'cause the  
19 law says you cannot do illegal rent increases,  
20 that's harassment.

21 CHAIRPERSON WEPRIN: Were they found  
22 to have done illegal rent increases?

23 UNKNOWN: Well, we come with--you  
24 know, I find it interesting that, and I  
25 appreciate it again that this body recognizes

1  
2 that we come out of an Administration prior to  
3 the current Administration and this council  
4 where working families complaints were not  
5 heard. So but there was a letter that Nancy  
6 sent to--we did a foil [phonetic] request.  
7 Nancy did a foil request. She--

8 NANCY SHERA: We've done two foil  
9 request. Oddly enough, the same document--

10 CHAIRPERSON WEPRIN: [interposing]  
11 But wait, so the answer to that question about  
12 whether you were found to have gotten illegal  
13 increase is you were found by whoever the DHCR  
14 or--

15 NANCY SHERA: [interposing] DHCR--  
16 [cross-talk]

17 NANCY SHERA: has found illegal  
18 increases in one case for an affordable woman.

19 CHAIRPERSON WEPRIN: I don't want to  
20 try the case here. I just want to know you went  
21 to--

22 NANCY SHERA: [interposing] No, no.

23 CHAIRPERSON WEPRIN: court?

24 NANCY SHERA: No, DHCR when I got my  
25 rent history--

2 CHAIRPERSON WEPRIN: [interposing]

3 Right.

4 NANCY SHERA: for my apartment, for  
5 the first year it said that my apartment was  
6 permanently deregulated due to high vacancy law  
7 and that the preferential rent that they stated  
8 was due to improvements.

9 CHAIRPERSON WEPRIN: Okay.

10 NANCY SHERA: They stated my rent as  
11 9,000 dollars. You know, and then suddenly  
12 they--

13 CHAIRPERSON WEPRIN: [interposing]  
14 Again, I don't have the facts. I don't have  
15 both sides, so I can't--I'm not here to make it  
16 a court--

17 [cross-talk]

18 CHAIRPERSON WEPRIN: I just wanted to  
19 know if there was a legal ruling that said it  
20 was illegal rents.

21 NANCY SHERA: I just want to say  
22 something to you about DHCR--

23 CHAIRPERSON WEPRIN: [interposing]

24 And I get the feeling the answer to that is no,  
25 but you dispute that.



1 UNKNOWN: No, that's--no, no. That's  
2 not the answer. I'm sorry. I just want to  
3 clarify. There are two rulings. There is an  
4 interim ruling and an action where a supreme  
5 court judge has denied Two Trees request for  
6 summary judgment to look into the question as  
7 to whether there was fraud and illegal rents.  
8 There's also a letter that was sent to Two  
9 Trees which we were provided with specifically  
10 stated that the apartments are not exempt from  
11 the rent stabilization laws and asked Two Trees  
12 to bring it into compliance with the rent  
13 stabilization laws, and that was not done. We  
14 just didn't have a regulator to actually do it,  
15 but they've said it.

17 CHAIRPERSON WEPRIN: Okay. Fine. Just  
18 that letter was from whom?

19 NANCY SHERA: HPD.

20 UNKNOWN: HPD.

21 CHAIRPERSON WEPRIN: Alright.

22 Alright. Anyone up for questions for this  
23 panel, comments? Thank you very much.

24 NANCY SHERA: Thank you.

1  
2 CHAIRPERSON WEPRIN: Okay. I think  
3 we're ready now. This is panel in opposition,  
4 Stephanie Isenberg [phonetic] and Katalina  
5 Hildago [phonetic]? Are they still here? Ms.  
6 Isenberg, are--anyone else here to testify in  
7 opposition or in favor to this Domino plan? I  
8 think it's just you, Ms. Isenberg. Look at  
9 that. As it should be, you have your own stage  
10 to yourself. It's good to see you again. Sorry  
11 to keep you waiting. It wasn't intentional, I  
12 assure you.

13 STEPHANIE ISENBERG: I know. Is this  
14 on? Yes. Okay. This being April 1<sup>st</sup> and it's  
15 all fools day.

16 CHAIRPERSON WEPRIN: This was not--

17 STEPHANIE ISENBERG: [interposing]  
18 Did not get past me.

19 CHAIRPERSON WEPRIN: You going last  
20 had nothing to do with April Fools, I promise.

21 STEPHANIE ISENBERG: I know, but it  
22 didn't get past me and I said to myself, "Am I  
23 big a fool for consistently coming to these  
24 hearings, and is anybody listening and what  
25 does it do?" As a citizen, what is all the

1  
2 five years of homework I've done and the file  
3 cabinets I've had that's filling the back of my  
4 office? So am I the fool? Are citizen's the  
5 fool for think they could get something through  
6 this process? It's been demonstrated that the  
7 process is not transparent, okay? And then I  
8 was sitting here thinking, is Two Trees a fool?  
9 Are they a fool for thinking that they can get  
10 whatever they want, say whatever they want and  
11 everybody's going to believe them? For  
12 example, they got HPD did pass a rule change  
13 recently, last week, unbeknownst to anybody, I  
14 believe here, a change to adopt its regulations  
15 which will allow Two Trees to transfer tax  
16 credits from a building containing affordable  
17 housing to buildings in lots that do not  
18 contain affordable housing. The council and HPD  
19 have not considered the equitable and fiscal  
20 impacts of that change and the likelihood that  
21 it will provide subsidies to the market rate  
22 units and the developer not benefit the  
23 affordable units. This is a rule change. There  
24 was a hearing about six months ago, back in--  
25 okay. that was just passed. And by transferring

1 the tax credits allots not including affordable  
2 housing, Two Trees is allowed to create  
3 segregated housing, which is far as I'm  
4 concerned and growing up in this city is  
5 disgraceful. So my question is, if Two Trees  
6 thinks they can do whatever they want and  
7 they're not the fool, I mean, is City Council  
8 the fool for believing that they can actually  
9 legally bind people to the level of affordable  
10 housing when it does not appear to be the case,  
11 and it was not the case in unbeknownst to I'm  
12 sure elected officials both the last Domino  
13 hearing and also, unfortunately, Rose Plaza,  
14 which is also not legally binding. It was  
15 pointed out by the Two Trees attorney. So we  
16 have to say that if something is so broken and  
17 it can't be fixed, then the council has a right  
18 to vote no. The council also has a right to  
19 vote no on the old rezoning, which they  
20 couldn't build anyway because all the special  
21 permits have expired and they did not ask for  
22 extensions yet. Part of what they're asking for  
23 in this rezoning is extensions for all those  
24 special permits. So I--we're tired of being  
25

1  
2 bullied by Two Trees. They think they can get  
3 whatever they want by bullying and they've  
4 demonstrated that today.

5 CHAIRPERSON WEPRIN: Okay, Ms.

6 Isenberg, thank you. Gentleman? You're okay?

7 Thank you. Thank you for your patience. There

8 you go. You can even applaud at this point. I

9 don't care. Anyway, that it is it, I think.

10 Anyone else here to testify? No. I am going to

11 now close this public hearing. Again, we're not

12 voting today. We will be discussing this. We

13 have a few weeks, I think to work this out, and

14 we're going to see where it goes, but thank you

15 all very much for your patience and for your

16 time, and we will back in touch. Thank you.

17 With that in mind, the meeting is now

18 adjourned.

19 [gavel]

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23

24

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 05/03/2014