

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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May 18, 2017  
Start: 11:26 a.m.  
Recess: 12:06 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: DAVID G. GREENFIELD  
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile  
Annabel Palma  
Daniel R. Garodnick  
Darlene Mealy  
Rosie Mendez  
Ydanis A. Rodriguez  
Peter A. Koo  
Brad S. Lander  
Stephen T. Levin  
Jumaane D. Williams  
Ruben Wills  
Deborah L. Rose  
Donovan J. Richards  
Inez D. Barron  
Andrew Cohen  
Ben Kallos  
Antonio Reynoso  
Ritchie J. Torres  
Mark Treyger  
Rafael Salamanca, Jr.

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

2 [sound check, pause]

3 CHAIRPERSON GREENFIELD: Good morning.

4 [gavel] Good morning. My name is David Greenfield.

5 I am the Council Member from the 44<sup>th</sup> Council

6 District in Brooklyn. I'm privileged to serve as the

7 Chair of the Land Use Committee. I want to welcome

8 all of my esteemed colleagues who are members of the

9 committee. Council Member Palma, Council Member Koo,

10 Council Member Lander, Council Member Rose, Council

11 Member Williams, Council Member Richards, Council

12 Member Cohen, Council Member Reynoso, Council Member

13 Treyger, and Council Member Salamanca. I, of course,

14 want to thank Chair Richards, Chair Salamanca and

15 Chair Koo for outstanding work on our respective Land

16 Use Subcommittees. Today, we have 22 items on the

17 calendar.

18 COUNCIL MEMBER: Well, 22.

19 CHAIRPERSON GREENFIELD: Yes. This is a

20 good Snickers morning. I'm not going anywhere for a

21 while. Have a Snicker's bar. We'll be voting to

22 approve all these items except for LU 610, 611 and

23 628, which we will vote to approve with modifications

24 and LU 607, the move to file as a sidewalk café

25 application has been withdrawn. The first two items

2 LU 633, Mamak Sidewalk Café and LU 634 Ruby's Midtown  
3 are both applications for revocable consents to  
4 establish and maintain unenclosed sidewalk cafes at  
5 174 2<sup>nd</sup> Avenue and 442 3<sup>rd</sup> Avenue respectively. Both  
6 cafes are in Council Member Mendez's district. The  
7 next series of items are for the development of  
8 affordable housing in the Bronx. I'd like to  
9 congratulate Chair Salamanca and Council Member Palma  
10 on these two great projects in the district, 600 East  
11 156<sup>th</sup> Street Development, otherwise known as LU 608  
12 and 609 will bring 175 units of much-needed  
13 affordable housing and a new public charter schools  
14 that's rezoning from M1-1 to an R8A district, and  
15 text amendment to apply MIH Option 1 to the site is  
16 in Chair Salamanca's district. The Chair would like  
17 to make any remarks about this particular item?

18 COUNCIL MEMBER SALAMANCA: Thank you, Mr.  
19 Chair. Just wanted to thank you, Mr. Chair and Chair  
20 Richards for your help on this land use item. I know  
21 that it took some time for us to get to a place where  
22 all parties agreed, and I just want to put this on  
23 the public record. I know that I'm in favor of this  
24 project, but it's important that Phipps Houses—I met  
25 with the homeowners yesterday—that Phipps Houses

2 understand that before they begin the construction  
3 they have to sit down with the homeowners and ensure  
4 that all their concerns are addressed because this  
5 will affect their quality of life for a period of two  
6 years. Thank you, Mr. Chair.

7 CHAIRPERSON GREENFIELD: Thank you very  
8 much. The Westchester Mews Development, LUs and 610  
9 and 611 will bring 205 units of affordable housing,  
10 ground floor retail and community facilities bases.  
11 This application will rezone the area from R5 C2-2 to  
12 R6 C2-4. We will be voting to modify the text  
13 amendment to restrict the development to MIH Option  
14 1, and to limit the applicability of the floor area  
15 and coverage adjustment in MIH Area 1 and Community 9  
16 of the Bronx. Each of these projects has  
17 corresponding tax exemption applications,  
18 Preconsidered LU 2017542 HAX and LU 627, which  
19 pursuant to Article 11 of the Private Housing  
20 Financing Law will provide tax exemptions for a  
21 period of 40 years.

22 Each of these projects has been approved  
23 by the appropriate subcommittee. The next item is  
24 the Ports America, Incorporated Maritime Lease LU  
25 614. This application is for approval of the a

2 maritime lease between the New York City between the  
3 New York City Department of Small Business Services  
4 and Ports America, Incorporated for Piers 88 and 90  
5 on the Hudson River between West 40<sup>th</sup> Street and West  
6 55<sup>th</sup> Street in Council Member Johnson's district in  
7 Manhattan. The lease would allow Ports America,  
8 Incorporated to use these piers for docking cruise  
9 ships through 2029, and would provide two options for  
10 five-year renewals extending to 2039.

11 The next items are applications by the  
12 School Construction Authority for the siting of two  
13 schools. LU 636 is an application for a new 800-seat  
14 primary and intermediate school facility to be  
15 located in Community School District No. 31 in the  
16 Stapleton Section of Staten Island. This school will  
17 be located in Council Member Rose's district.

18 LU 637 is an application for a new 1,000-  
19 seat primary and intermediate school facility located  
20 in Community School District No. 19 in the East New  
21 York Section of Brooklyn. These schools are located  
22 in Council Member Espinal's district and it was one  
23 of the city's commitments made during the East New  
24 York Rezoning process and we're very pleased to that  
25 the city is keeping its commitment to Council

2 Espinal's community. We will also be voting on a  
3 historic district and on individual landmarks today.  
4 LU 628 the Morningside Heights Historic District is  
5 in Council Member Levine's district in Manhattan. The  
6 district consists of approximately 115 residential  
7 institutional buildings representing the district's  
8 rapid transformation at the turn of the last century  
9 into a densely populated neighborhood. The district  
10 is home to a major religious educational and medical  
11 students as Barnard College, Teacher's College and  
12 even a Jewish Theological Seminary and St. Luke's  
13 Hospital as well as its grand apartments buildings  
14 earned the neighborhoods the nickname the Acropolis  
15 of New York. It's a very distinguished moniker. The  
16 district designated by LPC also includes any row  
17 houses with distinctive architecture that illustrate  
18 the evolution of middle-class living in the early  
19 20<sup>th</sup> Century. During the public hearing we heard  
20 testimony from Congregation Maradarah (sp?) objecting  
21 to the inclusion of the synagogue in the district.  
22 LPC's Designation Report characterized its synagogue  
23 two-story building as a modest and emphasizes the  
24 cultural history of the site rather than  
25 architectural. The congregation testified the

2 designation would impose a hardship on the synagogue.  
3 The congregation also sold all of its unused  
4 development rights. As a result, the risk of  
5 demolition is low because the synagogue's lack of  
6 architectural significance, its location on the edge  
7 of the district, the hardship on the building's  
8 owners and the lack of usable accessible development  
9 rights on the site, the subcommittee and Council  
10 Member Levine have recommended excluding the building  
11 from the Historic District. We will be voting to  
12 modify to LPC's designation of the Morningside  
13 Historic District to exclude the building at 555-55-  
14 sorry 550 Cathedral Parkway. We'll be voting to  
15 approve LU 629, the Cathedral of St. John the Divine  
16 and Cathedral Close located at 1047 Amsterdam Avenue  
17 also in Council Member Levine's district in  
18 Manhattan. The Cathedral and Cathedral Close is one  
19 of the great religious complexes in the world. The  
20 Cathedral serves as a religious, cultural and  
21 education center for many New Yorkers. The Cathedral  
22 Close includes a complex of ecclesiastical buildings  
23 the seat of Episcopal Archdiocese of New York. The  
24 Cathedral is considered the crowning glory of that  
25 portion of the Morningside Heights neighborhood. It



2 is the largest Anglican cathedral and the fourth  
3 largest Christian Church in the world. Committee  
4 items for which there are seven tax exemptions in one  
5 loan all pursuant to the Private Housing Finance Law.  
6 The local council members are all supportive of these  
7 applications: LU 615, the Lower East Side People's  
8 Mutual Housing Association is an application for a  
9 partial tax exemption to preserve existing rental  
10 housing for low-income families and 18 multiple  
11 dwelling in the Lower East Side of Manhattan  
12 containing 212 building units. The units are  
13 currently occupied. Units which become vacant will  
14 be targeted to households as AMI of 80% or below  
15 during the exemption period of 40 years retroactive  
16 to July of 2015. These buildings are in the district  
17 of Council Member Mendez and Council Member Chin. LU  
18 616 is 40-year property tax exemption for a property  
19 located 911-2917. That's 911-917 Atlantic Avenue and  
20 1041-1047 Fulton Street in Brooklyn. This tax  
21 exemption facilitate the creation of 114 units of  
22 affordable housing in two buildings with a range of  
23 AMIs. These developments represent the off-site  
24 affordable housing generated by an agreement between  
25 housing companies and the New York City Economic

2 Development Corporation in connection with the 215  
3 disposition and redevelopment of the Brooklyn Public  
4 Library in Brooklyn Heights.

5 LU 638 is a tax exemption for the Lot  
6 Legacy Apartments. There are 21 multiple dwellings in  
7 the East Harlem and Upper East Side Neighborhoods of  
8 Manhattan. The proposed 40-year tax exemption will  
9 facilitate the preservation of 359 units of  
10 affordable housing between 30% of AMI and 80% of AMI.  
11 Three of these buildings are Council Member Kallos'  
12 district, and 18 of these buildings are in Speaker  
13 Melissa Mark-Viverito's district.

14 Preconsidered LU 163<sup>rd</sup> Street Improvement  
15 Council is an application seeking a new 40-year tax  
16 exemption to facilitate the rehabilitation and  
17 preservation of four multi-family buildings totaling  
18 73 units of affordable rental housing in Council  
19 Member Gibson's district in the Bronx. The prior tax  
20 exemption would be terminated and new extension in  
21 additional units being set aside for formerly  
22 homeless households. Those are new rentals being  
23 restricted to no more than 80% of AMI.

24 LU No. 639, 2865, Kings Bridge Terrace is  
25 an application for a mortgage pursuant to Section 23

2 of the Private Housing Finance Law the property  
3 located at Block 3256, Lots 156 and 75 in Council  
4 Member Cabrera's district in the Bronx.

5 LU 604 the Concourse Village West  
6 application seeks a tax exemption for a period of  
7 four years to facilitate the development of three  
8 multi-family buildings that will include 65 units of  
9 affordable rental housing. The project will target  
10 AMI bands ranging from 30% AMI to 100% of AMI. The  
11 site is in Council Member/Chair Salamanca's district.

12 The Dream Yard and the tax exemption  
13 applications. LU 617 and 619 are both in the  
14 Morrisania neighborhood of the Bronx. These tax  
15 exemptions provide a period of 40 years to facilitate  
16 the preservation of six multi-family buildings, a  
17 total 127 units of affordable rental housing on 168<sup>th</sup>  
18 Street and six multi-family buildings totaling 174  
19 units of low-income rental housing on University  
20 Avenue will be preserved. These applications are in  
21 Council Member Gibson's district and in Council  
22 Member Cabrera's district. Are there any questions  
23 on these applications?

24 COUNCIL MEMBER WILLIAMS: I have one and  
25 I have just one.

2 CHAIRPERSON GREENFIELD: Okay.

3 COUNCIL MEMBER WILLIAMS: [off mic] I  
4 was in the utility room (sic) and I couldn't hear  
5 anything.

6 CHAIRPERSON GREENFIELD: For the record,  
7 all of these applications have been thoroughly vetted  
8 in many hours of subcommittee hearings that you could  
9 find online on our New York City Council website. [.

10 COUNCIL MEMBER WILLIAMS: [off mic] I  
11 think so. (sic)

12 CHAIRPERSON GREENFIELD: Twenty-  
13 questions. The chair recognizes, recognizes Council  
14 Member Williams and his pink T-shirt for questions.  
15 Council Member William.

16 COUNCIL MEMBER WILLIAMS: [off mic] No,  
17 it's orange, it's orange.

18 CHAIRPERSON GREENFIELD: It's salmon.  
19 Touché. Okay, Salmon is the new pink. Thank you,  
20 Chair Richards for pointing that out.

21 CHAIRPERSON RICHARDS: [off mic] Just  
22 reporting, just reporting.

23 CHAIRPERSON GREENFIELD: Okay, the fancy  
24 folks in the Upper East Side have officially taken me  
25 out of color comfort level, and now we are going to

2 move on if there no questions. Council Member Lander  
3 has a question.

4 COUNCIL MEMBER LANDER: [off mic] Council  
5 Member Gibson has done only 12, but this exceeds 112%  
6 affordable housing, which is definitely a new record  
7 for the Council and props to Vanessa 102%  
8 affordability.

9 CHAIRPERSON GREENFIELD: You've been her  
10 long enough. You know that we can, in fact, achieve  
11 the impossible [laughter] in this—in this body, and  
12 Council Williams wants everyone to know that from  
13 here on in he will not be voting for a project unless  
14 it's 102% affordable, and let the record reflect that  
15 with his salmon colored T-shirt that he is wearing  
16 today, and very nice flower I might add as well,  
17 which matches very nicely. So thank you, Council  
18 Member Williams. [background comments] We've also  
19 been joined by Council Members Mendez, Kallos and  
20 Barron. If there are no more questions or comments  
21 on Jumaane's fashion choices, we will move onto the  
22 roll call for the vote.

23 CLERK: William Martin, Committee Clerk,  
24 roll call vote Committee on Land Use. Chair  
25 Greenfield.

1 COMMITTEE ON LAND USE

14

2 CHAIRPERSON GREENFIELD: Thank you. I  
3 vote aye on all.

4 CLERK: Palma.

5 COUNCIL MEMBER PALMA: Aye.

6 CLERK: Mendez.

7 COUNCIL MEMBER MENDEZ: Aye.

8 CLERK: Koo.

9 COUNCIL MEMBER KOO: Aye on all.

10 CLERK: Lander.

11 COUNCIL MEMBER LANDER: Aye on all.

12 CLERK: Rose.

13 COUNCIL MEMBER ROSE: Permission to  
14 explain my vote.

15 CHAIRPERSON GREENFIELD: Council Member  
16 Rose to explain her vote.

17 COUNCIL MEMBER ROSE: You know, as the—as  
18 my North Shore District continues to grow, I'm always  
19 taking a comprehensive look at how this growth  
20 impacts our residents. Among my top priorities has  
21 been alleviating school overcrowding. PS65 is 133%  
22 capacity, PS13 is at 154% and PS78 is at 156%. This  
23 new school addresses the issue of overcrowding and we  
24 found—finally found this location at 357 Targee  
25 Street, which is an ideal location for a state-of-

2 the-art 800-seat school, and it's a significant step  
3 toward alleviate overcrowding. And so, I'm pleased  
4 to vote on all and especially the new school for the  
5 North Shore.

6 CLERK: Thank you, Councilman Rose. I  
7 want to congratulate you. We all know what a  
8 struggle it is to build new schools in the city and  
9 certainly a fantastic achievement that you're able to  
10 do in such a short time here in the City Council.  
11 Clearly, you've got the Administration fearful of  
12 your every move, and so we commend you on that and  
13 congratulate you on this fantastic achievement and we  
14 look forward to being there with you at the ribbon  
15 cutting. And, even I who really does everything  
16 possible not to travel to Staten Island will make a  
17 trek out there and pay the \$700 for the Bridge to  
18 actually get there. Yes, thank you. [pause]

19 CLERK: Richards.

20 CHAIRPERSON RICHARDS: Permission to  
21 explain my vote.

22 CHAIRPERSON GREENFIELD: Chair Richards  
23 to explain his vote.

24 CHAIRPERSON RICHARDS: I just wanted t  
25 congratulate--

2 CHAIRPERSON GREENFIELD: [interposing] I-  
3 I just want to reflect that you happen to have a very  
4 nice tie as well. I don't want you to think I'm-I'm  
5 simply-I'm simply acknowledging Council Member  
6 Williams. We do have some other fashionable folks  
7 over there--

8 CHAIRPERSON RICHARDS: Right.

9 CHAIRPERSON RICHARDS: --in the Council  
10 although it's few and far between.

11 CHAIRPERSON RICHARDS: I aspire to wear  
12 the same amount.

13 CHAIRPERSON GREENFIELD: It will 92  
14 degrees outside, yes.

15 CHAIRPERSON RICHARDS: Yes, I just want  
16 to congratulate both Council Member Salamanca and  
17 Palma for their work on their projects. I think they  
18 really achieved some great amenities for the  
19 communities as well as deep affordability, addressing  
20 the homelessness crisis, some community benefits, and  
21 these are the sort of projects that we need to speak  
22 more about because we have a lot more of these  
23 happening in our committees than bad projects or what  
24 some would deem as bad projects, but these two  
25 projects should certainly celebrated, and I want to



2 congratulate them—congratulate them on both the—both  
3 for their hard work on these project. I vote aye  
4 with that being said.

5 CLERK: Williams.

6 COUNCIL MEMBER WILLIAMS: Permission to  
7 explain my vote?

8 CHAIRPERSON GREENFIELD: Council Member  
9 Williams to explain his vote.

10 COUNCIL MEMBER WILLIAMS: Thank you. I  
11 do want to congratulate all of my colleagues on what  
12 they're doing today particularly Salamanca and—and  
13 Palma, which came out of the Subcommittee I'm on, and  
14 also I guess to highlight the importance of doing  
15 these type of projects. Unfortunately these type of  
16 projects are usually happening only in certain parts  
17 of the city and only certain Council Members who are  
18 focused on it, and I think that's a problem that we  
19 definitely have to look at as a council, and my hope  
20 is we will continue to do that because may of the  
21 zoning projects that come out of this council are  
22 complete opposite to the face we're putting in public  
23 in terms of what we're trying to do for affordable  
24 housing and homelessness. With that, I vote aye on  
25 all with the exception of LU No. 16, which I vote no.

2 CHAIRPERSON GREENFIELD: Thank you.

3 CLERK: Wills.

4 COUNCIL MEMBER WILLS: I vote aye on all.

5 CLERK: Barron.

6 COUNCIL MEMBER BARRON: Permission to  
7 explain my vote.

8 CHAIRPERSON GREENFIELD: Council Member  
9 Barron to explain her vote.

10 COUNCIL MEMBER BARRON: Right. Thank  
11 you, Mr. Chair. I just want to say that as we  
12 describe affordable, that that's a dangling  
13 participle because if you are a billionaire you can  
14 probably afford anything you want. So, I think that  
15 as we talk about affordable, we can identify it and  
16 say affordable to people at, and identify what that  
17 income level is. Having said that, I vote aye on all  
18 with the exception of No. 16 on which I am  
19 abstaining. Thank you.

20 CLERK: Cohen.

21 COUNCIL MEMBER COHEN: I vote aye.

22 CLERK: Kallos. Reynoso.

23 COUNCIL MEMBER REYNOSO: Permission to  
24 explain my vote.

2 CHAIRPERSON GREENFIELD: Council Member  
3 Reynoso to explain his vote.

4 COUNCIL MEMBER REYNOSO: I will be voting  
5 aye on all. I just want to give a thank you to the  
6 Bronx members in the City Council who continue to go  
7 above and beyond in creating affordable housing for  
8 the city of New York, and it also seems to be  
9 something that only members in poor districts of  
10 minority districts by continuing to do the 100%  
11 affordable housing. We can't allow for the burden of  
12 all the affordable housing to continue to be built in  
13 neighborhoods that look like Council Member  
14 Salamanca's and Council Member Palma's. We need to  
15 do something about it, and so if we don't the way  
16 that we do in the committee, we're never gong to see  
17 a difference, but thank you again for the work that  
18 you're doing, and I vote aye on all.

19 CHAIRPERSON GREENFIELD: Thank you, and  
20 Council Member I want to thank you for leading the  
21 bike tour yesterday from Brooklyn to City Hall, the  
22 only council member to do so. Congratulations.

23 COUNCIL MEMBER BARRON: Mr. Chair.

24 CHAIRPERSON GREENFIELD: Do you--

25 COUNCIL MEMBER BARRON: I want to--

2 CHAIRPERSON GREENFIELD: Yes. Ma'am.

3 COUNCIL MEMBER -correct my abstention.

4 It's not 16, it's 616.

5 CHAIRPERSON GREENFIELD: Got it.

6 COUNCIL MEMBER BARRON: Thank you.

7 CHAIRPERSON GREENFIELD: Thank you.

8 CLERK: Treyger.

9 COUNCIL MEMBER TREYGER: Aye.

10 CLERK: Salamanca.

11 COUNCIL MEMBER SALAMANCA: May I explain  
12 my vote.

13 CHAIRPERSON GREENFIELD: Chair Salamanca  
14 to explain his vote.

15 COUNCIL MEMBER SALAMANCA: First, again,  
16 I want to thank the members of--of the Committee,  
17 especially you, Mr. Chair. I--I vote aye on all, and  
18 I'm really excited about his project because I've  
19 been in office for about a year, and to be able to  
20 bring in a little over 3,000 units of mixed-income  
21 affordable housing to the South Bronx is really  
22 exciting. Thank you.

23 CLERK: Kallos.

24 CHAIRPERSON GREENFIELD: [interposing]  
25 Thank you, Chair, and I do want to once again

2 recognize the incredible work that you provided in  
3 your district, which is seeing an influx--

4 COUNCIL MEMBER KALLOS: [interposing] Aye  
5 on all.

6 CHAIRPERSON GREENFIELD: --of affordable  
7 housing, and you're making sure that every--every AMI  
8 Band within your community is represented and it was  
9 very significant changes that you made over there and  
10 I congratulate you on that as well. So, thank you.

11 CLERK: Garodnick.

12 COUNCIL MEMBER GARODNICK: [pause] Aye.

13 CLERK: By a vote--all items on today's  
14 agenda in Committee on Land Use have been adopted by  
15 a vote of 16 in the affirmative, 0 in the negative  
16 and no abstentions with Land Use item 616 being  
17 adopted by a vote of 14 in the affirmative, 1 in the  
18 negative and 1 abstention.

19 CHAIRPERSON GREENFIELD: Thank you very  
20 much. Finally, I want to congratulate Council Member  
21 Palma for modifying the application to the lowest  
22 possible levels of affordability. The application in  
23 her district.

24 SERGEANT-AT-ARMS: [interposing] Keep it  
25 down.

2 CHAIRPERSON GREENFIELD: Thank you for  
3 that outstanding work. As is our practice, we're  
4 going to keep this open for 15 minutes until 12:00  
5 noon, and then hopefully someone is going to figure  
6 out how we can turn up the air conditioning in here.  
7 Thank you very much. [pause] This hearing is  
8 technically changing it—starting at 12 o'clock. That  
9 is considered to be a separate hearing on this  
10 hearing. S o you need to come back and attend that  
11 hearing for attendance purposes.

12 COUNCIL MEMBER TORRES: Is it in the next  
13 room? Can I vote?

14 CHAIRPERSON GREENFIELD: You did not vote  
15 yet?

16 COUNCIL MEMBER TORRES: No.

17 CHAIRPERSON GREENFIELD: Sorry, yes,  
18 Clerk, can we add another member to the rolls,  
19 Council Member Torres?

20 CLERK: Council Member Torres.

21 COUNCIL MEMBER TORRES: I vote aye on  
22 all. [background comments] I vote aye on all.

23 CHAIRPERSON GREENFIELD: Thank you,  
24 Council Member. [pause]

25 COUNCIL MEMBER LEVIN: You here?

2 CLERK: Continuation of roll call, the  
3 Committee Land Use. Council Member Levin.

4 COUNCIL MEMBER LEVIN: Aye on all.

5 [pause]

6 CLERK: Final vote, Committee on Land  
7 Use. All items in today's agenda have been adopted  
8 by a vote of 18 in the affirmative, 0 in the negative  
9 and no abstentions with Land Use Item 616 being  
10 adopted by a vote of 16 in the affirmative, 1 in the  
11 negative and 1 abstention. Thank you.

12 CHAIRPERSON GREENFIELD: Thank you. This  
13 concludes the Land Use Committee meeting of May 18,  
14 2017. This meeting is hereby adjourned. [gavel]

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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 that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 15, 2017