

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

----- X

July 17, 2017
Start: 12:03 p.m.
Recess: 12:59 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: PETER A. KOO
Chairperson

COUNCIL MEMBERS: Annabel Palma
Deborah L. Rose
Rosie Mendez
Stephen T. Levin
Inez D. Barron
Ben Kallos

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

Tami Rachelson, Deputy Director
Real Estate Services
School Construction Authority

Tamar Smith
Community Relations Manager, External Affairs
School Construction Authority

Dale Mandello
School Construction Authority

Maria Roca, Sunset Park Resident
Founder of Friends of Sunset Park

[sound check, pause] [background
comments]

CHAIRPERSON KOO: Good morning. We're
going to start. Yeah. [gavel] Hi, good morning. I
am Council Member Koo, the Chair of the Subcommittee
on Landmarks, Public Siting and Maritime Uses. We
are joined by Council Members Debbie Rose and Council
Member Menchaca, Ben Kallos and Rise Mendez. Is that
right? We will be holding public hearings and voting
on two school sitings today both of which we hear
preconsidered. The first item is—is second—332-seat
primary school that would be located at the corner of
8th Avenue and 46th Street in Sunset Park section of
Brooklyn represented by Council Member Menchaca.

[pause] The second item a 332-seat primary school
for the southwest corner of 4th Avenue and 43rd Street
also in Sunset Park section of Brooklyn represented
by Council Member Menchaca. The site consists of two
privately owned lots that the School Construction
Authority propose to acquire. One of the lots
contain the former 68th Police Precinct Station House
and stable. Together, a designated New York City
landmark. SCA has worked with the State Parks
Department through a wide and a new development

1
2 proposal that will preserve the main facades of the
3 existing station house on 4th Avenue and 43rd Street.
4 Most of the existing structure will be demolished
5 along with the stable building, and the proposed
6 school will be constructed in a 5-story L shaped
7 behind the preserved historic facades. I will now
8 open the public hearing on these items. The School
9 Construction Authority will present both items. We
10 will then hear testimony from the public on this item
11 individually. We have Tamar Smith and Tami Rachelson
12 and Dale Mandello from SCA to testify. Thank you.
13 You can identify yourself and begin.

14 TAMI RACHELSON: Okay. Good afternoon,
15 Chairperson Koo and Subcommittee members. My name is
16 Tami Rachelson and I'm the Deputy Director for Real
17 Estate Services for the School Construction
18 Authority. The New York City School Construction
19 Authority has undertaken site selection process for a
20 new public school facility on a site consisting of
21 Lot 1 on Block 751 in the Borough of Brooklyn. The
22 site contains a total of approximate 13,000 square
23 feet of lot area located on the corner of 8th Avenue
24 and 46th Street on a block bounded by 45th Street, 8th
25 Avenue 46th Street and 9th Avenue in Brooklyn. The

1 site is privately owned and contains a vacant 2-story
2 commercial-commercial building. It was a former, I
3 believe, Seatown Supermarket and contains a-and is
4 located within Brooklyn Community District No. 12,
5 and Community School District No. 15. Under the
6 proposed project the SCA would acquire the site, and
7 construct a new approximately 332-seat primary school
8 facility. The notice of filing for the site plan was
9 published in the New York Post and city record on
10 January 12, 2017. Brooklyn Community Board 12 and
11 Community Education Council 15 were notified also on
12 the site plan on January 12, 2017, and were asked to
13 hold public hearings on the proposed site plan.
14 Community Board 12 and CEC 15 conducted a joint
15 public hearing on the site plan on January 25, 2017.
16 Comments were not received from the Community Board
17 and from the CEC. The City Planning Commission
18 submitted written comments in support of the site.
19 The SCA has considered all comments received on the
20 proposed site plan and affirms the site plan pursuant
21 to Section 1731 of the Public Authorities Law. In
22 accordance with Section 1732 of the Public
23 Authorities Law the SCA submitted the proposed site
24 plan from the Mayor and City Council by letter dated
25

1 SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

6

2 July 10, 2017. We look forward to your
3 Subcommittee's favorable consideration of the
4 proposed site plan, and are prepared to answer
5 questions from the Committee. Thank you. [pause]

6 CHAIRPERSON KOO: [off mic]

7 COUNCIL MEMBER MENCHACA: Okay.

8 CHAIRPERSON KOO: Council Member
9 Menchaca--

10 COUNCIL MEMBER MENCHACA: [interposing]
11 Okay.

12 CHAIRPERSON KOO: --is first. (sic)

13 COUNCIL MEMBER MENCHACA: Thank you. I
14 just want to say thank you. I have some remarks that
15 I'll say before the vote, but I-I wanted to-to ask a
16 question about the process, and how long has the SCA
17 officially been engaging the site for a possible
18 school.

19 TAMI RACHELSON: Probably over a year.

20 COUNCIL MEMBER MENCHACA: Okay, great and
21 in that time you've been working with local
22 organizations?

23 TAMI RACHELSON: [off mic]

24 COUNCIL MEMBER MENCHACA: Okay, great.

25 TAMI RACHELSON: Yes.

1
2 COUNCIL MEMBER MENCHACA: And I'm
3 assuming that there was a report that was done by the
4 State's—it's going to be in my remarks, but the State
5 Office of Parks, Recreation and Historic
6 Preservation?

7 TAMI RACHELSON: They did not find that
8 the building was historically significant.

9 COUNCIL MEMBER MENCHACA: Okay.

10 TAMI RACHELSON: The Seatown site.

11 COUNCIL MEMBER MENCHACA: Say that again.

12 TAMI RACHELSON: The Seatown site.

13 COUNCIL MEMBER MENCHACA: This is for the
14 Seatown site?

15 TAMI RACHELSON: Yes.

16 COUNCIL MEMBER MENCHACA: Okay, great.
17 Well, I'm asking about both sites, but I will wait
18 for my remarks and hand it off to—to my colleagues
19 for the 8th Avenue site.

20 CHAIRPERSON KOO: Do you have a—a copy of
21 your testimony the Committee, a copy of your
22 testimony?

23 TAMI RACHELSON: I only have the copy,
24 but I can email it to you--

25 CHAIRPERSON KOO: Okay.

1
2 TAMI RACHELSON: --or-- give you my copy
3 afterwards.

4 CHAIRPERSON KOO: Ma'am, you should
5 really have a copy.

6 TAMI RACHELSON: Oh, okay.

7 CHAIRPERSON KOO: Yeah.

8 COUNCIL MEMBER KALLOS: The first
9 question.

10 CHAIRPERSON KOO: [interposing] Yes.
11 Council Member Kallos, yeah.

12 COUNCIL MEMBER KALLOS: Has the School
13 Construction Authority responded to a letter from
14 NAS, the New York Landmarks Conservancy and the
15 Historic Districts Council dated July 10, 2017 before
16 coming to the City Council asking for us to pass
17 this?

18 TAMI RACHELSON: As far as I know they
19 have not submitted anything on this 4525 8th Avenue
20 site.

21 COUNCIL MEMBER KALLOS: Is this PS 557?

22 TAMI RACHELSON: No, no.

23 COUNCIL MEMBER KALLOS: Okay, I will hold
24 my questions for that one.

1
2 CHAIRPERSON KOO: So, I have a question.
3 So, have you—has SCA ever done any of these landmark
4 buildings before for school construction?

5 [background comments] Council Member Rose.

6 [background comments, pause] Okay. Can you go ahead
7 for the second school, yeah?

8 TAMI RACHELSON: I'm sorry.

9 CHAIRPERSON KOO: The second
10 presentation.

11 TAMI RACHELSON: Oh, okay.

12 CHAIRPERSON KOO: Yeah.

13 TAMI RACHELSON: Good morning Chairperson
14 Koo and Subcommittee members. My name is Tami
15 Rachelson and I'm the Deputy Director for Real Estate
16 Services for the School Construction Authority. The
17 New York City School Construction Authority has
18 undertaken the site selection process for a new
19 public school facility on a site consisting of Lots
20 34 and 36 on Block 728 in the borough of Brooklyn.
21 The site contains a total of approximately 12,500
22 square feet of lot area located on the corner of 4th
23 Avenue and 43rd Street on a block bounded by 43rd
24 Street, 4th Avenue, 44th Street and 3rd Avenue. Lot 34
25 is privately owned and unimproved. Lot 36 is also

1 privately owned and contains the former 68th Police
2 Precinct Station and stable. Those two structures
3 comprise a designated New York City Landmark. The
4 site is located within Brooklyn Community District
5 No. 7 and Community School District No. 15. Under
6 the proposed project the SCA would acquire the site
7 and construct a new approximately 330-seat-2-seat
8 primary school facility. The school facility would
9 be constructed within a portion of the façade of the
10 existing 3-story police station house, and a new 5-
11 story construction behind the footprint of the
12 original structure. The main facades of the police
13 station on both 4th and 43rd Street would be preserved
14 and stabilized, and the remainder of the station
15 house would be demolished. The majority of the new
16 construction would be arranged in a 5-story L shape
17 behind the original footprint of the station house,
18 and would be set back from both 4th Avenue and 43rd
19 Street. The notice of filing for the site plan was
20 published in the New York Post and City Record on
21 June 1, 2016. Brooklyn Community Board 7 and
22 Community Education Council No. 15 were also notified
23 of the site plan on June 1, 2016, and were asked to
24 hold public hearings on the proposed site plan.
25

1 Brooklyn Community Board 7 and CEC 15 conducted a
2 joint hearing on the site plan on June 13, 2016.
3 Comments were received from both the Community Board
4 and from the CEC. The City Planning Commission
5 submitted comments in support of the site. The SCA
6 has considered all comments received on the proposed
7 site plan and affirms the site plan pursuant to
8 section 1731 of the Public Authorities Law. In
9 accordance with Section 1732 of the PAL, the SCA
10 submitted the proposed site plan for the Mayor and
11 City Council by letter dated July 10, 2017. We look
12 forward to your subcommittee's favorable
13 consideration of the proposed site plan, and are
14 prepared to answer questions from the committee.
15 Thank you.

17 CHAIRPERSON KOO: Thank you, yeah. So,
18 Council Member Menchaca, do you want to ask questions
19 first?

20 COUNCIL MEMBER MENCHACA: Yeah, I'll just
21 start with a few quick questions about this site,
22 too. How long has this site been in process for
23 review with the community?

24 TAMI RACHELSON: With the community, the
25 Community Board 7 had over the years suggested the

1 site, and this is probably been going on for close to
2 two years.

3
4 COUNCIL MEMBER MENCHACA: Great. So, I
5 just want to underscore that. This has been a site
6 that has been on the Community Board list of
7 potential sites for review from the School
8 Construction Authority for many, many years. Do you
9 have a sense about when—do your records indicate when
10 that started becoming an item?

11 TAMI RACHELSON: We looked at the site
12 for probably over the last 15 years, but probably
13 within the last 2 years, it became more active. We
14 had owners who were willing to—who were interested in
15 making a deal with us, and we were willing to sell,
16 and se started an engagement, and as you now, we
17 started public review. We had considered demolishing
18 the building. We heard from the public and
19 organizations that this was something that they did
20 not want done, and we've been engaging with State
21 Historic for the last well over a year, and we've
22 reached—and the State Historic has reached an
23 agreement that we think it's a compromise position
24 where we can maintain the two facades, the most
25 beautiful portions of the building along 4th Avenue

1 and 43rd, and we will build an additional structure
2 behind it, a 5-story, and we've agreed to continue to
3 consult with State Historic. They will be privy to
4 our design and will comment to make sure that the
5 beauty of the landmark building is still there, and
6 whatever we build in addition to that enhances it.

8 COUNCIL MEMBER MENCHACA: Great. So I
9 just—I want to underscore that again as well that we
10 do not want to take this lightly. Demolishing a
11 landmark is not something that should be taken
12 lightly and needs to be reviewed, and you said that
13 you've done some of—a lot of that review already.
14 The community has been really supporting a kind of
15 preservation. As much as possible you've reached
16 that agreement, and I want to applaud—applaud that
17 work. Remind us again about the crisis that we're
18 facing in Sunset Park, and the numbers if you give a
19 sense to really drive a lot of—of what we're talking
20 about.

21 TAMI RACHELSON: We're funded for 3,840
22 seats in the district, many of which were—are in
23 Sunset Park, and it's a fully-- As you know, better
24 than anyone it's a fully developed area, and we are
25 basically have only been able to find small sites.

1 So, you know, we're slowly whittling away 3, 400
2 seats at a time at the capacity—the desperate
3 capacity needs for Sunset Park.
4

5 COUNCIL MEMBER MENCHACA: Got it. Thank
6 you and I'll hand it back to the chair. [pause]

7 COUNCIL MEMBER KALLOS: Forgive me for
8 asking the questions on the previous items. So, with
9 regards to the proposed PSA 557 location, have you
10 responded to a letter from the E.S. Bart (sic)
11 Society, the Landmarks Conservancy and Historic
12 Districts Council from July 10th before this hearing?

13 TAMI RACHELSON: I'm sorry. Did we
14 respond?

15 COUNCIL MEMBER KALLOS: Yes.

16 TAMI RACHELSON: I have not see that
17 letter.

18 COUNCIL MEMBER KALLOS: Has anyone from
19 either of those organizations or any organizations
20 expressed concern with regards to preserving our
21 city's landmarks?

22 TAMI RACHELSON: There have been—when we
23 started public review, there was a tremendous amount
24 of I'd say outcry about the potential demolition of
25 the building, and that's why working with State

1
2 Historic and various studies we were able to maintain
3 both facades on 4th Avenue and 43rd Street. I know
4 that there were comments from that group when we held
5 the hearing on the final Environmental Impact
6 Statement, but the specific letter I'm not aware of.

7 COUNCIL MEMBER KALLOS: Of the 3,800
8 seats that are required how many are currently in
9 construction? [background comments, pause]

10 TAMAR SMITH: So, hi there. I'm Tamara
11 Smith from the SCA. The—approximately 3,000 seats
12 that were referred for District as a whole, and
13 Sunset Park has around 1,100. So, right now, we have
14 an addition being built for 436 seats elsewhere in—in
15 District 15, PS-32 and most of the other seats are in
16 the works right now. These are two of the sites that
17 we have proposed.

18 COUNCIL MEMBER KALLOS: How many sites—
19 how many seats would come at this site?

20 TAMAR SMITH: This will be--[coughs]

21 TAMI RACHELSON: [interposing] 332.

22 TAMAR SMITH: Actually both—both of these
23 schools that we're considering today--

24 COUNCIL MEMBER KALLOS: [interposing]
25 Just this one.

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

TAMAR SMITH: Approximately 332 seats.

COUNCIL MEMBER KALLOS: And can you find
332 seats at any of the vacant Archdiocese locations
and the same location?

TAMI RACHELSON: We've exhausted and we
are—it hasn't been announced yet, but we're in
discussions with the Diocese about a school in Sunset
Park, renting it.

COUNCIL MEMBER KALLOS: So every single
one of the Archdiocese locations is currently pending
negotiations?

TAMI RACHELSON: They have signed the
lease already and we're geeing in the process of
obtaining approval to execute the lease.

COUNCIL MEMBER KALLOS: You've provided
us a design, which is basically a rough sketch of the
external with a box. That does not—that is slightly
insufficient in terms of trying to decide—figure out
whether or not you're going to actually try to
continue the spirit and design of the existing
building or I guess the big question is am I voting
on putting a box on top of this or what is it going
to actually look like?

1
2 TAMI RACHELSON: We can't—the simple
3 answer is absolutely not. It will not be a box. We
4 are not willing to design and as I mentioned earlier,
5 we will be—we're obligated and we want to continue to
6 consult with State Historic to make sure that what we
7 build complements the existing structure.

8 COUNCIL MEMBER KALLOS: Will you commit
9 to reaching out and working with the Historic
10 Society, Landmarks Conservancy, Historic Districts
11 Council as well as any groups that Council Member
12 Menchaca designates regarding design concerns?

13 [pause]

14 TAMAR SMITH: Thank you very much. We
15 will be working with the State Historic Preservation
16 as our regulatory body, but yes, we absolutely will.

17 COUNCIL MEMBER KALLOS: [interposing]
18 What about the—the Landmarks Preservation Commission,
19 which is the city body, which answers to this
20 committee, and I—I object to having a city agency
21 going around the City Council, the City's
22 Preservation Commission and this committee. Saying
23 SHPO, SHPO, SHPO doesn't help me. I need to hear LPC
24 and I need to hear that you are listening to my
25

1
2 colleague and his constituency because the State is—
3 is not the city.

4 TAMI RACHELSON: Just to address your
5 question, I believe that there has been a meeting
6 tentatively scheduled for September with LPC by I
7 believe Ross Holden, the General Counsel of the SCA.
8 They have asked for an immediate meeting, and he
9 asked if we could please wait until school opens in
10 September. As you might imagine, the summer is a
11 busy season for us, but I do believe that he has a
12 tentative date in September where he's agreed to meet
13 with them.

14 COUNCIL MEMBER KALLOS: And what about
15 taking the input of my colleague and groups in his
16 neighborhood as well as the Municipal Art Society?

17 TAMI RACHELSON: I think through the
18 community process if you could speak to that, Tamara
19 probably more than me. [door bangs]

20 TAMAR SMITH: Yes, it was the comment of
21 the community groups in—in the—in Sunset Park and
22 over the last year.

23 COUNCIL MEMBER KALLOS: Will they have
24 feedback moving forward?

25 TAMI RACHELSON: Yes.

1
2 COUNCIL MEMBER KALLOS: Okay. How many
3 current landmarks is SCA considering citywide to
4 demolish and replace with schools?

5 TAMI RACHELSON: I believe this is the
6 only landmark building that I'm aware of that we've
7 been working on.

8 COUNCIL MEMBER KALLOS: Is this going to
9 set a precedence where now SCA or even ECF is going
10 to start trying to take down our landmarks and
11 replace with schools with perhaps 1,000-foot towers
12 on top of them?

13 TAMI RACHELSON: I do not believe we can
14 speak for ECF at all, but I can tell you that that
15 would not ever be our preference to go after
16 landmarked buildings. The—as you might imagine, the
17 cost associated with preservation and construction
18 consistent with an existing landmark interferes with
19 our ability to provide perhaps a better program of
20 requirements for our students. So, it wouldn't be
21 our first choice ever to go after a landmark
22 building.

23 COUNCIL MEMBER KALLOS: In terms of
24 preserving the stable, how many—what would be the
25 cost of preserving the stable and extending the box

1 on top of the stable instead of taking down the
2 stable and replacing the stable with the stable with
3 a box? [pause]

4
5 TAMI RACHELSON: In the design meetings
6 that I have been a party to, I don't recall ever
7 seeing a breakout of that specific component of the
8 building. We certainly could attempt to find out if
9 such data has been provided, but as far as I know,
10 I've never heard that discussed in that particular
11 question—to answer that question.

12 COUNCIL MEMBER KALLOS: would you commit
13 to doing that?

14 TAMI RACHELSON: I can commit to it if—if
15 I can get that information if it has ever been
16 analyzed. I'm not sure that it ever has, however. I
17 don't know.

18 COUNCIL MEMBER KALLOS: If it hasn't been
19 analyzed, will you commit to analyzing it to see if
20 you can preserve the stable and still and not lose
21 programmatic space?

22 TAMI RACHELSON: That answer I may be
23 able to provide you with because I do believe in the
24 year plus time that we have been in schematic design
25 that that question may be able to be answered.

1
2 COUNCIL MEMBER KALLOS: I-I am-I am both
3 proud and slightly-I-I wish the same as Carlos has
4 for his district for my district. WNYC says that I
5 have 2,767 4-year-olds. We recently did a study and
6 found that something like half of the kids who are
7 applying for seats in my public schools are being
8 turned away. The Chancellor at the last budget
9 hearing finally admitted at the Preliminary Budget
10 and once again at the Executive agreed that there was
11 seat need in my district, District 2 from 59th Street
12 to 96th Street. It sounds like you are well on your
13 way to reach-getting 3,800 seats for my colleague.
14 Where are you in terms of seats on the Upper East
15 Side? The Mayor says something called Pre-K for all,
16 but many of the children, many of the children-
17 hundreds of 4-year-olds in my district are being sent
18 here right by City Hall, a 45-minute subway commute,
19 and so where are we on bringing school seats to other
20 districts as well?

21 TAMI RACHELSON: We are actively out
22 right now and have been in attempts to identify
23 suitable space particularly for Pre-K on the Upper
24 East Side. We have some sites that are in
25 preliminary consideration not yet in a place where we

1
2 would be ready to announce anything, but we are
3 actively out looking for every possible square foot
4 of space that we can construct a program.

5 COUNCIL MEMBER KALLOS: I want to thank
6 my Committee Chair for Landmarks for indulging me as
7 well as my colleagues. This is a—a huge concern for
8 me, the Municipal Art Society, the Landmarks
9 Preservation Commission as well as the Historic
10 District Council. I want to thank Council Member
11 Carlos Menchaca and his committee for being a
12 champion for this and creating a—preserving the
13 façade, and one, you get one. This isn't a
14 precedence, and I want that in the record, and if we
15 can preserve the stable that would also be great, and
16 I just want to thank my colleague for fighting for
17 this façade and for his community and I—I with
18 hesitancy and the fact that this will not be a
19 precedence and that this a one-time case, I will be
20 supportive.

21 CHAIRPERSON KOO: Thank you and so
22 Council Member Mendez.

23 COUNCIL MEMBER MENDEZ: Thank you, Mr.
24 Chair. [coughs] Can—can you tell me the full name of
25 your agency?

1
2 TAMI RACHELSON: New York City School
3 Construction Authority.

4 COUNCIL MEMBER MENDEZ: Okay, New York
5 City School Construction Authority, and the agency
6 was created by whom? The city or the state?

7 TAMI RACHELSON: [pause] I think it was
8 with the-jointly-the-the state, it is joined between
9 city and state. In fact, when they created the
10 enabling legislation it was with-that we would have
11 to go to New York State Office of Parks, Recreation
12 and Historic Places for any building of significance.

13 COUNCIL MEMBER MENDEZ: So, pursuant to
14 the enabling legislation, the New York City School
15 Construction Authority a city/state created agency
16 has to go through the New York State Historic
17 Preservation Office even though this is a New York
18 City landmark. Is that correct.

19 TAMI RACHELSON: Correct, but I believe
20 that State Historic works with Landmarks where the-if
21 a building is considered significant for a city, then
22 State Historic would also consider it.

23 COUNCIL MEMBER MENDEZ: Uh-huh, the-the
24 city process is a little bit more onerous than the
25 state process. I have worked on state historic

1 designation, and city and I've sat on this committee
2 for 11-1/2 years. So, I can—I can tell you that.
3 So, I—you're—you're meeting with New York City
4 Landmarks Preservation Commission in September, is
5 that correct?
6

7 TAMI RACHELSON: I believe that's
8 correct. They did communicate directly with the
9 General Counsel of the SCA, and I do believe he asked
10 if we could schedule that meeting sometime in
11 September. I apologize. I don't know the date.

12 COUNCIL MEMBER MENDEZ: Okay, and so at
13 that—so what, if any, other information has been
14 communicated to the Landmarks Preservation Commission
15 about this landmarked--New York City landmarked
16 building?

17 TAMAR SMITH: At least with respect to
18 their most recent inquiries I—I wasn't party to the
19 telephone conversation between Russ Holden and the
20 organization. I do, however, the only information I
21 really have present today is that he was engaged in
22 scheduling a meeting with them in September at some
23 point after schools are opened.

24 COUNCIL MEMBER MENDEZ: Okay. So, my
25 understanding on what was presented to me before this

1 hearing began is that the façade of the building on
2 43rd Street and the façade of the building on 4th
3 Avenue and the circular tassel (sic) part of the
4 building right on the corner of 43rd and 4th will be
5 kept, and everything else will be torn down including
6 the stables, and then a structure will be built using
7 the two exterior walls and that circular tassel. Is
8 that correct?
9

10 TAMI RACHELSON: Yes.

11 COUNCIL MEMBER MENDEZ: And you, School
12 Construction Authority, will be meeting with LPC and
13 issuing renderings that includes that structure, the
14 two side walls and the circular apex that connects
15 it, is that correct?

16 TAMI RACHELSON: I'm not—I'm not aware
17 that we're—that's what's going to transpire when they
18 meeting September with--

19 COUNCIL MEMBER MENDEZ: [interposing] But
20 at some point you—the School Construction Authority
21 will be submitting that? [pause] Is that correct?

22 TAMI RACHELSON: What you saw, which I
23 think is the rendering with the box that will, of
24 course, not be the final design will be shown to—to
25 any agency that comes to meet with the SCA. So, yes,

1
2 exactly what you saw with the preservation of the
3 corner and the turret, and then this is, of course,
4 only for illustration that box that's shown. That
5 will be where the rest of the school is. So, yes.

6 COUNCIL MEMBER MENDEZ: Uh-huh and it
7 will be a taller I'm assuming than what is currently
8 there now?

9 TAMI RACHELSON: The-what we will be
10 building will be a five-story structure.

11 COUNCIL MEMBER MENDEZ: And currently
12 there is a-what story structure?

13 TAMI RACHELSON: The structure is three
14 stories.

15 COUNCIL MEMBER MENDEZ: Okay, and it will
16 be five stories throughout the entirety of the block
17 and lots whatever that may be including where the
18 stables used-is-are currently now and will no longer
19 be in the future?

20 TAMI RACHELSON: Actually, the corner
21 section will keep the heights of the existing
22 structure. In other words, the 5-stories will be set
23 back from that section except in the area where the
24 stable is on 4th Avenue.

1
2 COUNCIL MEMBER MENDEZ: Okay, can I
3 think—can I take a look at that please?

4 TAMI RACHELSON: The entire structure
5 actually will not come to five stories the whole way.
6 It's a little hard to tell from the rendering, but
7 that is an open air play yard right at the top there.
8 So the 5-story will be set back from the street quite
9 a bit, and only on the section of 4th Avenue where
10 the current stable is will there be that height. The
11 rest will be the three stories that exist now.

12 COUNCIL MEMBER MENDEZ: So, so I have a
13 question and I don't know if you're going to be able
14 to answer this or some of our staff will be here, but
15 why is it that you're coming to this committee at
16 this point without, and that—and it's clear that
17 enabling legislation doesn't make you go to LPC, but
18 for me I know that if a additional floors are going
19 to be added to a landmarked structure, it needs to
20 look, have the same kind of feel, and add to what the
21 existing landmark architectural significance is. LPC
22 has approved additional floors and height and bulk as
23 long as it has the look and feel and extends that—
24 that architectural significance throughout. So, I—I—
25 even if you don't have to, I don't understand why you

1 wouldn't got to LPC before you come to this committee
2 and the City Council for a vote?
3

4 TAMI RACHELSON: We will be consulting
5 with State Historic about the design that the-
6 whatever materials and fenestration, et cetera will
7 complement the existing police station façade.

8 COUNCIL MEMBER MENDEZ: I understand
9 that. You've made that very clear. My question is--
10 and if you can't answer it, say I can't answer it--is
11 I don't understand why even though you don't have to,
12 why wouldn't you go to LPC so they could approve this
13 so when it comes to us I would feel a lot more
14 comfortable knowing that LPC has reviewed it, is
15 giving their blessings. And it--and again because
16 LPC has a more stricter review than SHPO does. So,
17 can you answer that question for me?

18 TAMI RACHELSON: I'm not certain that any
19 of us that are here today would be the appropriate
20 party to address that question and, you now--I think
21 our only answer or the only authority that we have to
22 answer the question is that we are following to the
23 letter our enabling statute and doing all that is
24 statutorily required of us.
25

1
2 COUNCIL MEMBER MENDEZ: [off mic] Thank
3 you. That--that does answer my question to a certain
4 extent. Is there an issue with the timing of this
5 that it needs to get to us? I'm just wondering for
6 me why they didn't wait until September after meeting
7 with LPC, and is the timing of this such that it
8 needs to get voted by this committee today, and
9 whoever can answer that question, I would just like
10 it on the record.

11 AMY LEVITAN: [off mic] I am [on mic] Amy
12 Levitan the City Council Land Use Division Deputy
13 Director. We have 20 days to act once the school
14 has--it's filed with us. So, this was filed with us
15 on July 10th and we have 20 days, and the next Stated
16 Meeting is on Thursday, which is the 21st I believe--
17 the 20th. So it would go to the Subcommittee the
18 17th, the Land Use Committee the 19th and the Stated
19 on the 20th. So, since we only have 20 days, we need
20 to act.

21 COUNCIL MEMBER MENDEZ: Thank you. Now,
22 I have another question. So, why was this filed in
23 July and why didn't someone wait until the end of
24 August or September to file so that we can have more

1
2 information for LPC before this committee votes on
3 it? A query, just-[pause]

4 COUNCIL MEMBER MENCHACA: Well, you know,
5 I-I can answer-I'll-I will answer this. We are in
6 deep crisis and we-we want to move forward. We went
7 through I believe what you have just testified as the
8 law. I understand that there are multiple agencies
9 including the LPC. That would be great. There's a
10 meeting scheduled. We are-we are in a-in a deep
11 crisis in our community right now, and we need every
12 single seat and we will continue to fight. And
13 you're going to hear more from my remarks, but this
14 is about urgency, and I asked the School Construction
15 Authority on behalf of my community to continue to
16 bring school sites to me, and to bring not only the
17 shortest timeline possible, but to follow the law.
18 This one in particular on this site has some historic
19 issues that we are going through, and so I'm really
20 happy that we're having a robust conversation right
21 now. But I'm asking out of-and I'm going to say it
22 over and over again. I need you to do that for every
23 single site. We're in crisis and we need you to us
24 as quickly as possible by following the law and

1
2 having a robust conversation. That is why we are
3 here.

4 COUNCIL MEMBER MENDEZ: Thank you,
5 Council Member Menchaca, and so my next question is
6 it's a crisis and this is a crisis that cannot have
7 waited two months or a month and a half or whatever
8 it is to get to us the end-end of August or beginning
9 of September.

10 COUNCIL MEMBER MENCHACA: On behalf of my
11 community that is asking them to do this and I am
12 with them, absolutely yes, every day is important.

13 COUNCIL MEMBER MENDEZ: Thank you. I--
14 [coughs]

15 TAMAR SMITH: Council Member if I may
16 follow up on that a little bit, from the SCA's
17 perspective we've been engaged with the ownership of
18 that property for well over a year now in an effort
19 to acquire the piece of property for construction and
20 they are becoming somewhat what we are already with.
21 What we need to do obviously statutorily and
22 community wise and one of the reasons we had hoped to
23 get this in sooner rather than later is we don't want
24 to lose the property for the community as well.

1
2 COUNCIL MEMBER MENDEZ: Understood. So,
3 let me rephrase the question. The private owner who
4 owns the property you've been in negotiations for
5 over a year, and while the owner has agreed, any more
6 delays can alter or have the whole agreement fall
7 under. Is that correct?

8 TAMAR SMITH: That is correct. We've
9 actually been in contract for well—for over a year at
10 this point in time. They could have probably decided
11 to back out. We were able to persuade and encourage
12 them to continue in contract with the SCA for the
13 construction of the school, and explaining thoroughly
14 what our process was being that it is an historic
15 building, and they did stay in because of that but
16 they are obviously becoming there private owners,
17 continuing to pay taxes and carrying charges and
18 things of that nature while we go through our
19 statutory process.

20 COUNCIL MEMBER MENDEZ: Thank you.
21 That's very important for me hear. Also, I think
22 Council Member Menchaca you said that the building
23 actually is in very poor condition as well, and that
24 any delay may affect the actual integrity of the
25 building. Is that correct?

1
2 COUNCIL MEMBER MENCHACA: That is what
3 I've been told by the School Construction Authority
4 but I-it would be great for you to confirm that these
5 buildings really need immediate attention.

6 TAMI RACHELSON: In fact, that's
7 absolutely correct. In furtherance of that we
8 actually did engage the owner-current ownership to
9 allow the SCA to come in early to do some cleaning
10 and shoring to ensure that nobody is hurt while we go
11 through this process and that there's no further
12 deterioration of the structure so that we can do
13 exactly what we intended to do, and that is reuse
14 those reusable portions of the building.

15 COUNCIL MEMBER MENDEZ: Thank you. These
16 last few answers leave me in a very comfortable place
17 to voting for this public siting going forward.
18 Thank you very much. Thank you Mr. Chair. Thank you
19 Council Member.

20 CHAIRPERSON KOO: Thank you, Council
21 Mendez. Yeah. So, the committee would like you to
22 give us a copy of your-

23 TAMI RACHELSON: [interposing] Sure.
24
25

1
2 CHAIRPERSON KOO: --of your--of the
3 presentation. Yeah. So, we would like to keep that
4 as a record yeah.

5 TAMI RACHELSON: Sure, you can keep that
6 if you'd like. [background comments]

7 CHAIRPERSON KOO: Yeah, they made a copy.
8 [background comments] Yeah, maybe you can give them
9 a copy and they can make it. Yeah. [door bangs]
10 [pause]

11 TAMI RACHELSON: In the future we'll
12 bring copies. [pause]

13 COUNCIL MEMBER MENDEZ: Can-I'll-I'll ask
14 a question off the record--

15 CHAIRPERSON KOO: [interposing] [off mic]
16 Council Member you can.

17 COUNCIL MEMBER MENDEZ: --just for my own
18 knowledge.

19 CHAIRPERSON KOO: Yeah, thank you very
20 much. We are done with the questions. Yeah.

21 TAMI RACHELSON: Thank you.

22 TAMAR SMITH: Thank you.

23 CHAIRPERSON KOO: We have a member from
24 the public Maria Roca who wants to testify. [pause]

1 Yeah, just identify yourself and start, and turn on
2 the mic, yeah.

3
4 MARIA ROCA: Good morning. I am Maria
5 Roca here representing myself as a long-time resident
6 of Sunset Park since 1964 as well as the founder of
7 Friends of Sunset Park, a community organization that
8 has first and foremost prioritized the construction
9 of schools of quality not just buildings but of
10 quality schools for our neighborhood, which have been
11 ensured this for I would say 30 years. This is
12 nothing new with Sunset Park as well as the
13 preservation of our history in Sunset Park, and our
14 pride of place. So, one of the proposals on the
15 table clearly is the intersection of that—and that
16 would be the former 18th. It was know as the former
17 18th Precinct before the former 68th Precinct, and
18 most recently everyone in the neighborhood refers to
19 it as the castle. So, we have our own little castle,
20 and we are certainly proud of it, but first and
21 foremost, I want to get out of the way a 100% support
22 for repurposing the site on 18th—on 18th, sorry—on 8th
23 Avenue and 46th—46th Street for the former supermarket
24 for [coughs] sorry—for a school for a 300-seat
25 school. There is nothing about that building that is

1 historic, has any—nothing in the neighborhood ever
2 felt needed to be preserved, and it was sold already
3 prior to it being—being identified by the SCA.
4 Although it had been identified by the parents in the
5 community and by the people in the community who
6 actually brings us to this—here today because it was—
7 it was parents and community activists that that put
8 the—the need—the—well, it goes beyond the need, the
9 scarcity and the emergency of the school overcrowding
10 in Sunset Park on the front page. So, that is never
11 mind 100%--200% support for that, and I'm sorry that
12 more neighborhood people weren't here, but they're
13 families with children and children that allowed in
14 the—you know, we have to change that to let parents
15 in and be able to come here, and participate in this
16 process. But let's—I would like to speak about the
17 former 18th 68—Castle or whatever you want to call it
18 on 43rd. Two things clearly the need for school and
19 that site was identified way, way—decades ago as the
20 community—to be brought back to the community to
21 fulfill a community need. And initially the—the
22 purpose was at the community center. For many
23 reasons that there's no time right now to explain
24 that the—community was betrayed, was denied that and
25

1 the sites at there because of behind the scenes
2 leisure demand (sic) and deals and more deals that
3 you could write a book about this whole thing. So,
4 here we are, but—and I think yes we want a school,
5 but I think we need to invest a little more or a lot
6 more time in the details of this deal. What has been
7 proposed thus far to demolish the internal part of
8 the main building of the precinct and just preserve
9 the façade from 43rd and 4th and then also demolish
10 the stables, I think it's a very drastic and crude
11 approach to this. I think and—and I don't for no
12 reason I—do I think that there is any—any—any intent
13 to do anything wrong about it. I think this is low
14 hanging fruit. I think we as a city are better. We
15 have much better knowledge in this—in this city, and
16 we have a lot more—well, let me just say that we are
17 home to some of the most respected faculties of
18 historic preservation in the city. We are a college
19 town, and what I am here to talk—because I don't want
20 to take more of my time and we have time to say is
21 that there—whether LPC, SCA, SHPO need to sit
22 together in conjunction with—and I'm sure they can
23 and they will, you know, we all put our heads
24 together and be transparent and—and be collaborative
25

1
2 in coming up with the most elegant outcome for this
3 and any other site in the city of New York that has
4 historical value. We can do it. We are this world
5 class city. We certainly can do better than—and I
6 noticed that that box behind the corner it's a very
7 preliminary and not—and I never thought that for—at
8 any point that anybody would truly want to build that
9 because they would be—they would be thrown out of the
10 AIA for even suggesting such a thing, but we can do
11 better. Early on I suggested that maybe a
12 competition, a design competition in the city with
13 the best minds at the table, and have everyone do the
14 best not only for this building, but for Sunset Park,
15 for the children who will have pride of place for
16 this community that has been so devastated over—over—
17 for not—for being ignored, being neglected, and here
18 is the place where we can bring back and give back,
19 return some of that pride of place. And I know the
20 SCA has behaved very well. We're proud of what
21 they've done, the hard work they have invested in
22 giving us site after site and listening to us, and
23 realizing that yes there was space in this
24 neighborhood so to build schools. So, I know, but
25 everybody needs to sit at the table and needs to put

1
2 their best foot forward, and give us an elegant,
3 elegant building preserving those stables, and yet
4 maximizing the—the site for schools. But it's 50
5 seats one way or the other or something. We can do
6 this. The site can manage and [bell] and we are
7 front and center to collaborate. Let's open up our
8 minds. Let's go forward with this, and say yes, we
9 can do a much better job. Everybody needs to be at
10 the table. SHPO, LPC, the University. I mean my
11 goodness people send their children from all over the
12 world and pay hundreds of thousands of dollars to
13 have their children graduate from our Faculties of
14 Historic Preservation and Architecture. We need to
15 have—we have those people here. We have those minds,
16 we have that talent here, and we need to make use of
17 that. Sunset Park deserves that and more. Thank you.

18 CHAIRPERSON KOO: Thank you. Yeah.

19 Thank you for the suggestion. Yeah.

20 MARIA ROCA: Thank you.

21 CHAIRPERSON KOO: So, are there any more
22 members or more questions? No? Yeah, thank you.
23 Are there any more members of the public who wish to
24 testify? Seeing none, the public hearings on these
25 items are being closed. [pause] Counsel, do you

1 want to make the call, the roll call? Council Member
2 Menchaca, do you want to make a statement before we-?

3
4 COUNCIL MEMBER MENCHACA: [interposing]

5 Yeah, I'm just going to make a--hopefully a quick
6 statement and also just applaud Maria Roca for being
7 here, and representing not only a voice in the
8 community, but her own kind of longstanding
9 commitment to education and really public space--
10 spaces in the city. There's no doubt that she alone
11 without bringing everyone else that she--she has in
12 family and partnership with the community really
13 continues to pay forward a change in relationship
14 with city agencies, and that is--that is something to
15 not only commend, but to acknowledge and--and we have
16 to do that everyday, and so I--I'm so happy that I get
17 to do that right now in front of my colleagues, and
18 on public--in public to make that--to make that
19 acknowledgement and thank you for your service.

20 There's no doubt that the work that the agency the
21 School Construction Authority is making right now is
22 really alleviating something that needs to happen in
23 this community. We have to act and we have to act
24 now. Sunset Park is in dire need of elementary
25 school seats. The elementary schools in District 15

1
2 are currently operating at over 120% capacity. The
3 average class sizes in elementary schools are between
4 25 and 30 students with some classes breaching the
5 30-student mark. Overcrowded schools with large
6 classes have negative impacts on child development.
7 This is something Maria Roca talks about all the
8 time, and this we will lose a generation of people
9 and young people in our city in our neighborhood here
10 in Sunset Park. So, we must act quickly to add
11 capacity. Recent reports produced by local advocates
12 makes space for quality schools. We also see around
13 us Friends of Sunset Park and public hearings held by
14 District 15 have verified that overcrowding is an
15 issue. The current five-year plan allocates, you
16 heard today \$300 million in funding to fund 3,000
17 seats and seats in District 15. However, it is
18 extremely difficult to find sites in Sunset Park that
19 are large enough and safe enough for schools that
20 would display—that would not displace residents or
21 businesses, and that are accessible to young
22 students. In an ideal world we would be able to
23 build large new schools and large open development
24 sites, but that is not the reality on the ground in
25 Sunset Park. We have been forced to creatively

1 pursue smaller sites, and---and at every opportunity.
2 Both of these schools that you heard today on--for the
3 public hearing are smaller than ideal. Both together
4 they will significantly reduce the strain by adding
5 over 650 desperately needed elementary school seats
6 in the community. While I strong support historic
7 preservation, and I do, and the constant advocacy for
8 landmarking in our delayed historic district for
9 Sunset Park, I also believe that it is an instance
10 where we can achieve both the balance and urgent need
11 for schools and worthy preservation. And I heard the
12 School Construction Authority. I hope you heard
13 those words from Maria Roca about how we bring more
14 people together and think about how we push
15 ourselves. Even if right now we are going to be
16 voting in support of new opportunity to take that
17 site and bring it back, we need to hear that call
18 from our community to make that the best. We know
19 that you've worked with the stat's Office of Parks
20 and Recreation and Historic Preservation to arrive at
21 this proposal to preserve the most significant and
22 historic--to mostly significant character of the
23 buildings. The imposing facades of the former police
24 station on 4th and 43rd will be incorporated into the
25

1 new school building. The decision to demolish parts
2 of the landmark building is not to be taken lightly
3 and alternatives must be considered carefully. As
4 part of the environmental review, SCA looked closely
5 at an alternative that would have more fully
6 preserved and historic police station and stables.
7 Unfortunately that—that was not able to be
8 accommodated at this time. It would have resulted in
9 only one-third of the seats, and would have no
10 gymnasium or cafeteria, and we know in Sunset Park
11 that is not how you build schools. The threat of
12 continued private ownership further intentionally
13 decays and—decays the building and the likelihood of
14 luxury residential development on the site means we
15 must act now or face the risk of losing our building
16 entirely. The SCA proposal for 43rd—4302 4th Avenue
17 strikes the best combination of achievable-achievable
18 and thoughtful preservation and permanent public
19 benefit. I urge my colleagues to support this
20 application and again I say this: We bring these two
21 sites for you to take control of those sites, but
22 always to hear the cry of our community to do the
23 best you can to make this site on the historic side
24 and on 8th Avenue the best school it could possibly
25

1 be. You heard it toady and you're going to keep
2 hearing it from me. Thank you very much.

3
4 CHAIRPERSON KOO: Okay thank you. Now,
5 Counsel, please call the roll.

6 LEGAL COUNSEL: Council Member Koo.

7 CHAIRPERSON KOO: I vote aye.

8 LEGAL COUNSEL: Mendez.

9 COUNCIL MEMBER MENDEZ: I vote aye and I
10 look forward to a school being built that
11 incorporates some of the existing walls of the
12 landmarked structure.

13 LEGAL COUNSEL: Council Member Rose.

14 COUNCIL MEMBER ROSE: I vote aye, and
15 congratulations. It's rally important that we
16 provide school seats for our children, and I'm glad
17 that you were able to get this through.
18 Congratulations.

19 LEGAL COUNSEL: Council Member Kallos.

20 COUNCIL MEMBER KALLOS: I vote aye with
21 the conditions that were agreed to that SCA will work
22 with the community preservation groups and the LPC
23 over the State as it were to ensure that maximum
24 amount of preservation can be done. I want to
25 congratulate Council Member Carlos Menchaca on his

1
2 advocacy in preserving the façade, which otherwise
3 would not have happened, and congratulate him on
4 getting more school seats, and also with the
5 additional caveat that SCA actually deliver more
6 schools seats in other high needs districts as well.
7 Thank you.

8 LEGAL COUNSEL: By a vote of 4 in the
9 affirmative 0 in the negative and with 0 abstentions,
10 the items are recommended for approval by the full
11 Land Use Committee. [background comments]

12 CHAIRPERSON KOO: Thank you members of
13 the public, my colleagues, Counsel and Land Use
14 staff, the meeting is adjourned. [gavel]

15
16
17
18
19
20
21
22
23
24
25

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 July 29, 2017