

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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July 27, 2017
Start: 10:07 a.m.
Recess: 3:22 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS: Daniel R. Garodnick
Jumaane D. Williams
Antonio Reynoso
Ritchie J. Torres
Vincent J. Gentile

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

David Hopkins, Senior Director of Aviation
NYC Economic Development Corporation

Lynn Guey, Assistant Vice President Community
Relations Department
NYC Economic Development Corporation

Jonathan Devries, Assistant Vice President
Asset Management Department
NYC Economic Development Corporation

Frank St. Jacques, Legal Counsel
Sheldon Lobel, PC

Peter Procida

Ericka Keller-Walla, Chairperson
Brisa Corporation

Bishop Hugh Nelson
Church of God of the East Flatbush

Brenda Thompson-Duchene
Green Valley Farm

Mark Smith, Representative for Pre A Manger
Sidewalk Café

Richard Lobel, Attorney
Law Firm of Sheldon Lobel, P.C.

Steven Mariendorf (sp?)
Owner/Operator of 462 Broadway

Erica Baptiste, Appearing for:
Manhattan Borough President's Office

Charles Anderson, Appearing for:
New York Assembly Member Deborah J. Glick

Lee Banky, Broadway Residents Coalition

Wendy Friedman, Resident of Broadway & Crosby

Janine Kiley, SoHo Resident

Anna Villarosa, Resident of 476 Broadway

Steve Leon, Resident of 458 Broadway

Maria Feliciano, Resident of 543 Broadway

Terry Cude, Chair, Community Board 2, Manhattan

Jane Fisher, Member, 542 Holding Corporation &
Broadway Residents Coalition

Michelle Varian, SoHo Business Owner

Peter Davies, Resident of Broadway, SoHo

Ken Lowenstein, Arts Brookfield

Leila Bozorg, Deputy Commissioner
Neighborhood Strategies
Housing, Preservation and Development

James Patchett, President
NYC Economic Development Corporation

Nate Bliss, Senior Vice President of Development
Economic Development Corporation, EDC

Nick Molinari, Chief
Planning & Neighborhood Development
New York City Parks and Recreation

Michael Blaise Backer, Deputy Commissioner
Neighborhood Development
Department of Small Business Services

John Young, Director
Queens Office of City Planning

Stacey Pfeffer Amato, Assembly Woman
23rd Assembly District

Kevin Alexander
Rockaway Development & Revitalization Corp. RDRC

Jonathan Gaska, District Manager
Community Board 14

Rebecca Gaffer, Appearing for:
Rene Hastick-Motes
Vice President, External Affairs
Saint John's Episcopal Hospital

Enid Gladman, Bayswater Civic

Phyllis Rudnick, Bayswater, Far Rockaway

Mara Kravitz, Director
Partnerships at 596 Acres

Fernando Cantelli
NY Municipal Arts Society

Daneen Ferguson, Member
Auburn Church of God

Lavita Jarvis, Business Owner & President
Far Rockaway Merchant Association

Senia Brown, Far Rockaway Resident

Manav Silver, Far Rockaway Resident

Ron Wade, Rockaway Resident
Building Service Worker, 32BJ

Tom Grech, Executive Director
Queens Chamber of Commerce
(Submitted Written Testimony)

Sante Antonelli, Director
Business Services
Queens Economic Development Corporation

Jeffrey Williams Masonette
Intern for the Honorable Donovan Richards

Suzanne Kahn, 32BJ

Carl Anderson, Member Community Board 14

2 [sound check, pause] [gavel]

3 CHAIRPERSON RICHARDS: Good morning. I
4 am Donovan Richards, Chair of the Subcommittee on
5 Zoning and Franchises, and this morning we are joined
6 by Council Member Antonio Reynoso, Council Member
7 Garodnick, Chair Greenfield, Gentile and also Council
8 Member Barron. Today, we have nine items on our
9 calendar. We are going to start with public hearings
10 on two café applications, Land Use Items No. 713
11 through 714. Once we have completed these public
12 hearings, we will hold a vote on these applications
13 and the East Midtown Rezoning. After our vote we
14 will move onto public hearings for the rest of the
15 items on our calendar. The hearing for the downtown
16 Far Rockaway Rezoning will be last, and we are hoping
17 to get to that by 11 o'clock. First, I will open the
18 public hearing for Land Use Items No. 713 an
19 unenclosed sidewalk café application for the
20 Guacamole Taqueria Restaurant located 5025 Broadway
21 in Council Member Rodriguez's district. Alrighty,
22 are there any member of the public who wish to
23 testify on Land Use Item No. 713? Alrighty, seeing
24 none, I will now close the public hearing on Land Use
25 Item No. 713.

2 I will now move onto open the public
3 hearing for Land Use Item No. 714 and unenclosed
4 sidewalk café application for the Mama Sushi
5 Restaurant located at 237 Dyckman Street also in
6 Council Member Rodriguez's district. Are there any
7 members of the public who wish to testify on this
8 item? Alrighty, seeing none I will now close the
9 public hearing on Land Use Item No. 713. We are now
10 going to move on to hold a vote on two of these cafes
11 in the Greater East Midtown Rezoning Application,
12 Land Use Item No. 691 and 692. We will be voting to
13 approve Land Use Items No. 713 and 714. The two
14 cafes in Council Member Rodrig-Rodriguez's district
15 and vote on a series of modifications to the Greater
16 East Midtown Rezoning Application. Council Member
17 Rodriguez supports approval of both of these sidewalk
18 café applications in his district. The Greater East
19 Midtown Business District is one of the largest job
20 centers in the region, and one of the highest profile
21 business addresses in the world. It contains more
22 than 60 million square foot of office space more than
23 a quarter million jobs and numerous Fortune 500
24 companies. While the Greater East Midtown area
25 currently performs well in terms of overall office

1 district cache, rents and vacancy rates, the area's
2 office building stock may not offer the kind of
3 spaces and amenities desired by today's tenants,
4 which can only be provided through new construction.
5 The goals of the rezoning are to ensure that they
6 area around the major transit hub of Grand Central
7 Station will remain one of the region's premier
8 office districts by incentivizing the development of
9 modern sustainable class A office space reducing
10 challenges for the redevelopment of outdated
11 overbuilt buildings, helping to preserve landmarked
12 buildings and maintain the area's iconic built
13 environment and upgrading the area's transit network
14 and pedestrian realm—pedestrian realm befitting its
15 status as a world class business address. The
16 actions before us are a text amendment to establish
17 an East Midtown Subdistrict within the special
18 Midtown district, and a zoning map amendment to
19 rezone a portion of block bounded by Second Avenue,
20 Third Avenue, East 42nd Street and East 43rd Street
21 from C5-2 to C5-3. While the Council agrees with the
22 goals of the rezoning and its views, modification are
23 necessary. With respect to the minimum contribution
24 amount, based upon feedback and a revision of the
25

study methodol-methodology, revised to exclude transactions in parts of the city where there are tax incentives for development and to focus on development rights transactions instead of landfills. The Council is reducing the development rights valuation from \$393 per square foot to \$307.45 per square foot. Thus, the minimum per square foot contribution amount will be the greater of 20% of the sale price or \$61.49 per square foot. To address concerns raised about complex transactions, the Council has included a new defined term sale price, which makes clear that all considerations must be reported even if it is contingent consideration, and that statements made under penalty of perjury, which may be subject to audit, are required of the buyer and seller. With respect to the governing group, the Council is modifying the text to include a representative appointed by the Speaker, established the civic organization representative is an appointee of the Manhattan Borough President and ensure transparency in reporting by the governing group. The modifications also ensure that the public will have information about the public realm improvements resulting from this rezoning. While the Council has

maintained the mayoral majority by adding an additional representative appointed by the Mayor, the Council modification requires that in order to calendar for a vote to fund the project that a minority representative must have voted in favor of calendaring it or else a public hearing must be held first. The changes required—requiring the governing group to complete the first concept plan by November 1, 2017 to include estimated costs of all projects, and to provide annual updates in January of each year. The modifications also require that if \$20 million had been contributed, but are languishing unspent after three years, the governing group must vote either to fund a public realm improvement or vote to retain these funds. The Council also modified the definition of qualifying site to ensure that developments are located with at least 75 feet of frontage along a wide street unless a landmark or transit easement is located there. In addition, in keeping with East Midtown's Steering Committee's goals, the Council ensured that high quality public spaces will be provided for qualifying sites with over 30,000 square feet of lot area. Lots between 30,000 square foot and 45,000 square feet could

choose whether to provide the public space in doors or outdoors. Lots of 45,000 square feet or more would have to provide an outdoor space unless compliance with other mandatory district plan requirements would preclude it. Qualifying sites of 65,000 square feet or more would provide an even larger public space. The Council excluded zoning lots on the east side of the Third Avenue between 46th and 51st Streets from eligibility for the additional density and response to significant concerns about the impact of surrounding residential uses. In terms of the height and setback elements of the proposal, the Council is modifying the proposal to remove the grandfathering of non-compliant daylight evaluation scores. The actual scores of these existing buildings are unknown and allowing them to be rebuilt to a low score would not serve the goals of the subdistrict. The Council also made a number of changes to ensure that information about the projects using the program and the transit improvements resulting from it are available to the public and to the development community. These include a requirement that all certifications and authorizations be referred to the community, borough

2 president and to the local Council Member. In
3 addition, the Council added detailed descriptions to
4 the list of transit improvements from which the
5 developer must choose. Last, the Council made
6 challenge-changes in order to clarify the test to
7 close potential loopholes and establish special rules
8 for unique sites. There are a lot of details to
9 these modifications, and the Council will be posting
10 a list of these and more detailed modifications on
11 our website for the zone—for the zoning geeks at
12 home. So, if you enjoy zoning, you'll be able to go
13 online and see many of these changes. With that, I
14 want to congratulate Council Member Garodnick for his
15 leadership [buzzing sound] on this item. I remember
16 just coming in as the Zoning Chair and touring East
17 Midtown with him, and he's always been a steadfast
18 fighter for his district, but on this project he's
19 shown real leadership on how to get things done in
20 this city and East Midtown will benefit for—for
21 generations to come. With that being said, I will
22 now turn it over for Councilman—to Council Member
23 Garodnick for his statement.

24 COUNCIL MEMBER GARODNICK: Well, thank
25 you very much Chair Richards for those words, and for

1 describing the elements of the rezoning and also the
2 amendments that we're making today, and certainly for
3 your support. I also want to recognize and thank the
4 Chair of the Land Use Committee Chair Greenfield and
5 thank him as well. I am very please that—to be
6 bringing the Greater East Midtown Rezoning Plan to
7 this committee for a vote. This is an important day
8 for East Midtown, the city's most important business
9 district, which delivers 10% of the city's property
10 tax revenue, today is going to get a jolt, an
11 opportunity for renewal. As you know, we stopped a
12 prior version of this plan in the City Council in
13 2013 because it delivered a lot of certainty to the
14 real estate world, but far too little to the public.
15 For a plan to work we needed certainty all around, an
16 opportunity for as-of-right development, and a solid
17 commitment for public improvements. We then rolled
18 up our sleeves and approved the new vision for
19 Vanderbilt Avenue and focused n putting our density
20 near our most important transit hub a Grand Central.
21 We greenlighted the One Vanderbilt development, an
22 additional 1.6 million square feet of Class A office
23 space with nearly six times the tax revenue of the
24 predecessor building bringing in about \$50 million a
25

1 year. We also delivered \$220 million in private
2 investment into Grand Central Terminal, which will
3 among other things, move trains faster through the
4 station. We also approved the beautiful new public
5 plaza on Vanderbilt between 42nd and 43rd Streets, and
6 a new transit hall for commuters. We then turned our
7 attention back to the rest of East Midtown. Mayor de
8 Blasio asked me and Borough President Gale Brewer to
9 bring together the local stakeholders to develop a
10 new plan. The East Midtown Steering Committee met 20
11 times over the course of a year, engaged in many
12 hours of intense discussion and produced a report
13 that laid out a plan for this rezoning. The
14 Department of City Planning then took that blueprint
15 and turned it into this rezoning proposal. The
16 formal proposal presented by the department largely
17 tracked the steering committee's recommendations. In
18 short, the plan allows bigger development subway
19 stations all around East Midtown, and allows for
20 density to be earned by doing transit improvements.
21 This is certainly the right place to put lots of new
22 density near Grand Central Terminal, one of our most
23 important regional hubs. It permits landmarks in the
24 area to transfer their air rights throughout the
25

1 district rather than only next door or across the
2 street, and it permits overbuilt buildings to rebuild
3 their current floor area without having to retain 25%
4 of the building as current zoning requires. And for
5 the public, we're going to see significant and
6 certain benefits to the public realm. First,
7 developments that are located in transit zones will
8 be required to do certain improvements to the subway
9 stations. The last of transit improvements is baked
10 right into the zoning resolution. So, they will get
11 done as buildings go up. This list includes things
12 like new entrances, stair widenings, new elevators
13 and so on. The bigger the item the more floor area
14 it can generate, and second, every air rights
15 transfer from a landmark will be required to make a
16 contribution into a public improvement fund, which
17 will support the creation of new open spaces for the
18 public in East Midtown. The contribution will be the
19 greater or 20% of the sale price or a minimum
20 contribution per square foot.

22 Some changes that we are making today:

23 We are creating a requirement for privately owned
24 public spaces on development sites. No POPS were
25 required in the original proposal. Under the

Council's modifications, POPS will be required on all sites over 30,000 square feet. Between 30,000 and 65,000 square feet 10% of the site will be dedicated to POPS, and on lots over 65,000 square feet, the POPS must be 10,000 square foot POPS. We expect that about half of the expected new buildings will be required to provide these spaces, and they will be an important addition to the public realm in East Midtown. Also, after careful consideration we are setting, but lowering the minimum contribution to the Public Realm Fund. In air rights transactions, 20% will be delivered to the public or a minimum contribution amount, whichever one is higher. The original proposal set a minimum contribution at \$78.60. We were concerned about the methodology that led to this number and worried that setting the minimum at too high a level would potentially chill transactions. We took a hard look at the analysis and focused only on land sales and excluded Hudson Yards transactions from the calculations and arrived at a lower contribution number namely \$61.49. We believe that a minimum contribution at this level will provide certainty for the public, but will not get in the way of the market. Regardless, the public

1 will always get 20% if that is the higher value. We
2 also gave some more authority to the non-mayoral
3 members of the governing group who will decide how
4 these funds are spent. We tightened the definitions
5 of sites that qualify the rezoning putting an
6 emphasis on those with 75 feet of avenue frontage.
7 We also, as the Chair mentioned, are not
8 grandfathering bad light and air scores on buildings
9 that are coming down. Under the Midtown height and
10 setback requirements, each new building is required
11 to achieve a certain minimum score that ensures that
12 enough light and air reaches the street. The City's
13 proposal allowed existing buildings with low scores
14 to keep those low scores in a new building. We
15 removed this grandfathering provision. After all,
16 our goal is to improve East Midtown not simply keep
17 it as is. Finally, we heard a lot of concerns from
18 the total bay community including from Community
19 Board 6 about commercial development on Third Avenue
20 putting undue pressure on the residential areas just
21 to the east. In response to these concerns, we are
22 leaving the existing FARs on Third Avenue between
23 46th and 51st Streets, but allowing existing buildings
24 to build back to their existing FAR. The city has
25

2 also agreed to commit funds today to activate a
3 number of open space improvements. That means that
4 we will be prepared even before workings from new
5 buildings hit East Midtown streets. We are going to
6 see some exciting new spaces, and we're going to see
7 them soon.

8 We have a letter from the Deputy Mayor
9 dated July 27th addressed to me delineating Public
10 Realm Improvements as well as fixed dollar amounts to
11 go for the East Midtown governing group for
12 consideration. It commits to continued conversations
13 with Green Acre Park on the subject of shadow impacts
14 from development both within and outside the rezoning
15 plan. It commits to a study about residential
16 conversions within the rezoning boundaries in both
17 three years and five years and also commits to having
18 a conversation with specific site owners just outside
19 of the development zone area for consideration of
20 impacts and whether they should be concluded in
21 further future action. I also want to thank the many
22 people that have contributed to bringing this
23 undertaking to fruition. Borough President Gale
24 Brewer is a great friend and partner and it was a
25 pleasure to co-chair the Steering Committee with her

and to work with her team as well as to coordinate closely throughout the ULURP process. Each and every member of that steering committee took significant time from the day jobs to engage in the discussions that laid the groundwork for this plan. The able team of city agencies led by City Planning Chair Marisa Lago and her team as well as her predecessor Carl Weisbrod with important assists from the Department of Transportation and the MTA put in countless hours of hard work to convert the Steering Committee's blueprint into a formal proposal. Deputy Mayor Alicia Glen came through with critical commitments that took this plan over the finish line and, of course, the City Council's Land Use team Raju, Julie, Liz thank you. You worked tirelessly to advise and amend the proposal. I'm grateful to all of them as well as to my Chief of Staff Marianna Vadenstone (sp?) for the work. In sum, I'm thrilled that this project is successfully coming to a close, and I look forward to seeing the revitalized East Midtown that it will create. Again, Mr. Chairman, I thank you for the opportunity. I thank you for your support.

2 CHAIRPERSON RICHARDS: Thank you, Dan.

3 We'll now go to any members of the committee who have
4 any statements or questions on this application?

5 Council Member Reynoso.

6 COUNCIL MEMBER REYNOSO: Not on the
7 application, but it's a--it was bothering me.
8 Guacamole Taqueria. [background comments]

9 CHAIRPERSON RICHARDS: We're not there
10 yet, but okay.

11 COUNCIL MEMBER REYNOSO: Okay.
12 Congratulations, Dan.

13 CHAIRPERSON RICHARDS: [laughs] It sounds
14 good at this moment when you didn't have breakfast
15 but okay. Alrighty. Alrighty, I will now--[pause]
16 Just one, waiting for one person. [pause] Alrighty,
17 you started it. The show is back. Alrighty, we'll
18 now call a vote to approve Land Use Items No. 713 and
19 714 and approve with modifications Land Use Items No.
20 691 and 692. Counsel, please call the roll.

21 LEGAL COUNSEL: Chair Richards.

22 CHAIRPERSON RICHARDS: Once again,
23 congratulations to Council Member Garodnick and all
24 those who worked on this item. I vote aye.

25 LEGAL COUNSEL: Council Member Gentile.

2 COUNCIL MEMBER GENTILE: With
3 congratulations to Council Member Garodnick I vote
4 aye on all.

5 LEGAL COUNSEL: Council Member Garodnick.

6 COUNCIL MEMBER GARODNICK: Thank you.
7 Just one-one moment. I forgot to thank my-my former
8 Chief of Staff Genevieve Michael who also worked
9 very, very hard on this plan, and I want to recognize
10 her, too, and with that, I proudly vote aye and thank
11 you.

12 LEGAL COUNSEL: Council Member Reynoso.

13 COUNCIL MEMBER REYNOSO: Well,
14 congratulations to Council Member Garodnick. I vote
15 aye on all.

16 LEGAL COUNSEL: By a vote of 4 in the
17 affirmative, 0 in the negative and 0 abstentions,
18 Land Use Items 713 and 714 are approved and Land Use
19 Items 691 and 692 are approved with modifications.
20 These items are referred to the full Land Use
21 Committee.

22 CHAIRPERSON RICHARDS: I'll leave the
23 vote open. Alrighty, we will now move onto the rest
24 of today's hearings. We will start with Land Use
25 Item No. 720, the East 34th Street Heliport

2 Application. This application is for a Special
3 Permit pursuant to Section 74-66 to allow for the
4 continued operation for a term of ten years of the
5 East 34th Street Heliport in Council Member
6 Garodnick's District. The City Planning Commission
7 recommended approving the application with
8 limitations on the hours of operations, weekend
9 operations, maximum number of flights, sightseeing
10 operations and maintenance requirements. I will now
11 open the public hearing for Land Use Item No. 720 and
12 we will call the first—the only person David Hopkins,
13 Senior Director of Aviation in New York Economic
14 Development Corporation. I ask you to state your
15 name and who you're representing on the record as
16 well. [pause]

17 DAVID HOPKINS: Good morning, Chair
18 Richards, Land Use Committee Chair Greenfield,
19 Council Members Garodnick, Williams, Reynoso, Gentile
20 and Barron. I'm David Hopkins. I'm the Senior
21 Director of Aviation at the New York City Economic
22 Development Corporation. I am joined today by my
23 colleagues Lynn Guey, Assistant Vice President in the
24 Community Relations Department and Jonathan Devries,

2 Assistant Vice President in our Asset Management
3 Department and--

4 CHAIRPERSON RICHARDS: [interposing]

5 Pull your mic just a tad closer.

6 DAVID HOPKINS: A little closer, okay.

7 CHAIRPERSON RICHARDS: Yeah.

8 DAVID HOPKINS: [laughs] We're here to
9 provide testimony in support the Special Permit
10 Application for the East 34th Street Heliport. To
11 give you a little background, EDC oversees the
12 heliport on behalf of the Department of Small
13 Business Services, and EDC has an operating agreement
14 with Atlantic Aviation, which manages the heliport on
15 our behalf. That operating agreement expires in
16 March of 2018. EDC plans on issuing a request for
17 proposals for a new operator this fall. The
18 conditions of the Special Permit will be included in
19 that RFP and reflected in the new operator agreement.
20 East 34th is one of three heliports in Manhattan that
21 provide service to the businesses in the city
22 distributing traffic associated with businesses in
23 Midtown and Downtown. In addition to East 34th
24 Street, EDC oversees the Downtown Manhattan Heliport.
25 The Hudson River Park Trust oversees the West 30th

Street Heliport. Downtown is the only heliport that allows tourist flights. They are not allowed at the other two heliports. East 34th Street activity is focused on corporate and charter traffic that serves the businesses in Midtown, and the heliport provides convenient access to those businesses. East 34th Street also provides a critical role in emergency flights down for the hospital corridor along First Avenue. EDC agrees with the proposed restrictions proposed for the heliport by Community Board 6 including the following: No operations on the weekends at the heliport; weekday operations limited to the hours of 8:00 a.m. to 8:00 p.m. except for emergency operations; no tour flights and maximum of 28,800 operations per year. I should clarify that an operation is a takeoff or a landing. We generally measure the activity of the heliport in the number of flights, which would include both a takeoff and a landing. We also discussed special events with the Community Board, and noted that the existing and future operating agreement for the heliport will require approval of EDC of any special events with notification to the Community Board and the Council Member in the district. In addition, we agreed to

1 conduct a five-year review at the end of—in the
2 middle of the agreement to assess compliance with the
3 terms and conditions and consult with the community
4 on the operations. All these conditions are also
5 consistent with those proposed by the Borough
6 President in her May 22nd recommendation for approval.
7 One additional recommendation the Borough President
8 made that was reflected in her transmittal letter was
9 that EDC expand our reporting of activities at the
10 heliport to include a quarterly report on operations,
11 and report every six months on planned maintenance
12 and improvements at the facility. We'll also begin
13 providing a copy of our monthly 311 summary
14 complaints to the Community Board and the Borough
15 President. The City Planning Commission reflected
16 all those conditions in their recommendations to the
17 Council and EDC fully supports all these conditions.
18 We believe that the proposed operating parameters
19 strike a reasonable balance between community
20 concerns and the need to provide this vital facility
21 for corporate and emergency users. We would
22 appreciate your support the Special Permit, and I
23 just wanted to let you know that we have pending
24 upgraded to the facility. The current chain link
25

2 fencing of the-around the heliport will be replaced
3 with a more attractive and secure steel fencing, and
4 will include additional security lighting and
5 security cameras as part of that program. These
6 improvements are going to begin this summer and be
7 completed in this fall. Thanks for your
8 consideration, and I'd be glad to answer any
9 questions you may have.

10 CHAIRPERSON RICHARDS: Thank you. Let's
11 just get-hop right into complaints. So, how many
12 complaints were filed last year?

13 DAVID HOPKINS: So, the number of
14 complains we process all complaints regarding
15 helicopter traffic throughout the city. We did an
16 analysis of complaints that came from this-this
17 community board district, and they related to about 2
18 to 3% of all total complaints about helicopter
19 traffic in the city. Last year there were about 800-
20 750 to 800 complaints filed against total helicopter
21 traffic in-in the city.

22 CHAIRPERSON RICHARDS: And if the public
23 did have-community members did have complaints how
24 would the report? So, 311 is one standard. Is there
25 some cases--

2 DAVID HOPKINS: [interposing] 311 is the
3 preferred standard. We—EDC, however, only directly
4 regulates tour helicopter traffic from the downtown
5 heliport. So, while we—we accept complaints, we
6 don't have regulatory authority over say helicopter
7 traffic say coming across Manhattan going to a
8 destination outside New York City. It really only
9 directly can regulate the tourist helicopter traffic.

10 CHAIRPERSON RICHARDS: So, if there are
11 several complaints regarding the helicopters coming
12 into this heliport there's no direct line for the
13 public call--

14 DAVID HOPKINS: [interposing] Well, it—it
15 depends on what that operation complaint is. If
16 that—if that operation is acting outside the
17 operating hours we want to know about it.

18 CHAIRPERSON RICHARDS: Okay.

19 DAVID HOPKINS: So, yes we do review all
20 the complaints that come in regarding this facility.

21 CHAIRPERSON RICHARDS: And with the
22 renewal of this authorization how many more flights
23 do you anticipate? How many flights did you see last
24 year? Do you anticipate an increase now coming in
25 this year?

2 DAVID HOPKINS: So, last year there were
3 about 8,700 flights at the heliport that were--

4 CHAIRPERSON RICHARDS: [interposing] And
5 the maximum is?

6 DAVID HOPKINS: The maximum is about
7 14,000.

8 CHAIRPERSON RICHARDS: 14,000. Okay.

9 DAVID HOPKINS: Sorry, the maximum is-is-
10 again, I-I don't want to confuse flights and
11 operations. So, there were about 17,000 operations
12 last year.

13 CHAIRPERSON RICHARDS: Okay.

14 DAVID HOPKINS: That equates to 80-the
15 8,700 flights. The maximum number in the Special
16 Permit is 28,000 operations. So, we're under the cap
17 that's established in the Special Permit, but I
18 should also let you know that the-the volumes at the
19 34th Street heliport are the lowest of the three
20 heliports in the city, and have come down
21 significantly since the mid 90s when we had all-over
22 60,000 operations at that facility annually.

23 CHAIRPERSON RICHARDS: Okay. Alright, I'm
24 going to go to Council Member Garodnick for
25 questions, but just I want to emphasize and then

2 point to the public having a direct connection to
3 someone either at EDC or within the companies that
4 they can file complaints with. So, Council Member
5 Garodnick.

6 COUNCIL MEMBER GARODNICK: Thank you very
7 much Mr. Chairman. I—I think you did most of the
8 hard work here. So, I won't ask too many.

9 CHAIRPERSON RICHARDS: [laughs]

10 COUNCIL MEMBER GARODNICK: No, it's great
11 and not too many questions. Thank you for
12 acknowledging the—the limitations that have been
13 raised and proposed at the community level about
14 weekends and weekday operations in the absence of
15 tourist flights, and I really just wanted to ask
16 about the reporting requirements specifically because
17 the future operating agreement will require that
18 there be a—a five-year—a five-year review. Is that
19 correct of operations?

20 DAVID HOPKINS: Yes, that will be
21 included.

22 COUNCIL MEMBER GARODNICK: And whose
23 obligation is it to—to deliver that report? Is that
24 in EDC or is it the operator?

2 DAVID HOPKINS: It's an EDC obligation to
3 deliver the report. Obviously, we would cooperate
4 with the operator and--and solicit the operator for
5 input on volumes and the regular operations for--

6 COUNCIL MEMBER GARODNICK: [interposing]
7 And the report will include issues such as their
8 cleanliness, responsiveness to complaints, the number
9 of flights. Are there other categories that I--that--
10 that also are going to be included here?

11 DAVID HOPKINS: I think those are--those
12 are key one, Council Member, but we also are going to
13 pay careful attention to any instances in which
14 flights were conducted outside those operating
15 parameters, and we'll look for a specific
16 explanation from the operator about any of those
17 instances.

18 COUNCIL MEMBER GARODNICK: We also want
19 to make sure that the operator is maintaining proper
20 lighting and cooperating with city agencies on
21 potential changes to pedestrian access, bike lanes
22 and things like that. What is our assurance from the
23 operator that they will continue to cooperate with us
24 to help improve what is a complicated area over
25 there?

2 DAVID HOPKINS: We're in the process of
3 drafting the RFP now that will go out this fall to
4 procure a new operator for the heliport. It's our
5 expectation that that RFP will include language
6 directing the winning propone-proponent to cooperate
7 with the city in terms of any pedestrian improvements
8 outside the fencing related to the heliport. So, we
9 know that DOT is working on a-a plan for extending
10 the-the greenway across that area, and we want that
11 the heliport operator cooperates in that effort.

12 COUNCIL MEMBER GARODNICK: The last
13 question from me. We have never for many years
14 considered the heliport as a site for special events
15 at all, but now it appears that that could be
16 something coming down the line. The future agreement
17 will require approval by EDC of special events with
18 notification to the Community Board and Council
19 Members. Is that correct?

20 DAVID HOPKINS: Yes, the-the previous
21 agreement. Current agreement required--[coughs]
22 excuse me-EDC approval, but there was not a
23 provision, a direct stated provision for that
24 notification to your office or to the Community
25 Board. We're going to include that notification

2 provision in the RFP, and we will ensure that any
3 future community events, special events at the
4 facility are communicated there.

5 COUNCIL MEMBER GARODNICK: Are we
6 pushing—in the RFP are we pushing this as a location
7 for special events as an opportunity to create
8 special events?

9 DAVID HOPKINS: We would like to continue
10 to allow special events to occur at the heliport.
11 Given the fact that it's not open on the weekends, we
12 think there may be good opportunities for community
13 oriented events in the future. The facility has had
14 very few of those in the past. I know that last year
15 there was a—a July 4th fireworks event at the
16 heliport. Again, we want to coordinate very closely
17 with the operator to ensure that those events are of
18 an appropriate size, have the right security, the
19 right lighting, have the right maintenance after the
20 event in place, and that there is coordination with
21 the community about it.

22 COUNCIL MEMBER GARODNICK: Great. Thank
23 you very much.

24 DAVID HOPKINS: Certainly.

2 CHAIRPERSON RICHARDS: Thank you.

3 Alright, any other of my colleagues have questions?

4 Alright, seeing none, thank you for testimony.

5 DAVID HOPKINS: Thank you.

6 CHAIRPERSON RICHARDS: Alrighty, we'll
7 continue the vote—oh, they left. Alrighty. We're
8 joined by Council Member Williams, and we're also
9 joined by Assembly Member Charles Barron today who's
10 in the house from Albany. It's a pleasure to have
11 you here. Alrighty, do you want to continue to vote.
12 [background comments] We can wait. Okay, we'll wait
13 for that. Okay. Our next hearing item we'll move on
14 [pause] Alright. So, we'll continue the vote. I'll
15 ask the Counsel to call the roll again.

16 LEGAL COUNSEL: Council Member Williams.

17 COUNCIL MEMBER WILLIAMS: Congratulations
18 to Council Member Garodnick on all his hard work, and
19 with that, I vote aye on all.

20 LEGAL COUNSEL: Council Member Torres.

21 COUNCIL MEMBER TORRES: I vote aye.

22 LEGAL COUNSEL: The final vote is 6 votes
23 in the affirmative, 0 in the negative and 0
24 abstentions.

2 COUNCIL MEMBER WILLIAMS: I also want to
3 give a shout out to Assembly Member Barron. [pause]

4 CHAIRPERSON RICHARDS: Is that part of
5 your vote? [background comments] [laughs] Alrighty,
6 our next hearing will be Land Use—be for Land Use
7 Items No. 718 and 719 the Ebenezer Plaza Rezoning
8 Application. This is an application for a change in
9 zoning district and a zoning text amendment to
10 facilitate an affordable housing development located
11 on Hegeman Avenue between Mother Gaston Boulevard and
12 Powell Street in Council Member Barron's district.
13 The rezoning would replace the existent M1-1 district
14 with an R7A/C2-4 district on the northern portion of
15 the site and an R7D/C2-4 district on the southern
16 portion. The text amendment proposed would apply the
17 Mandatory Inclusionary Housing Program. With these
18 approvals, the developer is proposing to develop two
19 11-story buildings on the site for a total of 531
20 units. The eastern block will consist of 315 units
21 financed under HPD's ELLA term sheet, and the western
22 block would be developed with 216 units financed
23 under HPD's Mix and Match term sheet. I will now
24 open the public hearing for Land Use Items No. 718
25 and 719, and we'll—we have the first panel Frank St.

2 Jacques from Sheldon Lobel; Eric Keller Wella, Peter-
3 I can't read your last name Bishop Hughes Nelson and
4 Summer El Mash. (sp?) [background comments] El Mash.
5 Alrighty, you may begin, and please state your name.
6 Oh, I'm sorry and I'm going to go to Council Member
7 Barron for a statement first, and then, yeah, you may
8 proceed. Thank you.

9 COUNCIL MEMBER BARRON: Thank you, Mr.
10 Chair and to the commend-to the members of this
11 committee thank you. I'm pleased to have an
12 opportunity to offer comments regarding this project.
13 It's called Ebenezer Plaza, and just so that you're
14 clear, we're not talking about Ebenezer Scrooge.
15 We're not talking about that person. [laughs] No,
16 we're talking about the reference in the Bible to a
17 stone that was erected and called an Ebenezer because
18 it marked the significance of being successful in
19 battle. So, it represents God's help. So, we want
20 to make sure that you understand that's the Ebenezer
21 we're talking about. In terms of this history of
22 this project, the land was owned by a black church in
23 our community, and they decided that they wanted to
24 improve the area that was there with mixed use
25 housing and commercial on the bottom. They

2 approached first—they approached Brisa, and the two
3 of them decided that this was something that they
4 wanted to bring forth to the city. However, HPD used
5 that term capacity and said well, we're not sure you
6 have capacity so you need to get another partner. So
7 the partner that came in was Procida and another
8 member came in, and they went forth with the proposal
9 for this project. The project on its face has
10 housing that's affordable to the residents who
11 currently live there, and it has an acceptable mix of
12 apartment size, which the Community Board had input
13 saying that they wanted to see. It's going to have
14 condominium space for the church to relocate from
15 where it presently is to this site. It's going to
16 bring in 531 units of housing affordable to the
17 people who live here. So, we're going to protect the
18 residents from being displaced. The challenges are
19 the height, the density that it brings, the
20 environmental impact on what's already existing there
21 and, of course, parking. You're talking about 531
22 units. You're talking about parking, although it is
23 located just a few blocks away from the great L-Train
24 that people talk about all the time. But when we
25 look beyond the façade and beyond the veneer and

2 beyond the words, we have some other challenges, and
3 we have to say that we want to look to see how we can
4 have the city address its role in participating in
5 relationships that come about, and bring about unfair
6 or discriminatory relationships. We know when we
7 look at the education system, we know that there's a
8 great disparity between the achievement. We look at
9 high rent, and we know that blacks are not being
10 hired in the same capacity. There are not as many
11 black teachers as there used to be, and those
12 percentages, of course, create a great disparity, and
13 we're saying we want to make sure that that as we go
14 forward and we talk about economic development and we
15 talk about WMBEs, that they are represented fairly
16 and equitably and that the city is not contributing
17 to any kind of imbalance in that regard. So, we had
18 a meeting, and at the first meeting the developer
19 presented certain facts, which at the second meeting
20 we found that were not quite what had been said at
21 the first meeting. So, we're concerned that as we go
22 forward, and we address with the Council Member—the
23 Assembly Member—yeah, the Assembly Member now. We'll
24 talk about that when he comes up. So, we're
25 concerned about that that. So, at this point, Mr.

2 Chair, and to the committee members, I'm not in favor
3 of the project as it has currently been presented,
4 and we have said to the developer, we're waiting for
5 you to come back to us, and tell us what kind of
6 modifications, what kind of adjustments you're going
7 to make in light of all of the situations we've
8 raised and especially also we're going to hear about
9 a garden, which is directly across the street, and
10 will now be in a shadow from building, and it's a
11 garden that we fought the city to have maintained.
12 So, I certainly can't fight for a garden and then
13 have it be subjected to the impact of shadows. So,
14 we're looking to hear from the developer. We have
15 not heard, and we certainly want to make sure that
16 whatever is said is, in fact, translated to
17 documents, which concur with the words that have been
18 presented. So, that said, we're waiting to hear, but
19 at this point I'm not supporting this project to go
20 forward until we can get some resolution on those
21 issues. Thank you.

22 CHAIRPERSON RICHARDS: Thank you, Council
23 Member. We'll go to the panel. I will ask you to
24 state your name for the record, and who you're
25 representing, and then you may being.

FRANK ST. JACQUES: Good morning, and thank you Council Member Barron. My name is Frank St. Jacques. I'm with Sheldon Lobel, PC. We're the land use counsel on the project. I'm here with the project team. I've got Peter Procida, and Ebony. Excuse me, Ericka Keller-Wala and Bishop Hugh Nelson of the Church of God of the East Flatbush. Thank you for—for your comments on the project. We'll discuss the land use application sought and address some of the—the concerns. I know the development team has been working with—with your office to address some of these concerns, and I think that we'll be able to find a resolution moving forward in that regard. I'll start with—so, the—this project is seeking two—two actions with the—a zoning map amendment and a zoning text amendment. The zoning map amendment would change the existing M1-1 zoning district three blocks bounded by Mother Gaston Boulevard to the west and Powel Street to the east and New Lots Avenue (to the north and Hegeman to the south. Again, from M1-1 to R7A/C2-4 and R7D/C2-4 districts to allow new mixed use development including a residential, commercial and community facility. The proposed development project would occur on the eastern most two blocks.

1 On the—the center block a new 216-unit mixed building
2 with about 19,000 square feet of commercial
3 development is proposed and on the larger block a
4 315-unit mixed-use development with about 7,500
5 square feet of commercial front New Lots Avenue and
6 about a 34,000 square feet new home for the Church of
7 God of East Flatbush is proposed. Again, that’—
8 that’s with 315 units. So, as you mentioned that’s
9 531 new dwelling units in Community District 16. The
10 project will also request a zoning text amendment to
11 map this area as a Mandatory Inclusionary Housing
12 area with both options 1 and 2. The applicant has—
13 has been working with HPD. As you mentioned, the
14 larger site, the eastern most site is intended to be
15 the—the first phase of that 2-phase development. So,
16 the—that 315-unit building, I’m sorry, that’s a 9 and
17 11-story building. The 9-story building would be on
18 the northern portion of the site fronting New Lots
19 Avenue. The 11-story portion on the Hegeman frontage
20 would be 100% affordable pursuant to HPD’s ELLA
21 Program, and would also have permanently affordable
22 units pursuant to the Mandatory Inclusionary Housing
23 or MIH Program. The second phase of the development
24 would occur on the middle of the three blocks, the
25

1 smaller site. Again, that's 216 units. That's a 7
2 and 11-story building. The 7-story portion fronting
3 New Lots Avenue and 11-story portion for-fronting
4 Hegeman Avenue. That the applicant is working with
5 HPD and is currently looking at the Mix and Match
6 Program for-for those units. The city-and we can
7 move forward. I'll note that the city-you can see on
8 the-the right side of-of the map in 2016 approved the
9 Grant Cinema Plaza (sic) rezoning allowing them an
10 R7A/C2-4 development on a site similar to-roughly
11 similar to-to the development site proposed here.
12 That resulted in approximately 130 affordable units
13 and ground floor retail, and in existing built
14 context similar to-to what's being proposed at the
15 development site. The choice of R7A and R7D Zoning
16 Districts was-was taken in consideration through much
17 discussion with City Planning an discussion with-with
18 the Community Board to achieve a balance between the
19 R6A that's mapped to the north, and the large swaths
20 of open space that are mapped to the-or that are-
21 exist to the south. There's a 3.2 acre Brownsville
22 Community Center, a 170-foot Linden Boulevard and
23 then the very large open Bayridge Freight Rail Line
24 directly to the south. So the R7D although it's-it's

2 higher and denser than—that what's mapped currently
3 in the area, is appropriate is because it's—it's
4 facing so much open space. The R7A acts as a
5 transition between the R6 that's mapped to the north
6 and the—there is some context with the 6-story plaza
7 apartment buildings to the west. [pause] That's
8 really the—the—the bulk of the—the Zoning
9 Applications. We can get into the affordability and
10 I have members of the—the applicant team to answer
11 specific questions. We'll note that the—the Bishop
12 is here from the Church of God of East Flatbush.
13 They intend to continue to the programming that
14 they've done successfully at their—their current
15 church location in the new location. I can have
16 Bishop Nelson get into that specifically. We're—
17 we're happy to answer any questions.

18 CHAIRPERSON RICHARDS: Alrighty, I'll
19 start with a few questions. So, just go through the
20 affordability numbers. So, it's 500 and how many
21 units? It's 500 and--?

22 FRANK ST. JACQUES: It's 531 units.

23 CHAIRPERSON RICHARDS: 30—30 units. So,
24 can you just give a breakdown? So, I know you're
25

2 using ELLA and you're using Mix and Match so those
3 two.

4 FRANK ST. JACQUES: So, the first phase
5 will be developed under the ELLA program, and that
6 will be 315 units. All of those units will be avail-
7 affordable to households earning 60% of AMI and
8 below. There will be a 10% set-aside using the Our
9 Space Program for formerly homeless households.
10 There also will be tiers at 30% of AMI, 40% of AMI
11 and 50% of AMI. We're still working on exact numbers
12 with HPD for all of those tiers, but we're estimating
13 that it will be 10% at Our Space; 10% at 30%, 10% at
14 40%; 10% at 50% with the balance at 60%.

15 CHAIRPERSON RICHARDS: And that's on the
16 ELLA term sheet?

17 FRANK ST. JACQUES: That's on the ELLA.

18 CHAIRPERSON RICHARDS: So, the Mix and
19 Match, what are you looking at?

20 FRANK ST. JACQUES: On the Mix and Match
21 term sheet we have been looking at--at 50% below 60%
22 of AMI, and 50% at 80% and below. The--there will
23 also be a 20%--

24 CHAIRPERSON RICHARDS: [interposing] On
25 an average 50% on the Mix and just want to get the--

2 FRANK ST. JACQUES: [interposing] On the
3 Mix and Match we're at 20% of the 50-20% of the units
4 will be set aside for formerly homeless households.

5 CHAIRPERSON RICHARDS: Okay.

6 FRANK ST. JACQUES: Thirty percent will
7 be between 60 and below, and then the remaining 50
8 will be 80% and no higher. (sic)

9 CHAIRPERSON RICHARDS: [interposing]
10 Okay.

11 FRANK ST. JACQUES: And that is 215 units
12 or 16-215, sorry.

13 CHAIRPERSON RICHARDS: Alrighty. Can you
14 just go through the setback requirements again? Can
15 you speak to that?

16 FRANK ST. JACQUES: The required setbacks
17 the R7A portion that's fronting New Lots Avenue after
18 a base height of a maximum of 75 feet, there's a 15-
19 foot-excuse me-a 20-foot setback requirement, and the
20 R70 portion after a 95-foot setback, or excuse me, a
21 95-foot base height, there's a 20-foot-excuse me-a
22 20-foot setback requirement. Both New Lots and
23 Hegeman are 70 foot wide narrow streets.

24 CHAIRPERSON RICHARDS: Can you go through
25 community facilities? So, what are we doing for--

2 FRANK ST. JACQUES: Absolutely, so we'll-
3 we'll show you a site plan. So, we'll-we'll show you
4 a site plan. So, the community facility is about
5 40,000 square feet on the ground floor and in the
6 cellar. The space will be owned and occupied by the
7 Church of God of East Flatbush. They'll be
8 relocating their sanctuary space from their current
9 location in East Flatbush to Brownsville. There's
10 going to be a 12,000-approximately 1,200 square foot
11 or 1,200-seat sanctuary for the church that they're
12 trying to-they currently operate three services on
13 Sundays. They're trying to condense that into one.
14 In terms of specific programming, the Bishop is-

15 BISHOP HUGH NELSON: Good morning. My
16 name is Bishop R.C. Hugh Nelson, Senior Pastor of the
17 Church of God of East Flatbush. The Church of God of
18 East Flatbush has been in existence now for about 48
19 years, and out of that congregation has been brought
20 about 11 other congregations. We run about a 1,400
21 membership. We presently provide self-actually, we
22 also have-operate a non-profit. It works under
23 Development Corporation, which feeds about 90,000
24 individuals on a yearly basis. We also provide the
25 GED program English as a Second Language, and also

2 food pantry and food bank. So, what we—we presently
3 operate out of this site 409 East 95th Street.
4 That's just a few minutes down from Brookdale
5 Hospital. So, what we hope to do is to transfer the
6 services over to our new location. So, with the
7 increased capacity—the residential capacity, we're
8 hoping to continue—actually expand our benevolence
9 program to that area.

10 CHAIRPERSON RICHARDS: And I know this is
11 in a—not in a transit zone or is it in a transit
12 zone?

13 FRANK ST. JACQUES: It is in a transit.

14 CHAIRPERSON RICHARDS: This is in a
15 transit zone--

16 FRANK ST. JACQUES: [interposing] Yes, it
17 is.

18 CHAIRPERSON RICHARDS: --so the parking
19 requirements are reduced. Can you speak to what are
20 you doing on parking?

21 FRANK ST. JACQUES: Correct. So—so
22 there's no parking proposed for the development.
23 It's—it's not required by zoning. We are about two
24 blocks from the New Lots Avenue L-Train Station, and
25 there's also bus service in the area.

2 BISHOP HUGH NELSON: We also have a
3 contract arrangement with Brookdale Hospital in terms
4 of their garage. So, what the count--what the church
5 would do is to provide a shuttle service--

6 CHAIRPERSON RICHARDS: [interposing]
7 Okay.

8 BISHOP HUGH NELSON: --from the garage to
9 the--the new location which is about four blocks, five
10 blocks.

11 FRANK ST. JACQUES: Right. So there's a--
12 about 1,400 space parking garage about--

13 CHAIRPERSON RICHARDS: [interposing] But
14 for residents, too, or just for--

15 BISHOP HUGH NELSON: No, we're talking
16 that--that--

17 CHAIRPERSON RICHARDS: --or just for the
18 church portion?

19 BISHOP HUGH NELSON: Okay, so the
20 Brookdale Hospital obviously as their operation has--

21 CHAIRPERSON RICHARDS: [interposing] Uh-
22 huh.

23 BISHOP HUGH NELSON: --reduced, they have
24 excess parking space.

25 CHAIRPERSON RICHARDS: Okay.

2 BISHOP HUGH NELSON: So, we'll have
3 access to that, and—and we would provide a shuttle
4 service. All our vehicles will still park at the
5 present location.

6 CHAIRPERSON RICHARDS: Okay, got it,
7 yeah. Okay, got it.

8 BISHOP HUGH NELSON: So, we'll maintain
9 both sides.

10 CHAIRPERSON RICHARDS: And then my last
11 two questions before I turn it over to Council Member
12 Barron, MWBE procurement and local hiring, what is
13 your plan to ensure that local people will have
14 hiring opportunities and then also on MWBE and I like
15 percentage goals. So, I'm looking to hear a little
16 bit about that.

17 ERICKA KELLER-WALA: So, HPD has what
18 they call the Build-Up Program for MWBEs. So there
19 are calculations that are done. So, each specific
20 project has a monetary goal that they are to meet.
21 Individually, we have decided or I should say
22 collectively we have decided that we're setting a
23 goal at 50% MWBE participation across all spans. So
24 that would be procurement, hard costs as well as soft
25 costs, and in reference to local hiring, we will be

2 partnering with a not-for-profit organization Man Up
3 to support local hiring for the project. Okay, great
4 and I know Man Up and I know they do a phenomenal
5 job. A.T. Mitchell is—is a phenomenal individual,
6 and I'll just ask before I pass it out of this
7 committee we would love to see some reporting
8 requirements. So, if you're working with Man Up
9 ensuring that a month later or however Council Member
10 Barron wishes so that there is reporting going on the
11 local hiring piece.

12 FRANK ST. JACQUES: We have Compliance
13 staff that will be preparing monthly reports that
14 we'll share with the council member and her staff.

15 CHAIRPERSON RICHARDS: Okay, awesome.
16 I'm go to Council Member Barron.

17 COUNCIL MEMBER BARRON: Thank you, Mr.
18 Chair. As I referenced earlier, there's a garden
19 directly across the street, and the studies have
20 shown that there would be a shadow that would be cast
21 on the garden, and we're looking to hear what it is
22 that you're proposing because as I said, we fought
23 for this garden to be maintained, and we certainly
24 don't want to now turn around and have them in any

1 way be reduced in what their capacity is. So, what
2 are your plans for the garden?
3

4 ERICKA KELLER-WALA: So, we know that the
5 garden has-wants to expand their programming. So,
6 they currently have a summer/spring program that is
7 very robust. They want to continue that for the
8 winter, and that is what our shadow study has in-has
9 shown that there will be implications on the winter
10 grow for the community garden. So, we are working
11 through the logistics. There-there is a utility pole
12 located on the site. However, there currently are
13 not meters located there. So, we're working through
14 the logistics with Parks Department about-regarding
15 the installation of meters for the community garden
16 where they will be able to implement the use of grow
17 lights and heaters to ensure that there's a
18 continuation of building the winter grow program as
19 the buildings are built, and we know that there will
20 be a shadow cast to-that will mitigate that during
21 the winter. And we as a group have decided to
22 support the community garden by having a yearly
23 stipend to support the electricity bill that will
24 probably be a result of having to use the grow lights
25 and the-the heating system.

2 COUNCIL MEMBER BARRON: And at the last
3 meeting that we had we also raised the question of
4 having some community benefits agreement. We know
5 that in large projects of this nature the developer
6 often times offers that. So, have you made any
7 further moves in that regard?

8 BISHOP HUGH NELSON: So, we've talked
9 about several ideas. Primarily, you know, one of the
10 objectives of this sort of private-public partnership
11 was to advance many of the—the social ills that we
12 have in our society, one being, you know, the church
13 expanding their social services, bringing
14 affordability and ensuring continued affordability in
15 the community for those that have been there, and
16 also advancing MWBE participation in the real estate
17 industry where studies have shown that there has been
18 disparity. And so, in that objective, the community
19 benefits greener that we have talked about will
20 support minority business enterprises and teaching
21 young people business in real estate as well as other
22 components. So, we talked about a scholarship
23 program for the residents of—on Ebenezer Plaza as
24 well as we've worked—this—this effort was in
25 collaboration with a group called Kingdom Faith

2 Developers that worked out of their Brooklyn Borough
3 President's office supporting faith based
4 institutions bringing their private land to public
5 efforts, and so we want to support that organization
6 to again provide stipends and scholarship to
7 encourage minority businesses in this field.

8 COUNCIL MEMBER BARRON: Okay. Thank you,
9 Mr. Chair.

10 CHAIRPERSON RICHARDS: Thank you. I'm
11 going to go to Council Member Gentile for questions.

12 COUNCIL MEMBER GENTILE: Thank you.
13 Thank you very much, Mr. Chair. I just wanted to ask
14 about the R7A ad the R7D that you are proposing. Now,
15 is it that you're saying that R7A and R7D would not
16 change the contextual nature of that area, that
17 neighborhood? [pause]

18 FRANK ST. JACQUES: No, Council Member
19 Gentile. I'd be—as you can see from the images, the—
20 the area to the north is residential, but it's
21 relatively low scale. These are homes that were
22 developed pursuant to the Nehemiah Program. They are
23 very low scale, and this project would—would bring
24 more height and density to the area. We feel that
25 the—it's appropriate given that there would be

1 consideration as it relates to focusing the height
2 and density towards Hegeman Avenue adjacent to the-
3 the large swath of open space, and the affordability
4 of the project. This is 531 units of affordable
5 housing. It's a transit-oriented development within
6 the transit zone adjacent to the New Lots Avenue, are
7 about two blocks away from the New Lots Avenue L-
8 Train and with-with bus service. We also believe
9 that this will bring greater transition between the
10 existing residential to the north, and the
11 Brownsville recreation center, which is a great
12 resource for-for the area. Right now, the pedestrian
13 traffic we-we found in our studies generally tends to
14 avoid this area, and we-we think that this will
15 create a transition, new viable walkable streets
16 between the existing residential and the-the great
17 resources that is Brownsville Recreation Center. So,
18 it's-it's a contextual as-as, you know, relatively
19 large buildings can-can be, but the R6 is-is mapped
20 to the north. It's just-it-it was developed with-
21 with lower scale pursuant the EMI program.

22
23 COUNCIL MEMBER GENTILE: So, I'm-I'm
24 looking then at the-the inset map on page 2, and it
25

2 appears that the--the project is--is--is fairly close to
3 the--to the shoreline. Am I correct?

4 FRANK ST. JACQUES: That is, to--I'm sorry
5 to the--?

6 COUNCIL MEMBER GENTILE: To the
7 shoreline, to the waterfront there?

8 FRANK ST. JACQUES: No. [background
9 comments] We're--we're not sure that we have a map
10 that is--

11 COUNCIL MEMBER GENTILE: The insight--
12 insight map there. [pause] Well, I--I--I'd say
13 relatively close. I'm--I'm not sure in--in terms of an
14 actual distance. I think it's--it's a--a bit of a hike
15 there actually to--to the shore, and I don't know that
16 we were subject to any of the--the waterfront review
17 that you would necessary have if you were closer to--
18 to the actual waterfront.

19 FRANK ST. JACQUES: Well, you anticipated
20 my question then. My--my question then being that
21 those north of this project would have--if there are
22 such views and I don't know, but if there are such
23 views they would be blocked with this--with this
24 project?

2 ERICKA KELLER-WALA: [off mic] No, they
3 wouldn't.

4 FRANK ST. JACQUES: Correct, but--

5 COUNCIL MEMBER GENTILE: [interposing]
6 Between-between Mother Gaston Boulevard and I guess
7 Powell Street, right?

8 FRANK ST. JACQUES: That's correct. I and
9 I-I apologize. I-I don't know off hand, but I don't
10 believe that-that you would be able to-to view the
11 waterfront from-from this areas. So, I-I don't know
12 that there would be any effect of-of these buildings
13 on waterfront views for-

14 COUNCIL MEMBER GENTILE: [interposing]
15 Okay.

16 FRANK ST. JACQUES: --for the homes to
17 the north.

18 COUNCIL MEMBER GENTILE: Alright, fair
19 enough, and I'll discuss that with-with Council
20 Member Barron. Just one other thought on the
21 community gardens. Have-have you thought about or
22 considered an additional setback that might eliminate
23 the-the shadow on the community garden? [background
24 comments]

2 PETER PROCIDA: We had not looked at
3 setting back the building further. We discussed the
4 impact with Council Member Barron and--and the--how the
5 building is related to the street front as--we'd--we'd
6 move through the process. The setback from the
7 street, however, we have not looked at--at setting the
8 building further back given that we're having ground
9 floor retail. We thought that it might--

10 COUNCIL MEMBER GENTILE: [interposing]
11 I'm--I'm more referring to an upper level setback.

12 PETER PROCIDA: Oh.

13 FRANK ST. JACQUES: To answer your
14 question, I--I don't know that--that the applicant has--
15 has looked into that. I think that the--the building
16 designed was--was focused on maximizing the amount of
17 affordable housing that--that would be potential at
18 this site. I would note that the--the buildings are
19 [background comments] as you can see, do provide a--a
20 larger setback than--than what is required on the
21 larger site to there on the left. So, you can see it
22 in the photo there. [background comments]

23 CHAIRPERSON RICHARDS: If you can get
24 back to us on that, but that's a good question and--
25 and something you should probably look at exploring.

2 FRANK ST. JACQUES: I'd be happy to.

3 CHAIRPERSON RICHARDS: Because of the
4 shadow and--and the shadow study shows what times in
5 particular, in the winter I believe.

6 ERICKA KELLER-WALA: It's in the winter
7 months, so the--

8 CHAIRPERSON RICHARDS: [interposing] In
9 the winter months in between what hours would we have
10 a shadow impact?

11 ERICKA KELLER-WALA: I think the greatest
12 impact was at the end of the day, right--

13 PETER PROCIDA: Yeah, right.

14 ERICKA KELLER-WALA: --from like 12:00 to
15 3:00--

16 PETER PROCIDA: [interposing] I would go
17 with that, but we're not sure of the time.

18 ERICKA KELLER-WALA: --in the winter
19 months.

20 COUNCIL MEMBER GENTILE: And I would
21 think in consideration of the effort that was made to
22 save this garden, you would consider an additional
23 setback, even though it may not be required, just as
24 a matter of--of working with the community to save
25 that garden.

2 FRANK ST. JACQUES: Understood. Well,
3 we'll discuss this internally and—and get back to the
4 Council on that.

5 COUNCIL MEMBER GENTILE: Thank you.
6 Thank you, Mr. Chair.

7 CHAIRPERSON RICHARDS: Thank you. Thank
8 you all for your testimony. Is there anyone else who
9 wishes to—? Oh, well, yes, our Assembly Member is
10 going to testify, but you all are now finished.

11 FRANK ST. JACQUES: Okay.

12 CHAIRPERSON RICHARDS: Thank you. Thank
13 you all for your testimony.

14 FRANK ST. JACQUES: Thank you. Thank you
15 Council Member Barron.

16 CHAIRPERSON RICHARDS: [pause] Alright,
17 we're going to put 30 seconds on the clock for
18 Assembly Member Barron. [laughs]

19 COUNCIL MEMBER BARRON: Just thirty
20 seconds.

21 CHAIRPERSON RICHARDS: [laughs] Oh, you
22 forgot or you don't like chair 2, I see, huh? Over
23 here.

24 ASSEMBLY MEMBER BARRON: When it's on
25 it's off, or when it's off it's on. [laughter]

2 Well, now we're saying when it's on it's on it's off.

3 [laughter][background comments, pause] Please state
4 your name for the record and you may begin, sir.

5 ASSEMBLY MEMBER BARRON: My name is
6 Charles Barron and I'm an elected revolutionary who
7 happens to be an Assembly Member for the State
8 Assembly. Well, you know, thank you very much for
9 the opportunity to testify, Mr. Chair and thank you
10 Mr. D.A.—I mean Council Member Gentile. I thank you
11 very much for those questions. You know, we have a
12 lot of questions about this project, and as you saw,
13 some if the questions around housing we really need
14 to look at changing the character of the community
15 with the height, and I think the setbacks would be
16 something they should seriously consider as a it
17 relates to the garden because we fought hard to keep
18 that garden the way it is, and we wouldn't want to
19 build something that would take away from that. But
20 I have another—a major, major, major problem with the
21 process here, and we have to look at bricks and
22 mortars and buildings and setbacks and—and retail,
23 but we've got to look at how HPD selects its
24 developers. What I think has been going on for a
25 long time is this systemic racism in the selection of

1 developers. I've been in the City Council for 12
2 years, and all of the developers that I had to talk
3 to and deal with were white men. White men get too
4 many contracts from HPD and then when a qualified, a
5 qualified black developer comes forward like Risa,
6 Risa came forward with a black church and a black
7 community with a qualified black developer who has
8 bonding, who has insurance, capital capacity and was
9 told by HPD that she doesn't have capacity so she has
10 to go. They don't say it like this, but she has to
11 go get a white man who has the capacity. They'll say
12 go get a partner because you don't have capacity.
13 Those are coded words for them to continually force
14 us to get white male developers, and the City Council
15 has to stop that kind of practice. We are the
16 checks—we all are the checks and balances for the
17 Executive Branch. The checks and balance for
18 agencies. So, when this developer came so she had to
19 get this developer Procida. At our first meeting we
20 find out and he tells us that the profit sharing is
21 30% for one of the partners, 30% to him, 30% for the
22 other partners. Both of those were people of color,
23 black and a person of color and 10% for the church.
24 When we get the documentation, it's 50% for Procida,
25

2 a white man. I'm just going to make black and white
3 so you all get very clear. So, we don't get confused
4 by the names. The white man had 50%, the black woman
5 whose idea it was to partner with the church is down
6 to 17%, and 33% for the other woman of color who is
7 also a partner. He said he was confused. My wife
8 has far more class than I have. I don't seek class.
9 She's a classy woman. He lied. He didn't make a
10 mistake, get confused. He liked. So we come back to
11 the next hearing and we say hey, you know, I thought
12 it was 30/30/30 and it wasn't. Then I asked him
13 well, who is going to control the contracting
14 because, you know, that's where a lot of this money—
15 and this is a \$200 million project. They're going to
16 make—Procida over \$10, \$15 million on this project.
17 So, whose controlling the contracting and he tried to
18 be evasive, and I said, just give me the percentage
19 of whose controlling—controlling the contracting. He
20 has 100% of it. He has 100% of the contracting
21 sitting there with a black woman who's qualified,
22 bona fide and he has 100% and didn't want to give her
23 anything. You know, this is incredible. We can't
24 allow projects to go forward that discriminate, and
25 just focus on the physical building. Affordability

2 is great and we can work out some of the kinks, you
3 know, with the garden. I think there's setbacks and
4 all of that, but this racist discrimination has got
5 to stop. Every time I speak to a developer, Hudson,
6 white man; Dunn a white man, related white man.
7 Every developer I've talked to is a white man, and
8 then when they say MWBEs they bring in white women to
9 satisfy that. So, now if you do MWBEs, you better
10 make sure it's a black company. So, I came here to
11 talk for all of the people of color, but especially
12 for black people because every is working this stuff
13 and when it comes to us we get left out. So, this
14 project here cannot go forward. I think it should be
15 a no vote. I understand they're working some stuff
16 out. He said he would get back to us. He didn't.
17 We talked to some of the partners, and they gave us
18 some information but we have nothing in writing
19 stating that he is going to be fair, and then check
20 this out, Mr. Chairman. He said he put in a certain
21 amount of money. He put in more money than Brisa,
22 the black woman, Ms. Eric--Ericcka Keller. He put in
23 money that he's going to get right back, and if he
24 didn't have the black--the person of color as his
25 partner, he would not have been able to get that loan

2 that's going to take care of most of the stuff in the
3 project. So, he uses them to get the loan, and then
4 doesn't want to share in the profits or the
5 construction work, but yet, he's getting a big loan
6 by using them. Those days are over. We can't allow
7 that to go down and just focus on the physical
8 project while this process has all of that systemic
9 racism in it, and I think the Council has an
10 obligation, an opportunity today with this project to
11 say no longer are we going to just look at what
12 you're building. We're going to look at how you're
13 building it, who you're building with, and if it's in
14 black community with a black church who owns the
15 property with a black developer then all of us should
16 benefit more than anybody else, and we shouldn't have
17 people coming in our community and then we got to
18 answer to them. So, they're negotiating now. I
19 believe he's going to come to his sense because the
20 project ain't going to go forward because when white
21 men face power with power then they get to realize
22 that hey, maybe I need to do something and do the
23 right thing. So, I just want to appeal to you make
24 this developer do the right thing. Let's cut this
25 racism out. Call it for what it is, and let's cut it

2 out right now with this project. Thank you for
3 allowing me to express myself.

4 CHAIRPERSON RICHARDS: Thank you, Mr.
5 Assemblyman for coming-for coming all the way from
6 Albany. [applause]

7 ASSEMBLY MEMBER BARRON: Thank you.

8 CHAIRPERSON RICHARDS: We will go to
9 Council Member Williams for a statement or a
10 question.

11 COUNCIL MEMBER WILLIAMS: I missed you.
12 [laughter] Thank you very much, Assembly Member for
13 that and bringing some things to light. It's very
14 disturbing, and if what you're saying is true, it's
15 also embarrassing I think, and I actually want to ask
16 the chair and Council Member Barron. I want to get
17 in writing from HPD. So, the-the black female what's
18 the name of her company?

19 FEMALE SPEAKER: Brisa.

20 COUNCIL MEMBER WILLIAMS: Brisa, Brisa
21 and as you made abundantly clear the white man's
22 company, what's his name.

23 ASSEMBLY MEMBER BARRON: Procida.
24
25

2 COUNCIL MEMBER WILLIAMS: Procida. So,
3 Brisa was told that they were not qualified. Was
4 there a reason given why they were not qualified.

5 ASSEMBLY MEMBER BARRON: They were told
6 they didn't have capacity. As a matter of fact--

7 COUNCIL MEMBER WILLIAMS: [interposing]
8 What does that mean?

9 ASSEMBLY MEMBER BARRON: They have to
10 define that. So, I would like to have you in terms
11 of capital money and access to giving a GC, a general
12 contractor, I believe she could do all of that, but
13 they say have you done it before? You now, it's like
14 when you go for a job--

15 COUNCIL MEMBER WILLIAMS: [interposing]
16 Sure.

17 ASSEMBLY MEMBER BARRON: --and you're
18 qualified to do the job and they ask you have you had
19 any experience in the job and if you say well if you
20 give me the job I'll have some experience. But, you
21 know, every time you go for the job, you don't have
22 the experience. So, it's kind of thing. You know--

23 COUNCIL MEMBER WILLIAMS: [interposing]
24 Okay.

2 ASSEMBLY MEMBER BARRON: --she does the
3 capacity to do this, but not just her. They do that
4 with her father Tom Keller. She took over the
5 company from her father Tom Keller. Tom Keller was
6 very much qualified to do stuff. I had to sit down
7 when I was in the City Council with this same
8 developer with her father because he didn't have
9 capacity.

10 COUNCIL MEMBER WILLIAMS: Right, so this
11 is important because we hear this a lot, and very
12 rarely do we have it spelled out this way. So, I
13 don't want to let this go over without digging in and
14 finding out. I'd like to get in writing unless HPD
15 wants to come up and answer now, but I'd like to--if
16 not, I'd like to get in writing what capacity was
17 missing--

18 ASSEMBLY MEMBER BARRON: [interposing]
19 Right.

20 COUNCIL MEMBER WILLIAMS: --and what
21 capacity was found in you, and why couldn't it be the
22 other way around. If she was missing something, why
23 couldn't he be the sub, and she could be the one
24 controlling the project. [background comments]

25 ASSEMBLY MEMBER BARRON: Right, right.

2 COUNCIL MEMBER WILLIAMS: And so I want
3 to see if we can get an answer in writing of why that
4 dynamic couldn't happen because this happens
5 rampantly.

6 ASSEMBLY MEMBER BARRON: Right.

7 COUNCIL MEMBER WILLIAMS: We tend to
8 gloss it over. It's disgusting if he had 50% and she
9 had 17% and it was her idea.

10 ASSEMBLY MEMBER BARRON: Right.

11 COUNCIL MEMBER WILLIAMS: I think that
12 developer should be ashamed of himself for doing
13 this, but I really want to make sure that this
14 committee and this council really takes this one by
15 charge and dig into it so that we can better assist
16 other developers who are coming before us, and are
17 seeing the same progress, and at least they're given
18 the same opportunity. Again, we--this capacity issue
19 it may be real. I don't know. I want to see what it
20 was. It definitely shouldn't be 17% real, and then
21 if it is and some assistance was needed, I don't see
22 why they couldn't be the lead contractor, and get the
23 assistance from someone who's subbing.

24 ASSEMBLY MEMBER BARRON: Well, Council
25 Member, you're--you're making an excellent point.

2 Let's--let's say she has bonding. She has insurance
3 and she has money in the bank. So, let's say HPD
4 felt that she had no experience in doing a project of
5 this magnitude, then what about the subsidies and
6 money that HPD is putting into it? What about the
7 access to capital that they help everybody else get?
8 They could have done that with her and made sure that
9 she can build up the capacity--

10 COUNCIL MEMBER WILLIAMS: Sure.

11 ASSEMBLY MEMBER BARRON: --with the
12 assistance of these other agencies and these lending
13 companies.

14 COUNCIL MEMBER WILLIAMS: I mean this is
15 a--a historic problem.

16 ASSEMBLY MEMBER BARRON: Uh-huh.

17 COUNCIL MEMBER WILLIAMS: And so, if we
18 don't put the effort into fixing it, we're going to
19 continue to do this. So, I don't want to let this
20 project go without having some of those answers to
21 questions, those questions answered particularly in
22 writing I'd like to see it, and as the chair of
23 Housing--

24 CHAIRPERSON RICHARDS: [interposing] And
25 HPD hears this loud and clear, right?

2 COUNCIL MEMBER WILLIAMS: Yeah, I just
3 want to make sure they know also.

4 ASSEMBLY MEMBER BARRON: I just want to
5 just say this about HPD because when I ask them this
6 they have a tendency to give you information on
7 MWBEs. That's not what I'm talking about.

8 COUNCIL MEMBER WILLIAMS: I got it. I'm
9 clear.

10 ASSEMBLY MEMBER BARRON: I'm talking
11 about their history when a project comes to HPD it's-
12 it's coming with privately owned land, and then it
13 has to go through a process like this one is going
14 through to get the zoning change or it will come with
15 the RFP, a Request for Proposal, and then they put it
16 out there and somehow the white man always gets it.
17 He always seems to be more qualified than anybody
18 else. So, I want to know their history. When I
19 asked them they—they were saying that they don't keep
20 track of that. I want to know the history, the
21 ethnic racial history of them giving out these—these
22 development project because yes, I've been in there
23 for 12 years like I said, and I have only seen white
24 developers sit in my office working out these
25 problems.

2 COUNCIL MEMBER WILLIAMS: Well, you
3 meant—I mean you made—I don't—without seeing it I
4 can't say who is more qualified and who wasn't, but I
5 guess if there has been systemic and systematic
6 racism going way back, then someone who—who has less
7 melanin in their skin might be more qualified because
8 they're given more opportunities. And so that can't
9 be the answer going forward. You always get more
10 opportunities and you're always qualified. We have
11 to find a way to stop that, but then what it was
12 sounding, it sounded like she was just qualified on
13 the merit and may—maybe missing some experience,
14 which we could have fixed. But I'm asking these
15 questions as the Chair of Housing and buildings.

16 ASSEMBLY MEMBER BARRON: Right.

17 COUNCIL MEMBER WILLIAMS: So, I'm
18 assuming that I'm going to hear response from HP of
19 which I have oversight of this. So, I would like to
20 do that with the chair of Zoning Committee and the
21 Council member whose project this is in. Thank you
22 very much.

23 CHAIRPERSON RICHARDS: Thank you.

24 ASSEMBLY MEMBER BARRON: Thank you very
25 much.

2 CHAIRPERSON RICHARDS: Thank you for your
3 testimony. Brenda Thompson-Duchene from Green Valley
4 Farm. [pause] You will hit your button and it will
5 light up. Then you may begin. State your name for
6 the record as well.

7 BRENDA THOMPSON-DUCHENE: Brenda
8 Thompson-Duchene. I'm the urban farmer at the Farm
9 they're talking about across where the development is
10 going to be. It's 93 New Lots to 101 New Lots. It's
11 8,500 square foot, and as Council Member Barron
12 stated, we fought long and hard to keep this farm,
13 which is over 25 years in farming. We—we have bees
14 on the—on the property. It's a learning farm, and I
15 heard and stated that it's the winter months, but
16 even the winter months we have a 25 x 40 feet
17 greenhouse that we grow inside. When that building
18 go up, we going to lose that heating. Even though we
19 don't have electricity as I stated there, the
20 greenhouse provides that heating. It's up to 100
21 degrees. It could be 10 degrees outside. So, it
22 provides its own. So, we will be losing a lot of the
23 warmth to be able to grown our produce there. It's a
24 community based farm where no one didn't want to come
25 into the district to bring fresh produce. So, we

2 decided to grow our own and provide this, and we will
3 be losing a lot. It would have a great impact on us.
4 One of the things I heard you all suggest with the
5 taking back of it and, you know, giving us more of
6 the lighting that, which we will be losing, and if
7 this project goes forward, I will hope that
8 developers will stick to their commitment with the
9 growing lights, the heating, the electricity and the
10 stipend to be able to continue our work in the
11 community.

12 CHAIRPERSON RICHARDS: Well, thank you
13 for your work and thank you for your service to the
14 community and--and you have been in discussions with
15 the developers on--

16 BRENDA THOMPSON-DUCHENE: Yes.

17 CHAIRPERSON RICHARDS: --this particular
18 issue. Okay, great. Alright, I don't know if
19 Council Member Barron has anything to say on this.

20 COUNCIL MEMBER BARRON: No questions,
21 just comments. Ms. Duchene is doing a great job, and
22 would just share with us some of the produce that you
23 have, and in case people missed it, we do have honey
24 bees there as well, but if you would just share of
25 the produce that you have.

2 BRENDA THOMPSON-DUCHENE: Yes, with the
3 honey bees last year we grossed 100 pounds of honey.
4 So, that's, you know, what we grossed.

5 CHAIRPERSON RICHARDS: Say that again.

6 BRENDA THOMPSON-DUCHENE: We grossed 100
7 pounds of honey.

8 CHAIRPERSON RICHARDS: Honey?

9 BRENDA THOMPSON-DUCHENE: Yes.

10 CHAIRPERSON RICHARDS: Oh, okay.

11 BRENDA THOMPSON-DUCHENE: We have honey
12 bees on the site. We grow zucchini but in a squash
13 different kind of cucumbers, tomatoes, different
14 kinds of tomatoes, okra, Swiss chard, eggplant. We
15 grow just about everything besides corn.

16 CHAIRPERSON RICHARDS: Awesome. So, if
17 you're looking for some fresh produce instead of
18 going to whatever supermarket you go to, there's one
19 for you go to.

20 BRENDA THOMPSON-DUCHENE: Because have
21 run the farmer's market. There we—we run the
22 farmer's market in the winter months.

23 CHAIRPERSON RICHARDS: Alright, awesome.
24 Well, thank you.

25 BRENDA THOMPSON-DUCHENE: Thank you.

2 CHAIRPERSON RICHARDS: Thank you for
3 keeping us healthy.

4 BRENDA THOMPSON-DUCHENE: Thank you.

5 COUNCIL MEMBER BARRON: Thank you.

6 CHAIRPERSON RICHARDS: I'm going to
7 improve my eating now just off of that. [laughter]
8 Alright, thank you for your testimony.

9 BRENDA THOMPSON-DUCHENE: Thank you.

10 [pause]

11 CHAIRPERSON RICHARDS: Okay. So, we've
12 closed out that hearing. We now will onto Land Use
13 Item No. 712 an unenclosed sidewalk café application
14 from the Pre A Manage-Man-Manger-Manger restaurant
15 located at 125 Chamber Street in Council Member
16 Chin's district. I now open the public hearing on
17 this application. [pause] [Speaking foreign
18 language] I'm calling up Mrs. Smith and also Justin
19 Bouchard. [pause] Okay, and I don't know if
20 Council Member Chin has any comments she wants to put
21 on the record, and we're just a little bit behind.
22 We will hear the Far Rockaway Rezoning Development
23 Plan following this application.

24 COUNCIL MEMBER CHIN: Okay. Good morning
25 and thank you to the chair and members of the

2 subcommittee for the hearing of this new sidewalk
3 café at 125 Chamber Street. Chambers Street is an
4 extremely busy street, and the sidewalks are very
5 crowded. Every morning thousands of school children,
6 college students, local residents and those commuting
7 to downtown pass along Chambers Street, and everyone
8 knows that the Borough of Manhattan Community
9 College. Well, that's how the students get there by
10 going down Chambers Street. As Community Board 1
11 pointed out in the decision to oppose this
12 application Chambers Street was designated for
13 sidewalk café use long before this part of the city
14 has the enormous pedestrian volume it has today. I'm
15 very concerned about a sidewalk café in this location
16 adding a bottleneck for pedestrians and forcing them
17 to pass in the street. I have attempted to reach out
18 to the applicants who address these concerns though
19 these conversations unproductive and, therefore,
20 right now I encourage my colleagues to oppose this
21 application and protect the safety of pedestrian on
22 Chambers Street in my district. Thank you.

23 CHAIRPERSON RICHARDS: Thank you. Do you
24 want to say anything? Please state your name for the
25 record.

2 MARK SMITH: Hi, I'm Mark Smith. I'm
3 representing Pre A Manger. That's the pronunciation
4 of it, and we are know throughout New York for
5 providing healthy food to hungry New Yorkers
6 throughout Manhattan. In this particular site at 125
7 Chambers, we took over what was previously vacant
8 retail space where there was a business
9 underperforming previously. We invested about a
10 million dollars into the property, and we're looking
11 to continue to maintain a viable and vibrant business
12 by adding four tables and eight chairs along-right
13 along the store front in front of the space. You may
14 know our brand. We also provide food to the homeless
15 all of our unsold food goes to the homeless centers
16 throughout the city every evening. So, in addition
17 to providing food in a classy environment, clean
18 space for the neighborhood of Chambers Street and the
19 moms with the strollers that come into our shop
20 everyday along with clean bathrooms, we do feed the
21 homeless everyday with our business. So, what we're
22 trying to do is make sure that we can continue to
23 have a viable business in what can be a very
24 challenged business area for us by adding a few seats
25 that are as-of-right within the zoning for that area.

2 My apologies to Council Member Chin. I'm not aware
3 of her reaching out to me at all. So, if there was
4 an attempt to reach, apologies. We didn't receive
5 that information, but we're really just trying to
6 continue to have a business that thrives in the area
7 so we can continue to provide services throughout the
8 city. Thank you.

9 CHAIRPERSON RICHARDS: Thank you.

10 Alrighty, than you for your testimony. Alrighty we
11 have one other person who wishes to testify on this
12 issues. Jeffrey Ehrlich, I believe.

13 JEFFREY EHRLICH: Ehrlich.

14 CHAIRPERSON RICHARDS: Ehrlich. Okay,
15 and just state your name and who you're representing
16 and you may being. We're going to put two minutes on
17 the clock, Mr. Sergeant-at-Arms. [pause]

18 JEFFREY EHRLICH: Oh, yes. Thank you,
19 Chairman Richards. Council Member Chin has made a
20 number of my points already very effectively. I'm
21 going to edit this testimony in the interest of time.
22 There are a couple of points to make. Our main
23 interest here is safety. Within unenclosed sidewalk
24 cafes usually our problems are at night. The
25 problems here are in the day. There are 25,000

1 students at BMCC who walk almost entirely along the
2 north side of Chambers Street, which I know because I
3 live there and I've lived there for 46 years.

4 They're arriving by bus from any one of a dozen or so
5 subway lines that stop along the length of Chambers.

6 Sometimes during the day I can't get out my steps.

7 It's sort of like Blade Runner where I have to wait

8 to merge, and to this mix, we have to add a lot of

9 construction in our neighborhood. There's trucks and

10 added traffic from block long construction projects

11 over the next few years, one being a block to the

12 east on Church and Chambers, and another a block

13 south at Warren and West Broadway plus the traffic

14 diversions from the jut begun Warren Street Water

15 Main Project, and the ongoing five-year Worth Street

16 Water Main Project, which gives us a serious safety

17 problem for our students. Any bottlenecking on the

18 sidewalk at Pret A Manger will force students to step

19 off the curb and into the street, which they already

20 do when they're rushing to class. We don't have a

21 problem with Pret A Manger. It's a great place

22 actually. I drink their coffee, but I also want to

23 point out in the Weprin decision [bell] which we take

24 into consideration all the time, the court ruled that

2 the "de facto moratorium" quote/unquote in general
3 community resistance were arbitrary and capricious.
4 Denial of an application must be based on more than
5 community resistance to be rational. We have no
6 moratorium and we feel that this unique confluence of
7 factors affecting the safety of our students should
8 override the 40 some year-old designation of Chambers
9 Street for sidewalk cafes. I also have a resolution,
10 which I will submit. It's already submitted--
11 attached to the-- Thank you.

12 CHAIRPERSON RICHARDS: Thank you for your
13 testimony, sir. Council Member. You're good? (sic)
14 Okay, thank you for your testimony. [background
15 comments, pause] Alrighty, are there any other
16 members of the public who wish to testify on this
17 issue? Alright, seeing none, I will now close the
18 public hearing on Land Use Item No. 712. Alright,
19 and we'll move onto the last item in Council Member
20 Chin's district. Our next public hearing will be on
21 Land Use Items No. 716 and 717, 462 Broadway, Special
22 Permit Application. This is an application for two
23 zoning Special Permits for an existing 6-story
24 building located at 462 Broadway in the SoHo Cast
25 Iron Historic District in Council Member Chin's

1 district. The Special Permit pursuant to Section 74-
2 781 would allow retail uses in the cellar and ground
3 floor of the building. The second permit under
4 Section 74-922 would allow for large retail uses over
5 10,000 square feet. With these waivers the applicant
6 proposed to convert the ground floor through the
7 third floor from the existing use as a trade school
8 and accessory office to a single large retail
9 establishment of approximately 20,634 zoning square
10 feet. I will now open the public hearing for Land
11 Use Item No. 716 and 717 and I will ask the public,
12 you know, if you don't like something you can do
13 this. If you like something you can do this, but
14 please no outbursts. Alrighty, applicants may begin.
15 We have Richard Lobel 462 Broadway, Steven Marengo,
16 462 Broadway; Jason Vacca, 462 Broadway; Sandy
17 Hornig, 462 Broadway, and if Council Member Chin has
18 a statement, she may proceed.

19
20 COUNCIL MEMBER CHIN: Thank you, Chair
21 Richards. Well, before the committee there's an
22 application from the owner of 462 Broadway seeking
23 two Special Permits to establish a retail space that
24 would take up a massive 45,000 square feet from the
25 cellar to the third floor in a large building in

2 SoHo. Community Board 2 voted unanimously to deny
3 these applications and Borough President Gale Brewer
4 also recommended a denial. I cannot in good
5 conscience support this application as is. The City
6 Planning Commission, however, determined both
7 applications to be appropriate with a slight
8 modification regarding where to load and unload. I
9 believe this is decision was made using a narrow
10 definition of what is considered appropriate, and a
11 lack of understanding about the true character of the
12 SoHo neighborhood. For months I have heard from my
13 constituents who are long-time SoHo residents about
14 the burden of these large retail establishments on
15 their quality of life from noisy deliveries in the
16 middle of the night to pop-up events, drawing
17 enormous varied crowds that leaves trails of trash on
18 our streets. These residents have watch their
19 community shift from a creative and unique place they
20 built themselves to a spectacle designed only for
21 tourists. This administration must put an end to the
22 slow erosion of the foundation of this place. So, I
23 share the concern of these constituents, Community
24 Board and Borough President. Yes, Broadway is one of
25 the city's premier commercial retail corridors, but

2 this merely is mixed use not purely commercial and
3 even more importantly, Broadway is the spine of the
4 SoHo community, a bustling neighborhood where
5 families, artists, small business owners, advanced
6 manufacturers and makers as well as retail
7 establishment must co-exist. This conversation
8 should not just be about successful retail. This is
9 about what makes up a successful mixed-use district.
10 It's not a street where the extreme traffic and
11 pedestrians pose a safety hazard to the public. It's
12 not a street where commercial garbage is piled high
13 at all hours of the day. It's not a street where
14 one-day promotional events create rowdy crowds that
15 disturb the peace and bring a huge amount of trash.
16 It is infuriating that there are still many illegal
17 retail operations along Broadway. While the
18 applicant can argue that their proposal is one of the
19 big ones because they are pursuing the legally
20 required Special Permits for ground floor and large
21 scale retail, but in 1998, the owner rented another
22 portion of the building to an illegal use, and I find
23 this history disturbing. The residents of SoHo
24 deserve better than having their community treated as
25 a mall and we cannot allow them to feel unsafe and

2 uncomfortable in their own neighborhood and in the
3 neighborhood that they helped to build. So, as this
4 proposal is written today, I cannot in good
5 conscience support this application at it exists.
6 Thank you, Chair.

7 CHAIRPERSON RICHARDS: Thank you, Council
8 Member Chin. You may begin. Very good. [laughter]
9 They got it right the first time.

10 COUNCIL MEMBER CHIN: That's right.

11 CHAIRPERSON RICHARDS: Awesome. Alright,
12 we'll start.

13 RICHARD LOBEL: Thank you, Chair Richards
14 and—and thank you Council Member Chin for your
15 testimony. Good morning or good afternoon. My name
16 is Richard Lobel. I'm from the Law Firm of Sheldon
17 Lobel, P.C. I'm with Steve Mariendorf (sp?) who is
18 the owner and applicant for this application as well
19 as the rest of the applicant team, and so what I'm
20 going to briefly do is run through the technical
21 aspects of the application, talk about its history
22 and why we're here. The application is for 462
23 Broadway. This is a longstanding building within the
24 M1-5B zoning district. It is an approximately 20,000
25 square feet lot with an existing 6-story building and

2 you'll see that on the board that this was the home
3 and has been the home of the International Culinary
4 Center for over 30 years. The ICC is a valued member
5 of the local community and operated a restaurant on
6 the ground floor for most of this time. At some
7 point, the ICC changed its program, and so what
8 happened was it changed from an internship program,
9 which allowed it to operate a restaurant on the
10 ground floor to an externship program, which
11 basically sent school members and students to the
12 restaurants and other establishments around the city.
13 And so when this changed, the ICC talked to Steve and
14 basically said we want to remain in this building.
15 We want to remain in SoHo. Is there anyway we can
16 restructure ourselves within this building, allow the
17 ground floor to be used for other uses going forward
18 and to remain in the building? And so, we did so,
19 and so the ICC, which submitted testimony into the
20 record at City Planning, basically said that they
21 were going to move the use with the upper floors of
22 the buildings, which they have done and are there
23 right now leaving the ground floor vacant. And so,
24 the question now is what comes next? So, those views
25 of the—of the property at 462 Broadway, and there's

2 view from Broadway and Grand and Grand Street and
3 Crosby Street. So, the application now is for two
4 Special Permits. One is 474781 and one is 474922,
5 and I'll discuss those briefly right now. 74781
6 allows for ground floor and cellar commercial uses
7 within a M1-5B district. So, the background of this
8 district is such that use group six retail is not
9 permitted as-of-right on the ground floor and the
10 cellar of these building and later in the
11 presentation Sandy Hornig, who is a consultant to our
12 office and was one of the authors of SoHo Zoning in
13 that regard is going to kind of address that history,
14 and why was that was established. But 74781 allows
15 you to go through a process to utilize ground floor
16 and solid commercial use, and so the application went
17 through that process. Engaged in good faith
18 marketing and basically satisfied the City Planning
19 Commission that the marketing efforts they had done
20 were sufficient to allow that Use Group 6 in the
21 ground floor and cellar. The additional Special
22 Permit that was sough was 74922, which is a large
23 scale Special Permit, which is really the subject of
24 a lot of conversation and debate, and 74922 allows
25 retail uses of greater than 10,000 square feet within

1 this M1-5B district. So, there's a discussion and
2 the Community Board is very aware and has been very
3 vocal and continues to remain vocal as well as
4 Council Member Chin with regards to illegal uses of
5 greater than 10,000 square feet. In the Community
6 Board resolution surrounding this application they
7 cite some very vehement abusers of the zoning and the
8 fact that these uses have not been properly policed
9 by the city of New York. So, if you want to operate
10 a great-greater than 10,000 square feet, you need to
11 come in for the Special Permit, and so we included
12 that as part of our application process. Just
13 looking at the timeline of the application and just
14 by way of shortening this discussion, the applicant
15 here has left the property vacant and unused for
16 greater than two years. So, we now have a vacant
17 storefront sitting on Broadway and Grand in SoHo, and
18 it is a financial hardship on an applicant to have
19 these properties remain so, but they did go through
20 the process in the legal and prescribed way. And so
21 we find ourselves here in now. The conversation with
22 the Community Board was robust. There were no fewer
23 than five meetings with the Land Use Committee, the
24 Executive Committee, members of the Land Use

2 Committee as well as the entire board, and so through
3 not a debate, what was discussed there, but to modify
4 maybe what Council Chin has stated it's that it was
5 denied. The large scale was denied. I feel that a
6 lot of the large scale uses in that area have ruined
7 this area because they have flouted the law, and are
8 really not operating correctly. The Community Board
9 basically said we understand the Use Group 6 the
10 retail use on the ground floor and cellar, and so it
11 was a deny nonetheless. And so, they basically said
12 yes we deny this unless those spaces are 10,000
13 square feet or less, and so there was a recognition
14 of the appropriateness of Use Group 6 on the ground
15 floor and the cellar, but not of the size that was
16 requested by the applicant. So, the size requested
17 by the applicant in the event that the City Planning
18 Special Permit was approved, would be 45,000 square
19 feet. It is an extremely large retail operation,
20 and—and so here was an attempted negotiation with the
21 Community Board, and so we came and there and
22 proposal and counter-proposals to bring down that
23 square footage, and there's a public record of that.
24 At the end of the day, we did not end up coming to
25 something to something that the Community Board could

2 support except for their resolution allowing the Use
3 Group 6 Retail. However, we've continued to keep
4 that dialogue open. We've met with members of the
5 community as well as Council Member Chin, and we hope
6 to come to a resolution with regards to this Special
7 Permit. So, the current proposal, as you can see it
8 on the screen allows for this Use Group 6 space and
9 Use Group 10-A, which would occupy the seller, the
10 ground floor and the second and third floor here.
11 And so, just to conclude this portion of the
12 presentation before I hand it off to Steve, I would
13 say that the special here is controversial, but
14 allows a path forward for applicants to do things the
15 right way, and the reason is because the Special
16 Permit allows you to impose conditions. If Top Shop
17 or other operators who are operating illegally are--
18 are flouting the law and basically operating without
19 the benefit of-of legal regulation, they're basically
20 going to abuse the system. This Special Permit
21 process allows for conditions to be imposed. In
22 fact, in response to the Manhattan Borough
23 President's opinion with regards to this application,
24 the size, City Planning looked at the traffic on
25 Crosby Street and said, you know what, we don't think

2 it's appropriate to have loading and unloading there
3 during the night time hours so we're going to impose
4 that condition, and the applicant accepted that
5 condition and so the application right now as it
6 stands includes that there will be no loading or
7 unloading during hours of-overnight hours between
8 8:00 p.m. and 7:00 a.m. So, we understand that
9 condition. We accept that condition. We look
10 forward to continuing the process and we value the
11 fact that the resolution as created by the city of
12 New York gives a path forward for applicants who do
13 things the right way. So, we're taking everything
14 in. We hope that there's a way we can come to a
15 successful conclusion where we're able to move
16 forward and we're-we're not required to leave this
17 space on Broadway vacant for-for a longer period of
18 time. Thank you, Chair and-and I will have Steve
19 discuss this if that's acceptable.

20 STEVEN MAINOFF: Thank you. Thank you.
21 [laughs] Your thumbs down would indicate simply that
22 I'm here. I haven't said anything yet. [coughs]
23 First of all, thanks to the Council for the
24 opportunity to make this presentation. My name is
25 Steven Mariendorf. I've been the owner and operator

1 of 462 Broadway for 36 years. I've seen SoHo 36
2 years ago, 38 years ago when I first started, and
3 watched enormous numbers of changes. Many of you may
4 have been here as long as that. Some maybe not. I'm
5 in the end of--this is the end of a 2-1/2 year process
6 as Mr. Lobel--Mr. Lobel has said. It is the only
7 process that is mandated by the city that allows for
8 us to conform our ground floor to retail use on a
9 street that is retail. It is zoned manufacturing as
10 you all know, and I don't think there's much of a
11 real discussion. If you don't mind, Council Members,
12 I'd like to more or less address myself to the people
13 who've come here. Please don't take any offense at
14 that. But I feel like to some degree I know you, and
15 I've seen you in so many different public hearings in
16 so many hearings with individuals who are members of
17 the Community Board. I get it. No one wants
18 Broadway if you're living there especially to be a
19 mall, and you're here today to voice that opinion.
20 I've heard it as loud and clear as I could possibly
21 hear it. Our original plan was, in fact, to do if
22 possible a single tenant multi-story retail event,
23 and it--and that's dead now. I'm--I'm very clear
24 that's inconsistent with what the community wants.
25

2 It's not what should be there, and perhaps even as
3 important, not more, but as important it's not what
4 the market is. So, in that way you've really
5 attained a voice that you've been missing for many,
6 many years, maybe for a long, long time. What I
7 heard besides your concerns about the quality of life
8 being changed as a result of all the things that
9 Congresswoman Chin mentioned and that I've heard you
10 say, lights that are on all night as a seemingly
11 advertising vehicle. Long periods of time when there
12 are lines outside retailers who are simply doing that
13 to generate traffic. Large multi-large vans and
14 trucks that are on Crosby Street, and otherwise
15 really quiet cobblestone street with air horns
16 blowing in the middle of the night to get somebody to
17 come out and help them unload. These are problems
18 that I did not create. They are quality of life
19 issues I'm willing to address, but please also
20 understand I have a large building not a small 2 or
21 3,000 square foot, 4,000 square feet building that
22 I'm gong to try to put a tenant in the ground and
23 second floor. The individual square footage of the
24 ground floor alone that I'm seeking a permit for is
25 itself 8,600 feet just the ground floor. When you

2 shrug I understand that because it's not your
3 problem, and I—I'm willing to share your problem,
4 which is quality of life. All I really ask is since
5 this landmark façade cast iron building, which has
6 very limited ability to create storefronts, and you
7 just can't cut it up and divide it up. I've got to
8 go before Landmarks for every single thing I do.
9 Give me an opportunity to have flexibility in leasing
10 to whatever tenants there are that I can find. I'm
11 prepared to negotiate through the City Council a
12 compromise so that if I can put tenants in greater
13 than 10,000 feet, those tenants would be required to
14 deal with certain constraints and conditions that
15 will affect the quality of your life. I understand
16 that there's desirability to have nothing more than a
17 Use Group 6, but please accept that it is
18 inappropriate for a building of my size to be limited
19 to just Retail Use Group 6, and I thank you very
20 much.

21 CHAIRPERSON RICHARDS: Thank you all for
22 your testimony and I'm sure you can appreciate the
23 community's apprehension to this application because
24 obviously there are legal uses in the community
25 already and, you know, this is, you know, and I want

2 to point this more to the city when we allow things
3 to access there for a very long time it makes it
4 harder as these applications come before this
5 committee. So, the city has an obligation to ensure
6 that they actually are ensuring that people are in
7 compliance in neighborhoods as it is and, you know,
8 people should follow the—the law of the land, and it
9 would make life a lot more easier for all of us. My
10 first question to you is, so did you speak to the
11 community before you proceeded because obviously
12 there's a history here that's a mistrust, and so I'm
13 interested in knowing how did you reach out to the
14 community through this process or did we just go
15 through City Planning and not have a pre-
16 conversation.

17 STEVEN MARIENDORF: No, no, no. I myself
18 have been in every public meeting at every level of
19 this process. I've heard everything that people had
20 to say, and we have worked with the Land Committee of
21 the Community Board. We worked with the Land Use
22 Committee of the City Planning Commission. We've
23 spoken about all the different issues that I believe
24 are going to be raised in the testimony I'm about to
25 hear. We've put—we've put forward proposals to limit

2 the size of anything in a Use Group 10 Permit
3 process, and have discussed other thing besides
4 loading and unloading on Crosby Street that have to
5 do with the quality of life limitations that would be
6 put on large scale tenants, numerous meetings.
7 Alright, and so the issues around traffic can you
8 explain how you plan to remediate some of those
9 issues, and then what sort of retail were you
10 looking? So, you said you originally in your
11 proposal was looking 45,000 square feet?

12 STEVEN MARIENDORF: We were trying to put
13 in a multi-story retail user.

14 CHAIRPERSON RICHARDS: Okay and now it's
15 minimum—you—you brought it down to what?

16 STEVEN MARIENDORF: We haven't done
17 anything. The City Planning Commission has not
18 changed the actual scope of our proposal, but I
19 believe that Council Member Chin has significantly
20 different ideas about that, and we're prepared to
21 work with Councilman Chin going forward.

22 CHAIRPERSON RICHARDS: [interposing] And
23 what did the Community Board recommend there? I mean
24 we know they recommended disapproval but was there

2 any middle ground on the amount of square footage at
3 all?

4 STEVEN MARIENDORF: We made a proposal to
5 the City--to the--to the CB2 the Community Board 2, and
6 I'm willing to renew the discussion.

7 CHAIRPERSON RICHARDS: Okay, and I know
8 there are issues around eating and drinking
9 facilities in this neighborhood. So, you were
10 planning on not doing any of those particular uses?

11 STEVEN MARIENDORF: That's not true. We
12 had a restaurant there for a very, very, very long
13 time.

14 CHAIRPERSON RICHARDS: But this is some
15 the Community Board has had an issue with it.

16 STEVEN MARIENDORF: That was an issue--

17 CHAIRPERSON RICHARDS: Right.

18 STEVEN MARIENDORF: --with the Community
19 Board, and I actually was surprised about that given
20 its prior use.

21 CHAIRPERSON RICHARDS: Alrighty and then
22 on traffic can you just speak to that a little bit
23 more since that's a big issues.

24 STEVEN MARIENDORF: Vehicular traffic or
25 pedestrian traffic?

2 CHAIRPERSON RICHARDS: Yes, vehicular.

3 STEVEN MARIENDORF: Sorry, I didn't
4 understand. Vehicular or pedestrian.

5 CHAIRPERSON RICHARDS: Vehicular.

6 STEVEN MARIENDORF: Vehicular. I actually
7 would—I actually prefer to have Richard Lobel deal
8 with that on the Grand versus Crosby Street aspect.

9 CHAIRPERSON RICHARDS: Okay.

10 RICHARD LOBEL: So, the City Planning
11 Commission, of course, as part of the re-application
12 requires a traffic study as part of the Environmental
13 Assessment Statement and there were discussions and
14 there was a traffic study done, and so, the City
15 Planning Commission itself chose to impose a
16 limitation preventing overnight loading and unloading
17 on the Crosby Street portion of the property. So,
18 right now the property benefits from being a 200-foot
19 wide property along Grand Street, and for their being
20 a no-parking area immediately in front of the
21 property. So, it actually presents a fairly ideal
22 opportunity for there to be unloading and—and loading
23 and unloading along that corridor. The understanding
24 is that there's illegal operators right now who
25 unload on Crosby Street and that is a serious

2 impediment, and a serious problem for the local
3 residents, and so the City Planning Commission
4 imposed that condition. We're happy to accept that
5 condition, and so, the idea now would be to divert
6 most of the deliveries to that Grand Street portion
7 as well as to in a more limited respect along
8 Broadway. But that's basically how the unloading and
9 loading at the premises was addressed.

10 CHAIRPERSON RICHARDS: You said you
11 unsuccessfully promoted this particular site over the
12 last two years. What sort of businesses did you
13 reach out to over the past two years, and how did you
14 do outreach on that?

15 RICHARD LOBEL: So, the special permits
16 for ground floor retail requires that you engage in
17 good faith marketing efforts, and so as part of the
18 good faith marketing efforts, and I'll just go for a
19 minute back to the slide. There were outreach
20 campaigns that were done in accordance with prior
21 approvals that were granted by the commission, and so
22 back to 1, 2. So, the space was advertised in local
23 and citywide press. It was listed with a broker. We
24 informed local and citywide industry groups. There
25 were ads placed in numerous publications. In

2 addition in accordance with the Borough President's
3 prior reports on other applications, we directly
4 contacted no fewer than 12 individual organizations
5 and, of course, Chair Richards all of this was
6 towards the opportunity for manufacturing use in this
7 space, and the truth of the matter is that
8 manufacturing uses are hard to come by for—in this—in
9 this regard. So, the Culinary Institute, which was
10 there for over 30 years, actually as Sandy likes to
11 talk about was one of the last conforming uses to be
12 placed along this area in SoHo, and so they were a
13 Use Group 9 Trade School. Were they to continue in
14 operation, we wouldn't even be here today if they
15 were continuing with the restaurant, and so we have
16 the benefit of showing that we've been prior—prior to
17 the application had been continuing to operate in
18 accordance with Use Group 9 and in accordance with
19 those requirements. Once they left, the marking
20 efforts as were directed by City Planning were
21 unsuccessful and we did not get a viable
22 manufacturing tenant.

23 CHAIRPERSON RICHARDS: Okay, I'm going to
24 go to Council Member Chin for comments and questions.

2 COUNCIL MEMBER CHIN: Thank you. Do you—
3 did you do a study in terms of how many residents
4 live somewhere in that area within 400 square feet?

5 RICHARD LOBEL: So, the EIS contains a
6 discussion of mixed uses in the area as well as
7 residential. It's part of that study so we're happy
8 to parse that out, and—and resubmit that to the
9 Council, but it—it did generally look at land use in
10 the area when it looked at whether or not the Special
11 Permit was appropriate.

12 COUNCIL MEMBER CHIN: Because you—it just
13 follows something. One form filed, and this address
14 stated there was no residents within 200 feet of the
15 worksite.

16 STEVEN MARIENDORF: That was a part—so
17 thank you. There—it was brought to our attention
18 yesterday that permits for after hours work were
19 filed in which a box was checked that said there were
20 no residents within 200 feet. That is the first time
21 I or anybody in my office ever saw that form. That
22 form was filed by Art Stone, our general contractor,
23 and that form does not indicate—that form indicated
24 that the hours for work on Saturday were 9:00 to
25 5:00. That is residential work hours on a Saturday.

1 We've been working on Saturdays over inside the
2 building not for exterior work and that—but for the
3 crane. Excuse me. So, the crane is a separate
4 permit. It's very interesting and very difficult to
5 have a conversation, but that's okay. The box was
6 checked originally in February by Art Stone the
7 contractor. That simple form was sent over and over
8 again. We spoke to the fellow at Art Stone. He said
9 that it was a mistake, a clerical error and has been
10 corrected. We found out that even if it had been
11 checked yes, that those hours would have been
12 approved in prior filings that we made for that type
13 or work or that were made by our general contractor.
14 That box was checked, and that's not the basis upon
15 which the Department of Buildings issues a permit to
16 do that type of work. So, that was not intentional.
17 I appreciate that it appears on your behalf as
18 brought to your attention that this wasn't a
19 malicious or intentional attempt to obfuscate or
20 misdirect or misrepresent what we know, but the email
21 that came just prior to it to the clerk at Art Stone
22 said this is a residential neighborhood. The clerk
23 simply redid that form. I'm happy to show you the
24

2 emails, but I assure you this has nothing to do with
3 my company or me. We had no knowledge of that form.

4 COUNCIL MEMBER CHIN: Now, in our meeting
5 I asked you that, and I still there—I think there's a
6 need for space, you know, for artists or designers.
7 So, in your building have you thought about, you
8 know, creating some of those spaces to meet that need
9 on your second floor, on your third floor? I mean
10 we're losing office space in SoHo, and people want to
11 be down there because it's a creative community, and
12 because of all these, you know, so-called illegal big
13 box stores, I'm glad you're coming in to ask
14 permission, and the city is cracking down on those
15 illegal ones, and we're going to really push on that
16 because of the havoc that they have Created. But, the
17 opportunity for you to also create some really good
18 space for artists and designers who—who still want to
19 be in SoHo. So, in your good fait marketing efforts,
20 did you think about that or did just—just thought
21 about retail?

22 STEVEN MARIENDORF: We--

23 COUNCIL MEMBER CHIN: [interposing] I
24 mean, you know, retail is also changing. You know,

2 as the Borough President said, everybody is buying
3 stuff online.

4 STEVEN MARIENDORF: Right.

5 COUNCIL MEMBER CHIN: So, who knows
6 what's going to happen in the next couple of years.

7 STEVEN MARIENDORF: Of course.

8 COUNCIL MEMBER CHIN: But there's an
9 opportunity for you here to sort of maintain the
10 history of your building of—of being a good owner,
11 you know, because you had to hold the Culinary
12 Institute. It was pretty iconic in some ways right?

13 STEVEN MARIENDORF: Yep.

14 COUNCIL MEMBER CHIN: But being a
15 creative hub for SoHo, that's something that have you
16 really thought about or looked at?

17 STEVEN MARIENDORF: You know, it's not
18 the thing that comes to my mind first when I'm
19 looking for a tenant, but we did really take great
20 pride in the International Culinary Center, which
21 this, you know, followed onto the French Culinary
22 Institute. I valued them and used them. My own
23 step-son is a graduate of the International Culinary
24 Center. I feel like that had a great benefit to
25 SoHo, and rather than simply let them expire at the

2 end of their lease, I extended it for a long time
3 because it doesn't matter to me as much to get the
4 last dollar of rent as it does to have a good tenant
5 who I like and value. We've owned the building for a
6 very, very long time and you can look at that as a
7 benefit if you want to, but no I have not looked at
8 setting aside space for artists in the SoHo
9 community. I don't—we've been precluded from
10 marketing this space. I don't really know what the
11 retail market for 462 Broadway is yet. We were told
12 to withdraw our marketing material even though our
13 plan had been approved and so we do not know what is
14 out there. I'm willing to look at any prospective
15 tenant and we'll expect to, and only ask that I be
16 allowed to do so above 10,000 feet to a certain
17 limit.

18 COUNCIL MEMBER CHIN: Well, you're open
19 and we can work on that, and I think it's--

20 STEVEN MARIENDORF: [interposing] Of
21 course, I know.

22 COUNCIL MEMBER CHIN: --an opportunity to
23 really create the—the artistic creative space that we
24 still need in SoHo.

2 STEVEN MARIENDORF: I'm willing to
3 discuss--

4 COUNCIL MEMBER CHIN: [interposing] So,
5 let's--let's try to explore that, too.

6 STEVEN MARIENDORF: I'm willing to
7 discuss it. Thank you.

8 COUNCIL MEMBER CHIN: Thank you. Thank
9 you, Chair.

10 CHAIRPERSON RICHARDS: Thank you, thank
11 you all for coming out.

12 STEVEN MARIENDORF: Thank you.

13 CHAIRPERSON RICHARDS: Alright, we're
14 going to call the next panel. Erica Baptiste,
15 Manhattan Borough President's Office; Wendy Friedman,
16 Ironclad Artists; Inner Living and Work-work Co-op,
17 Charles Anderson; Assembly Member Deborah Glick's
18 Office; Lee Binky, I believe; and Broadway Resident
19 Coalition; Janine Kelly. We're going to set two
20 minutes on the clock. [background comments, pause]
21 Alrighty, please state your name and you may begin.

22 ERICA BAPTISTE: Good afternoon. I'm
23 Erica Baptiste and I'm here--I'm here on behalf of the
24 Manhattan Borough President Office to express our
25 concerns regarding the application before you. With

1 regard and real estate marketing effort necessary for
2 the use change, our office has raised significant,
3 substantial concerns over a piecemeal elimination of
4 the manufacturing zoning from the SoHo and NoHo
5 neighborhoods in favor of retail. We also continue
6 to question the rent soft manufacturing space as part
7 of the good faith effort, which in each instance
8 seems to be calculated on the percentage of what the
9 applicant feels they are entitled to were to rent the
10 space for retail use rather than on a fair market
11 price for manufacturing space. In the case of the
12 Special Permit for a large retail establishment, the
13 City Planning Commission Report states that the
14 granting of this permit will "Enhance this dynamic
15 retail destination and further enliven the corner of
16 Broadway and Grand Street" and will not impair the
17 character of the surrounding area. However, we
18 believe that big box destination retail in this
19 location will have negative impacts on the
20 surrounding neighborhood. Furthermore, we question
21 the long-term viability of big box destination retail
22 given the anticipated rents and retail trends. There
23 have been a number of articles written in the New
24 York Times as recently as the spring stating that the

2 decline of retail along the major shopping corridors
3 in the city. Stores are closing. Retail employees
4 are losing jobs, and storefronts are remaining vacant
5 as more retail businesses move to e-commerce.

6 There's a legitimate concern that this 45,000 square
7 foot space could remain vacant if a special permit is
8 granted. The Department of City Planning has stated
9 that they will move forward with the SoHo, NoHo
10 neighborhood study, and we think a study is
11 necessary. However, we must emphasize in
12 anticipation of that study that as a general
13 proposition, we do not believe big box retail is
14 appropriate in this neighborhood. Thank you.

15 CHAIRPERSON RICHARDS: Thank you for your
16 testimony.

17 CHARLES ANDERSON: Good morning. My name
18 is Charles Anderson, and I will be reading testimony
19 on behalf of Assembly Member Deborah J. Glick.

20 CHAIRPERSON RICHARDS: I'll ask you to
21 just speak into the mic just a little bit.

22 CHARLES ANDERSON: Sure. Is that better?
23 Great. While the SoHo portion of Broadway is
24 informally known as the shopping destination for
25 tourists visiting New York City, many residents still

1 live in the area, and are forced to contend daily
2 with quality of life issues and other problems
3 brought on by changes similar to what the applicant
4 is seeking. Nonetheless, in 15-A and 15-B districts,
5 permits specifically tell you an applicant who has
6 owned the building for many decades should be a part
7 of following existing law in regards to retail uses
8 rather than applying for a special change in zoning.
9 For this and other reasons, we urge the City Council
10 to deny this application. On June 7th this
11 application was heard by the City Planning Commission
12 where commissioners were given a chance to ask
13 specific questions of the developer and discuss the
14 merits of the application. Many commissioners raised
15 questions as to the overall zoning requirements that
16 are seen in this section of SoHo, and what the
17 current state of retail uses in M1-5A and M1-5B zones
18 mean for the residents and infrastructure surrounding
19 the application. On July 12th, the CPC voted in-
20 voted to unanimously approve BG6 retail on the first
21 floor and cellar and voted 10 to 1 in favor of
22 separate UG10 retail in the cellar through the third
23 floor. My office has numerous concerns regarding the
24 amount of retail square footage. The Special Use
25

1 Permit process, land use need of SoHo, quality of
2 life concerns and the surrounding oversized retail
3 violations that are enumerated in depth in our longer
4 testimony. I appreciate the applicant—that the
5 applicant has made certain changes to the proposal in
6 an attempt to satisfy the Community Board's concerns
7 and is participating in the Special use Permit and
8 the ULURP process in general. However, there are—
9 there are many illegal structures within the area,
10 and the community—community's opposition to this
11 proposal is strong and has made clear the damage done
12 by oversized retail to the quality of life of SoHo's
13 residents is pervasive. In fact, except for the
14 applicants themselves and to a larger degree now CPC,
15 to my knowledge no entity has come forward in favor
16 of this application. Furthermore, until the ECB
17 violations for the five other SoHo spaces [bell]—I'm
18 wrapping up. Until the ECB violations for the five
19 other SoHo spaces that are comparable to this
20 location are decided within DOB, this application
21 should not move forward as it will only provide
22 justification for clearly non-conforming spaces to
23 become legalized. Because of these reasons and the
24

2 aforementioned concerns, we urge the Council to deny
3 this application. Thank you.

4 CHAIRPERSON RICHARDS: Thank you. Yes.
5 [background comments] No, I can't. There you go.

6 LEE BANKY: I don't do this very often.
7 I'm Lee Banky (sp?). I'm from the Broadway Residents
8 Coalition. I'm a neighborhood resident. I live
9 right next to Mr. Mariendorf. I've been there since
10 1984. I've spend my life in this community. Our
11 lives have become unbearable by this piecemeal change
12 that's been going on, and there's very little
13 consideration given to the residents. So, I really
14 ask you to with my whole heart not to let this go
15 through.

16 CHAIRPERSON RICHARDS: Thank you.

17 WENDY FRIEDMAN: Good morning. My name
18 is Wendy Friedman. I live across the street from 462
19 Broadway on the Crosby side in a very similar extra
20 large historic cast iron building. Again, it's on-on
21 Grand between Crosby and Lafayette. Our building was
22 co-opted as an AIR, artists and residents live/work
23 building, you know, going towards 50 years ago people
24 have been living there. There are 18 units with an
25 estimate of approximately between families,

2 businesses, staff, several hundred people in our
3 building in and out every-everyday. Crosby Street
4 is-when I move into the building 30 years ago, it was
5 completely quiet. It's a beautiful cobblestone
6 street that's often in TV commercials, and
7 photographed. We now sit between two hotels that-on
8 Crosby that have greatly affected the neighborhood
9 and-and the traffic and the trucks. I look out my
10 win-win-corner window, and I often see traffic-
11 accidents, and on Thursdays and Fridays, there is
12 non-stop honking and-and traffic is at standstill.
13 You know, I think that they could have other kind of
14 people-other kinds of clients in that-in their
15 building, in fact. I have a small business, and one
16 of my clients is a medical marketing company that has
17 two floors of their building. So, why couldn't they
18 have other similar types of businesses in there?
19 We've already for all these years have dealt with the
20 Culinary Institute and the building. We've had a lot
21 of problems with noise, truck exhaust up to date, you
22 know, with the-the trucks running, and I think it's
23 Ms. Chin's, sorry. Ms. Chin said a deal about
24 creating spaces. You know, there are so many live-
25 working spaces, rework type spaces. I think that

2 will be a great idea with maybe even a museum in the
3 middle of it. Thank you.

4 CHAIRPERSON RICHARDS: Thank you.

5 JANINE KILEY: Hello. Members of the
6 Subcommittee on Zoning and Franchises and Council
7 Member Chin, my name is Janine Kiley. I'm here
8 speaking as a SoHo Resident, not as a member of
9 Community Board 2. I'm asking t hat you vote no on
10 both Special Permits, no on big box retail and no on
11 spot rezoning of SoHo. A no vote will allow vibrant
12 ground floor use in our mixed-use neighborhood that
13 is filled with residents, small tack and creative
14 businesses and retail under 10,000 square feet. If
15 you want SoHo to become Time Squares South vote yes,
16 and know that a yes vote will drive out residents who
17 can afford to leave and make the neighborhood
18 unlivable for those who cannot. I'm not here to voice
19 concerns that you've already heard today. Stopping
20 night deliveries and adding artisan space are
21 important, but they are not zoning tenets for
22 allowing big box stores. I'm here to respectfully
23 ask that this Subcommittee vote no and my Council
24 Member vote no in support of the SoHo residents, SoHo
25 small business owners and artisans, Manhattan

2 Community Board 2, and Manhattan Borough President
3 Brewer who all—Brewer who all opposed this Special
4 Permit. Thank you.

5 CHAIRPERSON RICHARDS: Thank you. Thank
6 you all for your testimony. We're going to go to the
7 next panel. Maria Feliciano, Broadway Residents
8 Coalition; Anna Villarosa (sp?). I messed that up
9 476 Broadway; Steven Leon, Resident. I can't make out
10 this writing but Lawrence, Ms. Lawrence and Mr.
11 Lawrence; Terry Cude, CB2, Chair. Terry, Maria
12 Feliciano, Anna, Steve Leon and Lawrence. Alright,
13 you may begin. Please state your name for the record
14 and who you're representing.

15 Hello. My name is Anna Villarosa and I
16 live at 476 Broadway. It is two doors up on
17 Broadway. Thank Ms. Chin for your support. My
18 windows face the roof of 47-462 Broadway, and every
19 once in a while I have to call the-the Super in that
20 building to please grease the air conditioners
21 because the noise is unbearable. That is just when
22 I'm home. So, when I get out the door, there is on
23 Broadway, Broadway has become impossible to-to
24 traverse. I have two small kids. I—there is
25 garbage. The crowd is impossible. Many times I

2 tried to exit my building on the Crosby side because
3 Broadway is so impossible, and now Crosby is
4 ridiculous with the deliveries on Top Shop. So, now
5 I'm going to have to—how am I going to get of the
6 house. [laughs] So, I—I—I please ask you to opposed
7 this proposal.

8 CHAIRPERSON RICHARDS: Thank you.

9 DAVID LAWRENCE: Hello. I'm David
10 Lawrence. I—I live at 138 Grand Street. My—in a—I'm
11 directly below Wendy and my space faces the Culinary
12 Institute, well the building that we're discussing.
13 You know, all of the issues that people have brought
14 up are certainly relevant, and I don't want to repeat
15 them. My only point would be that there's zoning in
16 SoHo that retail not exceed 10,000 square feet, and
17 there's a reason for that, and it's because SoHo is
18 small scale. Most of the buildings are historic cast
19 iron buildings that are five and six stories tall,
20 and 10,000 square feet is appropriate in that kind of
21 environment. Inserting a large big box type store
22 into a tiny environment is—is not appropriate in any
23 way, and all of these issues that we're complaining
24 about are directly as a result of that. I would
25 suggest as another speaker suggested that until these

2 other violations along Broadway are resolved that
3 nothing proceed that goes beyond 10,000 square feet
4 in the SoHo Broadway Corridor. Thank you.

5 CHAIRPERSON RICHARDS: Thank you.

6 STEVE LEON: Hi, I'm Steve Leon and I
7 live at 458 Broadway across the street from 462, and
8 there are two issues that have been brought up by
9 Mariendorf Group that I strongly opposed and the
10 first is the--the corridor on Grand Street. I--I park
11 on Mercer and--and Grand in parking lot, one of the
12 only few--one of the few parking lots left in the
13 area, and I--I traverse off Grand Street and I pass
14 462. There's always a lot of traffic on that road.
15 There's only one lane, and if you start putting
16 trailer tractors unloading there. It will be
17 impossible to pass. So, [coughs] excuse me. The idea
18 of using that as an unloading area is untenable, and
19 secondly, the--Mariendorf discussed at length about
20 the Culinary Institute, and I don't know very much
21 about their relationship as tenant/landlord, but I do
22 know as a--as a resident there, there were issues with
23 the garbage, and wife had, you know, spearheaded the--
24 getting the Sanitation Department over there. She--
25 she videotaped what was going on at night or early in

2 the morning, 2:00, 3:00 and 4:00 in the morning where
3 there was—they would—they would hose down the garbage
4 and it would go all the way down the street causing
5 odor and—and, you know, debris. So, I would strongly
6 support you to recommend that the—the 10,000 square
7 foot limit be supported.

8 CHAIRPERSON RICHARDS: Thank you.

9 MARIA FELICIANO: Good afternoon. My
10 name is Maria Feliciano, and I live at 543 Broadway.
11 We recently returned to SoHo after being 10–11 years
12 actually in Seattle. So, this is our second time
13 there. The change is enormous. The change is
14 enormous. I have to walk my dogs holding onto them
15 until I clear Broadway. The main reason for that is
16 the huge Nike store on the corner. It has really,
17 really made an enormous impact on-on just transiting
18 in and out of our apartment. So, this kind of size
19 and this kind of scale comes into—to really worsen
20 what is already a very difficult situation for all of
21 us. So, I—I kindly suggest that we vote no.

22 TERRY CUDE: Good morning Chair Richards
23 and Council Member Chin. Thank you for staying with
24 us. I'm Terry Cude, Chair of Community Board 2,
25 Manhattan, and I appreciate the opportunity to speak

1 on this really important issue today. As you've seen
2 and heard from so many residents and small business
3 operators, oversized retail brings a host of issues
4 to a mixed use neighborhood with a heavy residential
5 component. Oversized retail has two usual paths:
6 Either the store is high volume, which brings large
7 crowds of people, but delivery issues by there
8 overnight with declining lift gates and the rumbling
9 cart wheels and the shouting drivers and the loud
10 idling waking residents at all hours or daytime
11 deliver that blocks streets during the day. After,
12 this small van or truck can get into a curbside space
13 when a 55-foot box truck can't do that, and they have
14 to double park and block a lane of traffic, and we've
15 seen it on Broadway and we've seen it on Grand. That
16 can't happen. The other mode of these large stores
17 now is experiential retail where the business model
18 includes generating crowds outside the store for
19 hours or days, for product drops and celebrity
20 visits. In both cases, excessive retail display
21 elimination crowds in massive amounts of trash and
22 the public sidewalk come with these uses, which
23 doesn't belong in SoHo. I'd like to focus on the
24 idea that below grade space doesn't count. In the
25

2 past it may have been largely storage, but now cellar
3 space is selling space. Well, it's translated in
4 FAR. It speaks to build not use. Below grade space
5 is now commonly selling floor and join its above
6 grade stories and adding to the detrimental effects
7 of oversized retail. In SoHo and NoHo we need more
8 small local serving retail and the creative artisans
9 that made the M1 district so desirable, and still
10 gives them their very special character. Oversized
11 retail pushes these uses out. Destination retail
12 that stores over 10,000 square feet provide serve
13 nobody but the landlord. I'm concluding. Smaller
14 spaces may get rented sooner and ease retail blight
15 if the pressure of upsizing them through the bigger
16 and higher and higher rents is removed by limiting
17 them to 10,000 square feet. So, CB2 again asks that
18 you deny the Special Permits requested for 462
19 Broadway unless the total area for any single store
20 including seller space is less than 10,000 square
21 feet. Thank you.

22 CHAIRPERSON RICHARDS: Thank you, Madam
23 President. Thank you all for your testimony. Okay.
24 Alrighty, we're going to go to David Lawrence. I
25 think you did. Did David? You testified, right?

2 Okay. Laura Tenebaum, Renee Monroe, Jane Fisher and
3 Pierre—I'm going to chop your last name up—
4 Consagarot-garet-garot-Consagarot. (sic) He's still
5 here? Okay. Jane Fisher. Hold on. I'm not finished.
6 Alright, Jane is here. Renee.

7 MALE SPEAKER: [off mic] Renee left.

8 CHAIRPERSON RICHARDS: Renee left. Okay.
9 Laura Tenebaum. Laura's here. Okay. Pierre
10 [background comments] Here?

11 PIERRE: [off mic] No, I'm not speaking.

12 CHAIRPERSON RICHARDS: Not speaking.

13 Okay. Michelle Barian (sp?). Alright, come on down.
14 The price is right. Peter Davies, Cynthia Chaplin
15 (sic). She left. Okay. So, this is the last panel
16 on this item. [pause]. She left. Okay. So, this
17 is the last panel on this item. [pause] You may
18 begin. Please state your name for the record and who
19 you're representing as well.

20 LAURA TENEBBAUM: My name is Laura
21 Tenebaum. I'm a resident of the community. I've
22 lived there for 44 years, and I live within the study
23 area of the applicant. I support the positions taken
24 by Borough President Brewer and Community Board 2 and
25 refer you to their excellent submissions, and I'm

1 extremely grateful for the support of Council Member
2 Margaret Chin. Our community is experienced with the
3 approximately 19 or so oversized retail stores in
4 SoHo, most of them operating without special permits
5 has prove that Use Group 6 10-A does not function
6 well in our community. Such uses pose a direct
7 threat to the viability of our unique neighborhood
8 whose character contributes so much to the economic
9 diversity and success of our city. We are a
10 community drowning in our own success, and the
11 application as set before you can only further push
12 us below the waves. The truth is M1-5B zoning was
13 never intended to support large retail
14 establishments. The impact on their operations and
15 the district residents and businesses could have been
16 studied for this application, but they were not.
17 They are there, but they weren't studied. The
18 applicant used truck studies from the Flushing
19 Commons Development, for example. Didn't even look
20 at truck behavior in our district or even in our-
21 anywhere near us. How relevant is that? Narrative
22 accounts from opponents unanimously slight the
23 negative impact of large scale retail on the
24 viability and the unique character of SoHo. I want
25

2 to skip because there's something important that I
3 want to say. There was a lot more that I did want to
4 say. At the public hearing held by City Planning, I
5 was asked about eating and drinking uses. This is a
6 late night activity that has a negative impact on our
7 residents. The BSA has recognized this in two
8 decisions relating to the locations near the
9 applicant. In one of those [bell] decisions it
10 specifically spoke about Crosby Street and said it
11 was too narrow to accommodate large trucks. The
12 restrictions it placed on variances were important,
13 and the last thing we need absent a conforming use,
14 which I support, the next best thing would be offices
15 on the upper floors that would provide customers for
16 a ground floor only Use group 6 retail with
17 reasonable controls that caters to local residents
18 and workers [bell] and which it does not operate--

19 CHAIRPERSON RICHARDS: [interposing] Can
20 I ask you to begin to wrap up?

21 LAURA TENEBBAUM: And that's--that's my
22 wrap up. Thank you.

23 CHAIRPERSON RICHARDS: Thank you.

24 JANE FISHER: Hi. My name is Jane
25 Fisher. I'm a resident of SoHo also.

2 CHAIRPERSON RICHARDS: Is your mic on?

3 JANE FISHER: [pause] Oh.

4 CHAIRPERSON RICHARDS: There you go.

5 JANE FISHER: There we go. I'm sorry.

6 Jane Fisher. I'm a resident of SoHo and have been
7 since the early 1980s. I'm here as a resident, as a
8 member of 542 Holding Corporation and Broadway
9 Residents Coalition, and I guess very quickly I want
10 to make sure that we're not talking theoretically
11 about the impact of--of big box retail. I happen to
12 be a resident next to UNIQLO and have been a victim of
13 UNIQLO for the 11 years come November that they have
14 been in place, and I wish I could put on a screen a
15 picture of what a 55-foot delivery truck looks like.
16 You can imagine.

17 CHAIRPERSON RICHARDS: I represent South
18 East Queens. We know very well.

19 JANE FISHER: Oh, okay. So, you take
20 that metal cart rolling through the 55 feet over and
21 over and again, the slamming of the truck bed, the
22 carts on the concrete sidewalk. You take that six
23 nights a week for one to two hours at a time, and you
24 try to have a life, a dinner a sleep--I want to be
25 very clear that that, you know, this is--these are

2 work hours right now. Everybody can't be represented
3 here today, but there are old people, and babies and
4 every stripe in between living in SoHo. I also want
5 to be clear that—that we live in Broadway. So,
6 removing deliveries from Crosby doesn't help all of
7 us that live on Broadway, and have to deal with the
8 din and the carcinogenic particulates that are spewed
9 in our windows by the idling that goes on like that
10 every single night. There is a direct line between
11 the 35,000 square feet that that store is stuffing
12 with merchandise, and the size of that truck and the
13 effect on our lives. So, I implore you to vote no,
14 and stop the madness now, and please I beseech you to
15 begin to go back and undo the damage has—that has
16 been done with the illegality that is—that is rife in
17 SoHo with illegal oversized retail. Thank you.

18 [bell]

19 CHAIRPERSON RICHARDS: Thank you.

20 MICHELLE VARIAN: Hello. I'm Michelle
21 Varian, and I live one block north of the building
22 we're talking about, but I also own an store one
23 block south, and had six years ago moved from almost
24 directly behind the building that we're talking
25 about, my business. When I relocated six year ago

2 and was trying to find an affordable space after my
3 rent was doubled, I did call a number of the spaces
4 along Broadway that had for rent signs, and when I
5 call about those spaces, I was told that they were
6 not available. It was more than one space. I can't
7 tell what addresses they were now from six years ago,
8 but, you know, there were a number of empty spaces
9 with signs because their tenants had been forced out
10 because of increased rents. There has been a
11 systematic change by the owners of the neighborhood,
12 and not just SoHo. We're talk about Lower Manhattan,
13 the Garment District, et cetera. This is a chronic
14 problem and it's in part due to the greed of owners
15 as well as the lack of enforcement by DOB. It really
16 has created an enormous problem. It has impacted
17 small businesses tremendously. SoHo, Little Italy,
18 NoHo, the Lower East Side, East Village, West
19 Village, those neighborhoods often had business
20 started by residents who were investing in their
21 communities. Now, it is very difficult to get in.
22 The-the barrier of entry is just stratospherically
23 high, and this is, you know, has been a systematic
24 increase, and it's really-it's almost like flippers
25 of, you know, real estate. We're looking at, you

2 know, a 2008 bubble in retail real estate, and the
3 soon it's addressed, the healthier it will be for our
4 community. I'm here with one other neighborhood
5 business owner. We have met with over 60
6 neighborhood business owners. Our biggest concern is
7 the inflation of rents and the fact that they now
8 have created [bell] lack of sustainability for our
9 businesses.

10 CHAIRPERSON RICHARDS: Thank your.

11 PETER DAVIES: Good morning, afternoon.

12 My name is Peter Davies. Thank you, Council Member
13 Chin and thank you Chair Richards. I have lived on
14 Broadway in SoHo for 37 years. Many of my neighbors
15 who wanted to speak in opposition to these
16 applications couldn't be here today. There's school,
17 there's kids, there's work, but we do have a good
18 number of people here that could express that with
19 their quiet signs saying *Protect Mixed Use SoHo*. I
20 really urge you to reject both of these applications
21 or if you don't, radically modify what they've
22 presented. I'm sorry that my head was going to
23 explode because Mr. Mariendorf came before you and
24 said, Oh, yeah, we're ready to negotiate. They came
25 to Community Board 2 and backed off from their

1 original application. Then when they went to City
2 Planning, it was back up to 45,000 square feet. They
3 have never modified their application. The
4 application before you today is for 45,000 square
5 feet, multiple floor. They have never pulled back
6 from that. So to accept, oh, yeah, we're ready to
7 talk about it, watch out. I'm also--the fact that he
8 said that he did not know about the no residents
9 within 200 feet on that piece of paper, which is a
10 legal filing at the DOB. It's his agent that did it,
11 but now we are being asked to trust that in the
12 future he will control other people who are his
13 agents in the building. He didn't do it here. They
14 just approved another one for this weekend. So, and
15 the crane, there was no permit for the crane. I have
16 so much more I want to say, but my time is running
17 out. If they do not codify this illegal use, I think
18 I you looked down Broadway they haven't investigated
19 yet the illegal Use Group 6 Ground Floor 71-74781.
20 You would find that there are numerous illegal-at
21 that level, not just the big stores, and there is
22 much that needs to be addressed before we codify and
23 legalize. Everybody used to say oh, yeah, SoHo, it
24

2 used to be great. Now they say SoHo, ooh. It's
3 really sad. I've lived there 37 years.

4 CHAIRPERSON RICHARDS: Thank you all for
5 your testimony, and I appreciate all of the neighbors
6 who came out here today and the applicant for coming
7 to testify, and Council Member Chin, do you have any
8 closing remarks on this application?

9 COUNCIL MEMBER CHIN: I just wanted to
10 also thank the residents for taking the time to come
11 and for, you know, going to all those meetings, and
12 we will definitely have a lot of serious discussion
13 over this. So, thank you.

14 CHAIRPERSON RICHARDS: Alrighty. We're
15 going to move on. Alright are there any more members
16 of the public who wish to testify on this
17 application? Alright, seeing none, I will now close
18 the public hearing on Land Use Items No. 716 and 717,
19 and I want to thank the Rockaway residents who have
20 been very patient. We are almost there. We have one
21 last application. Land Use Item 715, the Manhattan
22 West Phase 3 Text Amendment. This application would
23 change the zoning text applicable to subdistrict B of
24 the Special Hudson Yards District in Council Member
25 Johnson's district. The application would change the

2 regulations governing the design and signage for the
3 public access area on a pro-proposed development in
4 the Ninth Avenue Rail Yard in Subarea B2. This would
5 allow for a redesigned public access with different
6 signage design elements and event rules. I will now
7 open the public hearing for Land Use Item No. 715,
8 and—and we have two applicants—two people testifying:
9 Ken Lowenstein, Brookfield and also Henry Castle ,
10 Brookfield. You may begin. Sergeant, I'm going to
11 ask you to close the back door so we could—Alright,
12 you may begin.

13 KEN LOWENSTEIN: Okay.

14 CHAIRPERSON RICHARDS: And give us the
15 shortened version of your testimony.

16 KEN LOWENSTEIN: Absolutely. Good
17 afternoon, Chair Richards and Mr. Greenfield and
18 Council Person Chin. The--

19 CHAIRPERSON RICHARDS: Project more into
20 the mic, too, so we could hear you.

21 KEN LOWENSTEIN: Yes.

22 CHAIRPERSON RICHARDS: I know it's a
23 little noisy in the back.

24 KEN LOWENSTEIN: Okay.

2 CHAIRPERSON RICHARDS: And the sergeant,
3 okay.

4 KEN LOWENSTEIN: There is three items
5 that we're seeking the Text Amendment for. With
6 regards to opens space at the Manhattan West Complex.
7 The three specific issues is the location of signage,
8 circulation, a path around the Southeast Tower and
9 the use of the Event Plaza. We're having some
10 difficulty with the, you know, the--the graphics here,
11 you know, but I'll just walk us through the--the
12 details. The--the site has two acres of open space
13 and it's regulated by the zoning. The zoning as
14 written would require a sign to be placed every 40
15 feet, and there's a 500-foot frontage to--to the
16 property itself, which would require over 12 signs.
17 This seems, you know, excessive, and so we're
18 clarifying and placing the signs in conspicuous and
19 intelligent positions not to obstruct the open space,
20 but to inform the public that it is public open space
21 for their use. The second item has to do with a path
22 that's established in the zoning. That--that path in
23 the zoning requires that it occur immediately
24 adjacent to the building and open to the sky. This
25 particular building has an overhang or a belly as we

2 call it, which—which would have pushed the—the
3 building out into the open space. In essence
4 reducing the amount of open space in order to comply.
5 So, in—in light of that, what we've done is adjusted
6 the text to allow for this path, which remains the
7 same size to occur a few feet away from the face of
8 the building or at the ground—at the ground point.
9 [bell] And then the—the last has to do with the use
10 of an event space that's within the open space for an
11 ice rink during the winter months in order to animate
12 that plaza, and that, you know, the ice rink would be
13 in use, you know, [bell] from March—I'm sorry—from
14 November through March and open to the public.

15 CHAIRPERSON RICHARDS: Alrighty, thank.
16 Just go through some of the signage changes again.

17 KEN LOWENSTEIN: Absolutely.

18 CHAIRPERSON RICHARDS: You thought--that
19 this areas?

20 KEN LOWENSTEIN: Absolutely. So, the—
21 the—the signage would occur. There's a total of 1,
22 2, 3, 4, 5, 6, 7. There's a total of 10 signs and
23 the signs are located at each entrance. There s a
24 total of 10 signs which would inform the public that
25 it's a public open space. The location of this

2 signage was run past the Community Board, and the
3 City Planning and I believe everybody is in agreement
4 that this is a good arrangement that advises the
5 public of the open space, and at the same time
6 doesn't clutter the open space itself with a, you
7 know, extraordinary number of signs.

8 CHAIRPERSON RICHARDS: Alrighty. Do you
9 have any questions on this Chair Greenfield?

10 COUNCIL MEMBER GREENFIELD: [off mic] I
11 think I'm good. Thank you.

12 CHAIRPERSON RICHARDS: Alright, you're
13 good. Okay. Alrighty. Alrighty, thank you for your
14 testimony today.

15 KEN LOWENSTEIN: Okay, than you very
16 much.

17 CHAIRPERSON RICHARDS: Alrighty.

18 KEN LOWENSTEIN: I think we're good.

19 CHAIRPERSON RICHARDS: Are there any
20 other members of the public who wish to testify on
21 this issue, and I know Council Member Johnson
22 supports this application as well. Seeing none, I
23 will now close the hearing on Land Use. Oh, you—you—
24 you filled out a slip? Alrighty, what's your name?

25 SAM LEVY: [off mic]

2 CHAIRPERSON RICHARDS: Oh, okay. Yes,
3 you are here. Sam, oh, Sam will do it. Sam Levy,
4 REBNY right.

5 SAM LEVY: [off mic] Yes.

6 CHAIRPERSON RICHARDS: Okay. [background
7 comments] Alright, you may begin, sir.

8 SAM LEVY: Alright. Good afternoon and
9 my name is Sam Levy. I appreciate this opportunity
10 to testify on behalf of the Real Estate Board of New
11 York. REBNY is a broadly based trade organization.
12 We have 17,000 members representing owners,
13 developers, brokers, managers and other real estate
14 professionals active through New York City. We
15 support the zoning text amendment before you, and
16 urge the City Council to support this application.
17 When Manhattan West is completed, it will provide
18 over two acres of publicly accessible open space for
19 those who work and live in the community. Arts
20 Brookfield presents award winning world class
21 cultural experiences for free each year in public
22 spaces that put forth premier properties. This
23 zoning text amendment will bring exciting programming
24 to Manhattan West in the manner that Arts Brookfield
25 has expertly done in other locations throughout the

2 city. Transforming this former rail yard into open
3 space with outstanding programming is something that
4 we fully support, and we respectfully request that he
5 Committee vote in favor of the text amendment. Thank
6 you very much.

7 CHAIRPERSON RICHARDS: Thank you for your
8 testimony and please tell John Banks I said hello.
9 Alright, are there any other members of the public
10 who wish to testify on this issue? Alright, seeing
11 none, I will now close the public hearing on Land Use
12 Item No. 715. We will take a one to 2-minute recess,
13 and then we will begin our conversations on the Far
14 Rockaway Redevelopment Plan. [pause for recess]
15 [background comments, pause] Alrighty, good
16 afternoon. We're back and we will now move onto our
17 last hearing Land Use Items 721 through 726, the
18 Downtown Far Rockaway Rezoning Development Plan.
19 This plan consists of a rezoning—establishment of a
20 zoning special district, Urban renewal plan approvals
21 and approvals for several dispositions of city
22 property in the Downtown Far Rockaway neighborhood in
23 my district. Through these actions and related city
24 investments in to the neighborhood, we are
25 considering a comprehensive plan to revitalize the

2 Downtown Far Rockaway neighborhood through the
3 development of affordable housing, commercial use,
4 community facilities and public open space in the
5 rezoning area, and millions of investment into the
6 surrounding areas to help support the neighborhood.
7 I've been deeply involved with the New York City
8 Economic Development Corporation, Department of City
9 Planning, HPD and the Mayor's Office to bring this
10 application to the Council, and look forward—look
11 forward to continuing to work with them as we advance
12 into the Council's review period as we are today.
13 The Land Use actions requiring Council approval would
14 affect a 22-block area in Downtown Far Rockaway. The
15 rezoning actions would replace existing low density
16 residential, commercial and manufacturing zoning
17 districts with a mix of R5, R6 and R7-1 districts
18 with a commercial C2-4 overlay. The text amendment
19 would establish the Special Downtown Far Rockaway
20 district that would impose special regulations
21 relating to height and bulk parking, retail use,
22 establishment of open space and private streets and
23 apply the Mandatory Inclusionary Housing programs.
24 In addition to these zoning actions, the Council is
25 also considering the establishment of an urban

1 renewal area to a smaller portion of Downtown Far
2 Rockaway on a large block roughly bounded by Redfern
3 Avenue, Nameoke Avenue, Central Avenue and Mott
4 Avenue. This plan would allow for the acquisition
5 and disposition of property in this area and
6 establish a framework for the resulting redevelopment
7 better known as Thriftway Mall. Lastly, we are also
8 considering two independent disposition actions, one
9 for city property located on the corner of Mott
10 Avenue and Beach 21st Street and the other located on
11 the corner of Augustina Avenue and Nameoke Avenue.
12 Okay, 30 years, 40 years to finally get here. So,
13 today is a historic day for the Far Rockaway
14 community, and as I digress from this beautiful
15 speech, and, you know, my opinion on this application
16 is that we want to see something done in Down Far
17 Rockaway, and we certainly are supportive of a
18 rezoning in the area, but we still have a lot more
19 work to be done to finally get us to a yes vote on
20 this application. I'm very grateful for the agencies
21 who really worked very hard over the past two years
22 now to really work with our community. More
23 importantly, I think we've held a lot of public
24 hearings. We've heard a lot of opinions on all
25

2 sides, but I think at the end of the day, all of us
3 agree on one thing: Something needs to be done about
4 Downtown Far Rockaway, and I'm happy to be here today
5 to finally get this moving. With that being said, we
6 will now turn to our first panel. James Patchett,
7 the President of NYC EDC; Nate Bliss, EDC; Leila
8 Bozorg, HPD and Nicky representing the Parks
9 Department, and I'll ask everyone to state their name
10 for their record. Oh, did I say it wrong?

11 NICK MOLINARI: No, no, no. It just is
12 funny. You said everyone else's last name.

13 CHAIRPERSON RICHARDS: Oh, okay. Let me
14 go back.

15 NICK MOLINARI: No, it'S-

16 CHAIRPERSON RICHARDS: Molinari.

17 NICK MOLINARI: Yeah.

18 CHAIRPERSON RICHARDS: Oh, Nick. Oh, I
19 said Nicky.

20 NICK MOLINARI: Yeah, Nicky.

21 CHAIRPERSON RICHARDS: I apologize. Oh,
22 Nick. How could I mess that up? Okay, Nick Molinari
23 from the Parks Department. With that being said,
24 we'll turn it over to James, and we'll begin.

25 [background comments, pause]

2 JAMES PATCHETT: Do you go by Nicky or--?

3 NICK MOLINARI: No, I don't.

4 JAMES PATCHETT: You haven't. Alright
5 well, alright. Well, not since you used it. Okay.

6 Good morning Subcommittee Chair Richards. I am James
7 Patchett, President of the New York City Economic
8 Development Corporation, and I am pleased to present
9 to you today the work we have been doing in Downtown
10 Far Rockaway in partnership with you our sister
11 agencies and members of the Downtown Far Rockaway
12 community. EDC's goal is to make New York City the
13 global model for inclusive innovation and economic
14 growth fueled by the diversity of our people and our
15 businesses. We are dedicated to bolstering the
16 city's economy, strengthening its neighborhoods and
17 increasing economic opportunity for all New Yorkers.
18 The proposed land use actions before you today very
19 much exemplify these goals. These land use actions
20 are one part of the larger Downtown Far Rockaway Road
21 Map for Action, which is a comprehensive plan for the
22 neighborhood that was released last year. The Road
23 Map for Action is a set of strategies designed to
24 bring Downtown Far Rockaway back to the thriving
25 village center that it once was. The roadmap also

seeks to strengthen existing businesses, attract new ones, create jobs and provide affordable housing and community services for this portion of the peninsula.

To present this work to you, I am joined by my colleagues Housing, Preservation and Development Deputy Commissioner of Neighborhood Strategies, Leila Bozorg; New York City Parks and Recreation Chief of Planning and Neighborhood Development Nick Molinari or Nicky for short. [laughter] I couldn't help myself. I'm sorry. Our Senior Vice President of Development at EDC Nate Bliss; and City—and Department of City Planning Queens Director Don Young. I am going to provide a brief overview of all the work we've been doing in Downtown Far Rockaway. Nate will go into some more detail about the process, and the land use actions we're proposing today. Our colleagues at HPD and Parks will then discuss other elements of the Downtown Far Rockaway Roadmap. We also have Department of SBS or the Department of Small Business Services, Deputy Commission for Neighborhood Development Michael Blaise Backer as well as representatives from the Department of Education and other agencies available to answer any questions after the testimony. The Downtown Far

1 Rockaway Redevelopment Plan is the second
2 neighborhood rezoning under the de Blasio
3 Administration. So, this is an important milestone
4 for the city just as it is for the Rockaways, but
5 perhaps more importantly, this is a significant
6 moment for the community of Downtown Far Rockaway,
7 which is represented with energy, conviction and even
8 a bit of good humor by Council Member Richards who
9 called on the city to invest in an area that has
10 need—has great needs, but has been ignored by past
11 administrations. In its hay day, Downtown Far
12 Rockaway was the commercial, institutional, and
13 transportation hub of the Rockaways. It was the
14 place where residents of the peninsula came to shop
15 and eat, take in a movie or show, visit their doctor
16 or accountant and connect—connect to other places in
17 the city via the subway or the Long Island Railroad,
18 but since that time, this area has declined, and
19 today Downtown Far Rockaway does not serve the
20 community as effectively as it could. Current zoning
21 dates back—dates back to 1960 and does not allow for
22 the mix of live, work, place uses that has been the
23 hallmark of Downtown Main Street revivals across the
24 country. Infrastructure is outdate and does not
25

1 support growth. Streets are auto oriented and hinder
2 the flow of people from place to place. Long
3 underutilized properties interrupt the vibrant street
4 life creating areas that are uninviting and hinder
5 growth and reinvestment. Called to action by Council
6 Member Richards, EDC has been leading an interagency
7 effort in close partnership with the community
8 stakeholder to revitalize this portion of the
9 peninsula. We've had ten meetings in the Downtown
10 Far Rockaway Working Group; four public meetings with
11 over 100 participants at each; six meeting of the
12 Community Board or committees; and over 30 one-on-one
13 discussions with local stakeholders. The input from
14 this public outreach effort has been invaluable as
15 reflected throughout the plans, strategies and
16 proposals. Throughout this outreach, we're heard
17 that the community is eager for change. Their desire
18 is a desire for diverse retail options and
19 neighborhood amenities. There is strong interest in
20 activating long vacant neglected properties in the
21 area. A common concern is access to jobs,
22 particularly for the significant local population
23 that is younger than 35, and we have heard that there
24 is a need for affordable housing at diverse income
25

1 levels to ensure that residents young and old can
2 stay and grow in their community. In response to the
3 Council Member and community stakeholders' outreach
4 and recommendations, in February of 2016, Mayor de
5 Blasio pledge \$91 million in capital funding for the
6 revitalization of Downtown Far Rockaway, and later
7 that year, EDC and the Interagency team released the
8 Downtown Far Rockaway Roadmap for Action. Today,
9 you're considering land use interventions that
10 emerged from the Roadmap For Action, items that are
11 crucial to activating this area and catalyzing
12 investments. These actions include the creation of
13 an Urban Renewal Area, Re-Zoning Map amendments,
14 Zoning Text amendments including the mapping of an
15 MIH area and the disposition of city-owned property.
16 These actions represent a comprehensive bold land use
17 strategy to ensure that long vacant and under-
18 utilized properties can be activated. Thank you for
19 your attention and thank you, Council Member
20 Richards, again for your leadership. I will now hand
21 it over to my colleague Nate Bliss to go into more
22 details about the process, the Roadmap for Action and
23 the Proposed Land Use Actions. I look forward to
24

2 answering your questions at the conclusion of
3 everyone's testimony. Thank you. [siren]

4 NATE BLISS: Thank you, James and good
5 morning Chair Richards. I am Nate Bliss, Senior Vice
6 President at the New York City Economic Development
7 Corporation. If the Chair will indulge me, in
8 consideration of your time I will abridge my
9 testimony this morning and submit the full version as
10 written comments. As James described, Downtown Far
11 Rockaway plays a key role in the history of the
12 peninsula, and is situated at an important place
13 today. It is connected to the subway and the Long
14 Island Railroad. It's close to the beach, bay and
15 peninsula, it's largest employer, and is one of the
16 few places on the peninsula located outside of the
17 flood plain. It was known, and indeed is still know
18 as the Village. However, the Village today barely
19 represents—resembles the village of the past. As the
20 peninsula transitioned from a vacation community to a
21 place of permanent residence, lower income
22 populations and public housing was increasingly
23 concentrated in the eastern portion of the peninsula
24 changing consumer preferences for retail and an
25 increasing reliance on the automobile left the

1 Village's commercial corridors struggling. With
2 little access to jobs, good and services, and with
3 absentee owners sitting on languishing properties,
4 Downtown Far Rockaway was stuck in a cycle of
5 decline. Today the larger area that surrounds
6 Downtown Far Rockaway is home to almost half of the
7 residents of entire peninsula. Household income
8 lagged that of the city with almost a quarter of the
9 population living below the poverty line. While this
10 area is connected to public transportation, there are
11 limited local employment options and residents endure
12 long commutes to jobs. For too long, a lack of city
13 attention compounded these problems, allowing
14 stagnation without a framework for growth, and while
15 this area is located outside of the flood plain, the
16 effects of Sandy were felt here, too, as months of
17 transit service interruption and electricity outages
18 highlighted neighborhood vulnerabilities. The result
19 is that almost no new development has occurred in
20 Downtown Far Rockaway for at least the past 20 plus
21 years. As James describe the Downtown Far Rockaway
22 Redevelopment Plan is the result of an extensive
23 planning process that spanned a number of years.
24 Most recently, EDC began working with Council Member
25

1 Richards in 2014 exploring opportunities for city
2 investment in the peninsula post Sandy. In late
3 2014, these efforts became focused on Downtown Far
4 Rockaway with the formation of the Working Group led
5 by Council Member Richards. The Working Group
6 comprised of elected officials as well as
7 representatives from the business, non-profit and
8 residential communities was charged with developing
9 recommendations for reviving the area. In February
10 of 2016, the Working Group delivered a letter of
11 recommendations to Mayor Bill de Blasio calling on
12 the city to take action in this community, and the
13 city responded. The Mayor pledged \$91 million in
14 capital funding for the revitalization of the area,
15 and later that year, as James mentioned, we released
16 the Roadmap for Action a set of short, medium and
17 long term strategies focused on bringing back the
18 village.

19
20 Next slide. During all of our 50 plus
21 meetings in Far Rockaway whether with the Working
22 Group, public open houses or one-on-one discussions,
23 we have heard a lot of important feedback, and as
24 James mentioned, this input shaped the Roadmap for
25 Action and the land use actions that you are

1 considering today. We have heard that residents want
2 more and different types of retail, affordable
3 housing options, and open space in community
4 facilities to serve residents young and old.

5 Residents and business owners spoke about areas in
6 the Downtown that feel secluded and unsafe, and their
7 desire for vacant and underutilized lots to be
8 developed with active uses. We've also heard
9 concerns about new development and about density and
10 height. We've heard about the need for parking.

11 We've heard about the needs of Downtown Far
12 Rockaway's workforce and its existing businesses, and
13 we've heard that new developments should be
14 accompanied by infrastructure and services to support
15 it. Though opinions may differ, there's a common
16 thread to what we've heard. People remember a time
17 that was better for Downtown Far Rockaway and they
18 are ready for a change.

19
20 Next slide. The Roadmap for Action
21 includes short, medium and long-term strategies to
22 address these concerns and turn the tide for this
23 community. As an example, already this year as part
24 of the Roadmap for Action, SBS and EDC working with
25 RDRC completed storefront improvements for 18

existing businesses breathing new life into Downtown Far Rockaway; retail corridors. In the mid-term Downtown Far Rockaway will have a brand new state-of-the-art library that will accommodate expanding programming, and create an iconic anchor for the Downtown. \$57 million in DEP water and sewer improvements are planned to ensure adequate capacity for current and future residents, and a \$20 million DOT Streetscape and Public Realm Improvement Plan will ensure new streets and plazas will better connect people to all the Downtown has to offer. While these investments will be crucial to the success of Downtown Far Rockaway, they alone cannot bring the change that is needed nor are they guaranteed to result in activation of long under-utilized sites in the area. To that end, in December 2016, EDC released a Request for Proposals for the city-owned site at Beach 21st Street. This site occupies a key location in the Downtown and could accommodate new retail, community facility space and affordable housing. The responses to this RFP have been competitive and indicate that the market is ready to act, but the development cannot go forward

without the land use actions that are before you today.

Next slide. On both the Beach 21st Street site and throughout the Downtown, current zoning does not provide a framework for growth. The ability of the market to respond favorably to city investment is constrained by zoning that dates back to 1961, and doesn't allow for the type of development needed to sustain a vibrant downtown. Large areas in the downtown don't allow any housing today. Furthermore, there are long underutilized city-owned and privately owned properties for which a credible actionable activation plan is critical to jump starting development activity in the—in the district. As you can see here in this slide, these regulatory constraints have resulted in the type of auto-oriented suburban style and dramatically underutilized properties you see today.

Next slide. The Proposed Land Use Actions have been developed to directly respond to market opportunities and to the problems identified by the Working Group. The Land Use Actions include:

1. An area wide rezoning to allow—for mixed use development, and through a new Special

District to guide new development on the large site known as the Thriftway Mall in the heart of Downtown;

2. Disposition of two city-owned sites in key locations in the downtown; and

3 The creation of a new Urban Renewal Area focused on the Thriftway Mall site to provide the city with the tools necessary to ensure that the false starts of the past are not repeated.

Next slide. The Proposed Rezoning would help unlock Downtown Far Rockaway's development potential by facilitating new mixed use residential, commercial and community facility buildings at moderate densities. Much of the area would be rezoned to R6/C2-4 to allow 5 to 10-story buildings with commercial and community facility uses on the ground floor. The area between Mott and Nameoke Avenues closest to the A-Train and the Long Island Railroad Station would be rezoned to R7-1/C2-4 to allow primarily 6 to 12-story buildings with limited opportunities for taller structures with a mix of residential and commercial or community facility uses. A small portion of the area would be rezoned to C4-2—from C4-2 to R5/C2-4 to provide a transition in height and limit the range of uses near the

periphery of the rezoning area. The proposed actions would also establish a Mandatory Inclusionary Housing program area within the rezoning area.

Next slide. This slide shows you what the village could become. The land use actions will encourage new mixed used development close to the A-Train and LIR, out of the flood plain and in the heart of the Village. The proposed rezoning will also establish the Special district, which will modify the underlying zoning for nearly all of the 22-block rezoning area to ensure that new development blends seamlessly into the existing neighborhood fabric. This Special District will require new open space connections to the large block where the Thriftway Mall is, will set consistent maximum densities for new development, but adjust allowable street wall and building heights to reflect existing built scale. It will limit taller buildings to the very center of the Downtown core and large development sites. In key areas, the propose Special District would require active ground floors to fill in the gaps along the existing commercial corridors and provide new open spaces to promote pedestrian activity and drive foot traffic. By tailoring

1 parking requirements will ensure that businesses and
2 community facilities have ample parking to serve
3 their employees and customers. Overall, the proposed
4 rezoning could bring over 250,000 square feet of
5 commercial space, about 800-86,000 square feet of
6 community facility space could be created to allow
7 for uses like day care, medical office and non-profit
8 offices. Over 3,000 new residential units could be
9 created providing much needed affordable housing at a
10 range of incomes. A new development will be served
11 by at least 30,000 square feet of required public
12 open space creating new gathering spaces and gateways
13 to the Downtown. While this may seem ambitious we've
14 allowed—we believe the market will respond and
15 support a Downtown Far Rockaway that hosts sit-down
16 restaurants, clothing stores, entertainment, medical
17 offices and other professional and community
18 services. With the area's own history as our guide,
19 we are confident that businesses will thrive in a
20 growing downtown. With the proposed land use actions
21 in place, new development can end the cycle of
22 decline in Far Rockaway and allow the village to
23 better serve the peninsula. These views show what
24 could happen in the future with the Proposed Land Use
25

Options in place. This slide shows the existing view from the A-Train across Mott Avenue. New Development will draw people in from the A-Train to a strengthened retail corridor on Mott. This shows the existing view looking east along Mott Avenue towards the Library. Housing and retail will align—

Next slide—a new programmable plaza space that opens up to the new library on Central and Mott.

Next slide. This shows the existing view from Redfern and Hassock right at the Redfern Houses campus.

Next slide. The northern portion of the Thriftway Mall site will be transformed, and the Nameoke Corridor will become an active area around the Long Island Railroad Station. In closing, I want to reiterate that this plan is about opportunity creation. We've heard from the community about change that they would like to see in Far Rockaway, and now is the time to build on unprecedented interagency coordination and community engagement and incredible elected leadership to ensure that longstanding issues are addressed. We're confident that the Land Use actions before you today are part of an actionable framework for positive change that

2 will vastly improve quality of life and create
3 opportunity for residents. You'll hear more detail
4 from our agency partners in the testimony that
5 follows. I want to thank you for your time and
6 consideration and I'd like to hand it over to Layla.

7 DEPUTY COMMISSIONER BOZORG: Thanks,
8 Nate. Good morning Subcommittee Chair Richards. My
9 name is Leila Bozorg and I'm the Deputy Commissioner
10 for Neighborhood Strategies at Housing, Preservation
11 and Development. Today I'm here in support of the
12 Downtown Far Rockaway Rezoning and Urban Renewal
13 Plan, which, if approved will rezone parts of the
14 community, and as my colleagues have explained, not
15 the second neighborhood scale implementation, the
16 Mandatory Inclusionary Housing Program. As one of
17 the lead agencies of the Mayor's Housing New York
18 Plan, HPD is deeply invested in implementing housing
19 policies that not only address our housing crisis
20 through the creation of new affordable housing, but
21 that also aggressively works to ensure that existing
22 residents can stay in their neighborhood—in the
23 neighborhoods they love even as changes occur. In
24 this way, HPD and our partner agencies are working to
25 create opportunities for diverse and healthy

1 communities through new developments that re- zonings
2 like the one before you will help enable, while also
3 being proactive in our preservation work. We know
4 that to mitigate the tide of rising rents we must
5 increase the supply of housing to better meet demand.
6 HPD has already been very active in the Rockaways and
7 were optimistic about the potential that this
8 rezoning provides to improve up that work to expand
9 housing opportunities. Over the past three years
10 alone, as part of Housing New York, HPD financed the
11 preservation and new construction of nearly 1,800
12 units of affordable housing in this community
13 district. Twenty percent of that has been for
14 homeowners. This proposed rezoning presents an
15 opportunity to build a substantial number of new
16 affordable homes while also reactivating the Downtown
17 area through mixed use, mixed income developments.
18 We anticipate that approximately 3,100 units could be
19 built under the new zoning over the next 15 years.
20 As part of the city's commitment to providing the
21 broadest and deepest affordability possible, HPD is
22 already working with EDC and reviewing submissions to
23 the Beach 21st Street RFP site, which will be 100%
24 affordable and provide approximately 170 units to a
25

broad range of individuals and families.

Furthermore, the proposed urban renewal area will enable the transformation of the derelict shopping center and parking lot into an active mixed use downtown center with up to 1,700 units of housing that will be at least 50% affordable. This housing is expected to reach a broad range of affordability levels from extremely and very low to moderate and middle income households. And beyond Downtown Far Rockaway in the wider Rockaways, HPD remains committed continuing to invest in building new affordable housing in urban--Edgemere including exploring a community land trust to help facilitate long-term affordability and resilient land management. Mapping Mandatory Inclusionary Housing here we will ensure that 25 to 30% of all new housing units whether on public or privately owned land will be permanently affordable. While we--while we will continue to work together on the term and depth of the affordability of new units, with this proposed action we will ensure that a significant portion of units by law are locked into this permanent affordability. That's an incredibly progressive advancement in land use policy, but I would again

1 like to thank the Chairman and-and-of the
2 Subcommittee, the bar (sic) committee and the Council
3 more generally on working with us on. None-
4 nonetheless, we've heard the same concerns in
5 Downtown Far Rockaway that we've heard in many other
6 neighborhoods, but the people who stuck it our during
7 tougher times want to be sure to participate in the
8 benefits of positive in the community. Indeed, in
9 many ways HPD's focus in rezoning areas has become
10 about how we effectively and proactively preserve
11 existing housing--affordable housing while also
12 ensuring that new development meets a range of needs
13 including existing needs. The department has built
14 the robust preservation toolbox and we plan to deploy
15 everything in it to do our best to ensure existing
16 housing remains affordable to current and future
17 Rockaway residents. These tools include providing
18 tax incentives to building owners and keeping
19 existing apartments affordable, and implementing an
20 extensive outreach strategy to offer loan and tax
21 exemptions that lock in affordability when owners
22 have buildings in need of physical repair or want to
23 make green upgrades to their property. To continue
24 to protect existing tenants HPD will also partner
25

1 with other agencies including HRA who's providing
2 free legal representation to tenants facing
3 harassment or eviction, and working with and on the
4 Tenant Harassment Prevention Task Force to
5 investigate and take action against landlords who do
6 harass. We will also increase access to affordable
7 housing by making it easier for residents to
8 understand, prepare for and complete the affordable
9 housing application process through our Housing
10 Ambassadors Program, which the Council has so
11 generously supported. Thank you. Finally, HPD will
12 continue to work with EDC and other partners to do
13 more to promote economic opportunity by leveraging
14 our investments in affordable housing to create jobs
15 and strengthen small businesses. Thank you for the
16 opportunity to testify. I'm not going to hand it
17 over to Nick Molinari, and we'll be happy to take any
18 questions after testimony.

19
20 CHAIRPERSON RICHARDS: Thank you, Nick.

21 NICK MOLINARI: Thank you. Good
22 afternoon Chair Richards and members of the Zoning
23 and Franchises Committee. My name is Nick Molinari,
24 and I'm Chief of Planning and Neighborhood
25 Development at New York City Departments of Parks and

1 Recreation. I'm here to speak on the proposed
2 rezoning of Downtown Far Rockaway. New York City
3 Parks recognizes the importance of our parks and open
4 spaces in improving the quality of life for residents
5 in Downtown Far Rockaway, and in supporting the
6 revitalization of downtown as the commercial hub of
7 the peninsula. New York City Parks has been working
8 closely with our partner sister agencies, and with
9 local stakeholder to better understand the priorities
10 and opportunities for improved parks and open spaces
11 on the Rockaway Peninsula. We participated in the
12 first public meeting associated with shaping of the
13 future Downtown Far Rockaway in January of 2016, and
14 participated in follow-up discussions and public open
15 houses to update the community and gather additional
16 feedback. Working closely with stakeholders we
17 contributed to the Roadmap for Action, published last
18 summer, and in subsequent meetings to present this
19 report. We've been encouraged to see the emergences
20 of creative ideas, the desire to prioritize quality
21 of life issues and to improve open space in Downtown
22 Far Rockaway. The final Environmental Impact
23 Statement published in June acknowledged that there
24 would be an adverse impact on open space ratios in
25

2 the half mile study area resulting from the proposed
3 rezoning. New York City Parks has been working with
4 our agency partners to explore opportunities to
5 improve open spaces, and we will continue to work
6 with New York City EDC, the City Council and the
7 Administration to develop approaches to mitigate open
8 space impacts and to improve upon existing open
9 spaces in the neighborhood. We will continue to
10 collaborate with New York City EDC and our sister
11 agencies to examine opportunities to leverage city
12 assets, to best plan for parks and open space as
13 Downtown Far Rockaway continues to grow in the
14 future. We also look forward to continue the
15 engagement with neighborhood residents and open space
16 stakeholders to contribute to the successful
17 revitalization of Downtown Far Rockaway. I thank you
18 for the opportunity to speak before you today.

19 CHAIRPERSON RICHARDS: Thank you. Are
20 you ready for questions?

21 NICK MOLINARI: Yep.

22 CHAIRPERSON RICHARDS: Alrighty.

23 NICK MOLINARI: Ready when you are.

24 CHAIRPERSON RICHARDS: Alrighty. Well,
25 thank you all for the work that you've done over the

2 past two years. It's really been an honor to work
3 with the Administration over the past two years on
4 the revitalization efforts, and like I said earlier,
5 we definitely are in support of the rezoning, but
6 there is still a lot of work to be done to ensure
7 that this plan is the best plan for our local
8 community. I want to start off by asking--
9 Alrighty, so can you give me just a breakdown of how
10 much commercial housing and community facility square
11 footage do you see in this plan, that we see in this
12 plan? [background comments]

13 NICK MOLINARI: So, yeah, this slide
14 shows just over 250,000 square feet of commercial
15 space, over 80,000 square feet of community facility
16 space, and over 3,000 units of housing we're
17 anticipating.

18 CHAIRPERSON RICHARDS: How much in
19 housing?

20 NICK MOLINARI: 3,100 units is our
21 estimate.

22 CHAIRPERSON RICHARDS: So, 3,100 units is
23 estimated if-if--

24 NICK MOLINARI: It's over the next 15
25 years.

2 CHAIRPERSON RICHARDS: Alright. Let's
3 get into affordability first. So, out of those 3,100
4 units that you project that possibly could come on
5 line, 1,700 or so are--or what you see on the
6 Thriftway Mall site, right? Is that an approximate?

7 NICK MOLINARI: Yes.

8 CHAIRPERSON RICHARDS: Yes, and out of
9 those units, and I know it's very early on because we
10 have not rezoned--

11 NICK MOLINARI: [interposing] Yeah.

12 CHAIRPERSON RICHARDS: --and, you know,
13 there's still a lot of conversations happening around
14 development in the area. Can you just give the
15 affordability mix that you see right now? So, we've
16 selected Mandatory Inclusionary Housing--

17 NICK MOLINARI: [interposing] Yes.

18 CHAIRPERSON RICHARDS: --options 1 and 2
19 if I'm correct. Correct? [background comments]

20 DEPUTY COMMISSIONER BOZORG: Okay, yeah,
21 we've selected options 1 and 2 for now, which
22 provides for a minimum of 25% of the units at an
23 average of 60% of Area Median Income, and I can give
24 that in income numbers if you prefer.

25 CHAIRPERSON RICHARDS: Sure.

2 DEPUTY COMMISSIONER BOZORG: And—and 32%
3 of units at an average of 80% of Area Median Income.
4 The—you are a plan and for EIS purposes we assumed
5 that at least 50% of the 1,700 is going to be
6 affordable—affordable, but MIH locks in that minimum
7 25 to 30% permanent.

8 CHAIRPERSON RICHARDS: Right, and how
9 many of those are you committing to 30% AMI, 40%?
10 So, the average AMI for Rockaway residents is
11 somewhere between at least the east end 40% AMI. So,
12 how close are we getting to ensuring that this plan
13 includes the individuals who are at those AMIs as
14 well?

15 NICK MOLINARI: Right, so—so our analysis
16 for this area is actually that the AMI is
17 approximately \$42,000, but we should make sure that
18 we have the best numbers, which is approximately 50%
19 of Area Median Income. So, it's very important for
20 us that we have a mix of incomes that reach people at
21 the lowest incomes, which includes people and 30 and
22 40% of Area Median Income. HPD's term sheets all
23 require that a portion of the units be dedicated to
24 people at the lowest incomes and that's going to be a
25 priority for us in this community. So, we absolutely

2 will have units reaching at those levels. I think
3 it's an important goal, and something you've
4 articulated to see, you know, more revitalization of
5 the Downtown and the broader demand for retail
6 services. So, we believe, you know, that they're set
7 appropriate for a mix of incomes in this community.

8 CHAIRPERSON RICHARDS: And so, which term
9 sheets? Are there any specific term sheets that HPD
10 is looking at and using—utilizing right now? So, I
11 know we have the ELLA Program, the Mix and Match
12 Program. Have there been any conversations with
13 anyone around what sort of term sheets you're going
14 to use for this?

15 DEPUTY COMMISSIONER BOZORG: No, we're
16 still exploring, but both the ELLA and the Mix and
17 Match have recently—term sheets have recently been
18 adjusted to ensure that we're prided—providing even
19 deeper affordability especially on the Mix and Match,
20 going deeper than we previously were able to. So, we
21 do, you know, based on the economics it's very likely
22 that ELLA or Mix and Match will be used, but we're
23 still exploring just based on what we're able to
24 accomplish with the action and with the ULA Plan.

2 CHAIRPERSON RICHARDS: And on the city-
3 owned site, which is the Beach 21st Street RFP, can
4 you speak to that? Have you given much thought to
5 which term sheet you would use on that specific city-
6 owned site?

7 NICK MOLINARI: I think the two term
8 sheets you identified are likely, you know, it's
9 either ELLA or Mix Match is likely to be the outcome,
10 but, you know, it's obviously an important
11 conversation with you and the community to make sure
12 we're meeting the needs.

13 CHAIRPERSON RICHARDS: Let's get into
14 height for a second. So, we know that this area is
15 desolate, but there are some areas that—where you—you
16 could come—we could comfortably say that the site is
17 adjacent to homeowners. So, for instance of Redfern
18 Avenue what are we doing to ensure that the scale of
19 buildings does not create a shadow in particular
20 around areas like Redfern Avenue. So, I'm interested
21 in hearing just a little bit more on your setback
22 strategies and what sort of heights you're looking at
23 along Redfern Avenue where homeowners actually live?

24 JOHN YOUNG. Good afternoon. I'm John
25 Young. I'm the Director for the Queens Office of

2 City Planning. We work closely with the team and the
3 community to be responsive to have the buildings
4 mapped in such a way they will harmonize with
5 surrounding context. On Redfern the maximum building
6 height is capped at 45 feet for most of the length
7 from Nameoke.

8 CHAIRPERSON RICHARDS: 45 feet being four
9 stories?

10 JOHN YOUNG: 45 feet and 4 stories.

11 CHAIRPERSON RICHARDS: 45 okay, and then
12 Mott Avenue. Can you just speak to that? So, I
13 think a major concern we've heard is that people
14 don't want to feel like when they come downtown that
15 they are, you know, looking up at these huge
16 buildings along the core—the Business Corridor. So,
17 what are you doing in essences to ensure that along
18 Mott Avenue as well, that their building scale is
19 comparable to the neighborhood across the street?

20 JOHN YOUNG: Sure. Well, as you can see
21 in the rendering on the screen, on Mott Avenue first
22 of all we're widening the sidewalks and creating
23 requirements for new amenity space, new public open
24 space along Mott Avenue so people will have an
25 incentive to come here and—and just sit and enjoy the

2 new Downtown and then the buildings that are framing
3 the open space could be as tall as 9 stories or 95
4 feet.

5 CHAIRPERSON RICHARDS: Okay. So along
6 Mott Avenue 9-story buildings, and then on the ground
7 floor commercial uses or--?

8 JOHN YOUNG: We would have commercial
9 requirements on the ground floor along portions of
10 Mott Avenue.

11 CHAIRPERSON RICHARDS: Okay. Can you go
12 into--so let's get into the conversation around the
13 15-story buildings. So, there two proposed towers in
14 the plan. Can you speak of where the placement of
15 those towers will be? I think in this plan they're a
16 little closer to Mott Avenue, but I think you guys
17 might have rectified that? So, can you speak to what
18 those--where those 15-story towers would be, and also
19 I know if we had two 15-story towers adjacent to each
20 other, they could cast shadows, you know, on a plan.
21 So, how are you working to ensure that the towers
22 won't necessarily cast shadows amongst the new
23 residents who are going live there, but let alone
24 our--the street as well?

2 JOHN YOUNG: Well, you do have a good.
3 The—the rendering here is an earlier version and the
4 revised text that we're working off of actually
5 pushes the 15-story buildings further away from Mott
6 Avenue, a minimum of 100 feet, and similarly it's a
7 minimum of 100 feet from Central Avenue. So, it
8 really is anchoring them into the central portion of
9 that new north/south connector between Mott Avenue
10 and Nameoke.

11 CHAIRPERSON RICHARDS: So, and can you
12 just speak to shadow impacts? Have—have there been
13 shadow impacts identified with the DIS and—and if so,
14 how are we trying to rectify those?

15 JOHN YOUNG: There haven't been shadow
16 impacts identified of buildings on other buildings.
17 We analyze shadow impacts really on what we call
18 sensitive receptors. Those are open spaces, houses
19 of worship, places where people would be gathering
20 and meeting to enjoy access to light and air. So, in
21 terms of this, there were no shadow impacts
22 identified from any of these 15 stories on either
23 sensitive—on any of the sensitive receptors we did
24 measure from buildings against other buildings.

2 CHAIRPERSON RICHARDS: And can you speak
3 to—so parking is a hot button issue. It's one of the
4 biggest issues that we've heard about in this plan.
5 Can you speak to how many parking spots does is this
6 plan generating and give a little bit more detail. I
7 know we—I think I've heard in past 1,200 spots or
8 something of that nature. Can you speak to where
9 these parking spots will be, and how many do you
10 anticipate will serve the businesses. Because I
11 think what we've heard throughout this plan is that,
12 you know, we want to be able to come down from Bays
13 Water. We want to come down from other parts of the
14 Rockaways and utilized downtown, but parking has
15 always been a big issue. So, how are we ensuring
16 that if people want to utilize these new addresses
17 (sic) around some business that are—that there will
18 be sufficient amount of parking for residents in the
19 plan, and is there a clear breakdown, more
20 importantly of where these spots are?

21 JOHN YOUNG: Well, I certainly believe
22 that we can provide you with a clear breakdown as—as
23 we provide, you know, further information to all the
24 questions you'll have, but I would say that in
25 general our parking requirements are to try to

1 balance the area's limited areas of transit access,
2 and the area for having reasonable parking for new
3 residents. So, typically what our zoning would
4 require in this area would have limited the
5 affordable housing units to a 15% parking
6 requirement. We're actually increasing that minimum
7 requirement to 25%. Typically for businesses the
8 zoning we're talking about here would normally have
9 had one space per 700---per 1,000 square feet, but
10 we're actually increasing the commercial parking
11 requirement as well to one space per 750 square feet.
12 In addition to these required parking for the
13 commercial and affordable housing, we will be using
14 the standard parking requirements for any market rate
15 housing, which is a 50% parking requirement. So,
16 those will be the--the basic formulas by how parking
17 is provided depending on how development occurs. And
18 in addition, the new street network for private
19 streets that we really see as an important urban
20 improvement here, urban connective tissue connecting
21 from the north/south and from the east/west streets.
22 There would be on-street parking available on those
23 locations as well.
24

2 CHAIRPERSON RICHARDS: And--and can you
3 just give more specifics of how many spots do you
4 anticipate or could you not give an exact number
5 right now? And--and I know we're looking right now at
6 50% market rate apartments I think within the plan,
7 right.

8 JOHN YOUNG: That's right.

9 CHAIRPERSON RICHARDS: So, you're--you're
10 saying on--on those 50% marking--market rate units that
11 there would be a 50% requirement. So, at least half
12 of the units would be required within the plan to
13 have parking spots available to them?

14 JOHN YOUNG: Off street.

15 CHAIRPERSON RICHARDS: Right now it will
16 be?

17 JOHN YOUNG: Correct.

18 CHAIRPERSON RICHARDS: Okay, and there
19 will be parking allowed on the new--newly mapped
20 streets, right? So, the new streets being created up
21 to the L-I double RR?

22 JOHN YOUNG: Correct, they will have on
23 the street--

24

25

2 CHAIRPERSON RICHARDS: [interposing] And
3 those are private streets. So, they would be
4 publicly accessible as well?

5 JOHN YOUNG: That's right.

6 CHAIRPERSON RICHARDS: Okay, can you get
7 into infrastructure quick? I don't know if DEP is
8 here. Infrastructure has always been a huge
9 challenge and I'm very grateful for the \$57 million
10 investment by the administration and that's not
11 counting against our \$91 million, of course. So,
12 we're very happy about that. Can you speak to when
13 do we anticipate this particular project the SE 829
14 and SE 830 to begin in Downtown Far Rockaway? I'm
15 very grateful that we finished up. It seems to be a
16 project a little further up from here on Chandler
17 Street. So, when do we anticipate the work on
18 infrastructure to begin in Downtown?

19 NICK MOLINARI: So, DEP is—is not here,
20 but we have been working very closely with them, and
21 can get you further information from them, but in the
22 course of our work on the rezoning, we've—we've
23 necessarily had to coordinate our efforts even more
24 closely to ensure that the DEP work is appropriately
25 anticipating the new density and new units that will

2 come from the rezoning actions, which has given us
3 the opportunity prior to those projects going to the
4 grounds to make sure we're fully coordinated. I will
5 let DEP speak to their schedule themselves. We can
6 get you that information.

7 CHAIRPERSON RICHARDS: So, you're
8 confident that the \$57 million that's been invested
9 will ensure that we have the right amount of
10 infrastructure and before construction starts?

11 NICK MOLINARI: I—I think that we can
12 confidently say that DEP is now fully coordinated
13 with us and has all of the FEIS assumptions, and as
14 they begin to build out that infrastructure, it will
15 be in anticipation of the density that we foresee.

16 CHAIRPERSON RICHARDS: And you can't give
17 a timeframe? Because I know in subsequent
18 conversations we've been told the summer possible or
19 so are we looking at the fall? Do we think that work
20 will start this year or so you don't—ore you don't
21 any?

22 NICK MOLINARI: We're just not in the
23 position without DEP here to be able to address that,
24 but we'll get back to you with an answer very
25 shortly?

2 CHAIRPERSON RICHARDS: Okay, so following
3 this hearing--

4 NICK MOLINARI: [interposing] Yes.

5 CHAIRPERSON RICHARDS: --we look forward
6 to hearing a little bit more information on that, and
7 then can you--we'll hop right into the DOT street
8 scape improvements. So, can you speak to when and how
9 much square footage of open space and street scrape
10 space do you see? Who will maintain these spaces
11 more importantly? You know, it's one thing to create
12 beautiful plaza space, but it's another thing to
13 ensure that it's maintained. So, can you speak to
14 that?

15 NICK MOLINARI: Well, as-as-as I believe
16 you're aware, the-the new plan is going to create a
17 new plaza-DOT plaza right in the center of--

18 CHAIRPERSON RICHARDS: Can you speak a
19 little more into the mic?

20 NICK MOLINARI: Right, right, the-the plan
21 is going to create a new plaza in the center of
22 Downtown Far Rockaway, and that plan is--and we have
23 agreed with the Rockaway Development and
24 Revitalization Corporation, RDRC, to maintain that
25 property on a permanent basis. You know, they've

2 reached an agreement with DOT. So, we're excited-
3 very happy to have a permanent partner in place to
4 ensure that it will be successful, and we're working
5 with them to ensure we have an arrangement that
6 allows it to be sustainable as well.

7 CHAIRPERSON RICHARDS: So, can you just
8 go through the placement of the plazas as well and,
9 you know, I know that you won't be-be displacing, and
10 I think you could speak to this just a little bit
11 more. You know the MTA lot on Beach 21st Street
12 would obviously become a huge plaza.

13 NICK MOLINARI: Uh-huh.

14 CHAIRPERSON RICHARDS: So, what is our
15 plan for the buses in that area? How are we working
16 to ensure that our streetscape is-is a little better
17 and I see our Queens Commissioner is coming up now to
18 answer these questions. So, I'm interested in
19 knowing a little bit more about maintenance and when
20 we anticipate a lot of these streetscape improvements
21 to begin?

22 DEPUTY COMMISSIONER BOZORG: Okay. So
23 with regard to the bus turnaround for that MTA
24 transit facility, we did do a significant amount of
25 data analysis, and what we were finding was that that

2 space was really underutilized. We heard a lot
3 through our conversations with the community that
4 they felt unsafe, you know, walking to the bus over
5 there. So, what we plan to do as part of our
6 Streetscape and Urban Design project is to create a
7 transit corridor on Beach 21st Street. We feel that
8 all of the bus movements, I think there are three
9 lines, they will be adequately accommodated on the
10 Transit Corridor and also allow for enough layover
11 space. With the Plaza, that is situated right by the
12 train station, and the—the belief there is really
13 create an inviting space. I know you asked a
14 question about maintenance, and we have a New York
15 City DOT Plaza Program. So, we'll be working with
16 you with a partner to figure out some, you know,
17 possible concessions in the future. I mean there are
18 other plazas in the city that have concessions. So,
19 there—there are opportunities to work on kind of
20 programming the space so that it's sustainable, and
21 able to take care of itself and be inviting.

22 CHAIRPERSON RICHARDS: And just on the
23 buses.

24 DEPUTY COMMISSIONER BOZORG: Uh-huh.
25

2 CHAIRPERSON RICHARDS: You know, right
3 now the streets are very narrow as it is and, you
4 know, if you—if the buses pull out and sort of make
5 that right on Mott Avenue from Beach 21st Streets,
6 the streets are very narrow. So, are we considering
7 widening the street there, or how are we ensuring
8 that these buses and that our pedestrians could have
9 safe crossing in that area?

10 DEPUTY COMMISSIONER BOZORG: Absolutely.
11 Safety is our number one priority, and it was, you
12 know, the initial lens that we really at least from a
13 DOT perspective, you know, we—when we were looking at
14 improvements up and down the Corridor, safety was the
15 first thing that came mind. So, we are actually
16 going to be widening some sidewalks. We did do a
17 rigorous analysis with our consultant and then we
18 actually run it by our engineers, and we think that
19 the roadway does have the capacity to, you know,
20 manage those bus turns and those bends (sic) et
21 cetera. One of the things that we also thought about
22 when we were thinking about what to do with that bus
23 turnaround space is we didn't want to drive more
24 traffic in there because we would actually be having
25 like more buses making that turn. So, that's why the

2 Transit Priority Corridor is really the best solution
3 to optimize safety and also mobility for—in this
4 transit hub.

5 CHAIRPERSON RICHARDS: So, I would just—
6 just—to just piggyback on that a little bit, when
7 those buses make a right

8 DEPUTY COMMISSIONER BOZORG:
9 [interposing] Uh-huh.

10 CHAIRPERSON RICHARDS: --on Mott Avenue,
11 it is completely dangerous including on Central. So,
12 we're going to be looking to hear a little bit more
13 of how DOT is going to address that. For instance if
14 you're a traffic light, you know, I guess east-going-
15 going west down--

16 DEPUTY COMMISSIONER BOZORG:
17 [interposing] Okay.

18 CHAIRPERSON RICHARDS: --there's—you
19 could be hit by a bus, you know, as they turn, or
20 sometimes buses can't make that turn. So, we'll be
21 looking to see a little bit more on how I would
22 address it, and I don't know if you have something to
23 add to this, but certainly there--

24 DEPUTY COMMISSIONER BOZORG: So-so, we
25 are installing a new signal on Beach 22nd.

2 CHAIRPERSON RICHARDS: Okay.

3 DEPUTY COMMISSIONER BOZORG: We're
4 tightening up that intersection right in front of the
5 bus station. Excuse me. The—the train station. So,
6 there's going to be new crosswalks, et cetera, and we
7 are going to be reorganizing the commute vans for the
8 first time in Downtown Far Rockaway history. We're
9 actually going to authorize some spots for the
10 commuter vans. We know they provide a very important
11 service to the community. So, we want to better
12 organize that traffic and kind of corral those
13 movements.

14 CHAIRPERSON RICHARDS: Now, let's stay on
15 that topic for a second since you're here. Commuter
16 exist a lot more because transportation is so port in
17 the Rockaways. So, can you speak to has the—and in
18 the DEIS, one of the adverse impacts that was
19 identified was transportation, right? And I think
20 the only mitigation solution I saw was adding the
21 Q22-A, one bus. So, can you speak to what
22 conversations has EDC, has DOT had with the MTA on
23 mitigating the impact and the DEIS identifies that on
24 Q22-A bus will mediate and, you know, every
25 transportation issue we have in the Rockaways. So,

2 I'm interested in hearing a little bit more about
3 that.

4 DEPUTY COMMISSIONER BOZORG: So, we are
5 having active discussions on how to improve
6 particularly buses into the eastern side of the
7 peninsula. As you know, we do have our Access to
8 Opportunity Initiative currently underway, and that's
9 specifically focusing on ways to get people to
10 jobs and to education and using a transportation lens
11 to address that. So, we are having active
12 conversations, you know, with the MTA. They are part
13 of our working group.

14 CHAIRPERSON RICHARDS: And when—and when
15 do you anticipate this study to be finished.

16 DEPUTY COMMISSIONER BOZORG: Access to
17 Opportunities?

18 CHAIRPERSON RICHARDS: Yeah.

19 DEPUTY COMMISSIONER BOZORG: This fall.

20 CHAIRPERSON RICHARDS: This fall. Okay,
21 so you would have come back to us with
22 recommendations.

23 DEPUTY COMMISSIONER BOZORG: Summer or--

24

25

2 CHAIRPERSON RICHARDS: [interposing]
3 Summer, and I know there was an ongoing ferry service
4 study. Where are we at with that?

5 JAMES PATCHETT: So the-the ferry service
6 thanks to your leadership as well as many others in
7 the Council has successful launched four of the
8 locations across the city for routes. I'm sorry,
9 three routes with the fourth, which we announced
10 recently to launch in August. The two remaining
11 routs will launch next year, and it is our focus
12 right now to ensure the service gets up and running
13 successfully. We've had tremendous popularity. The
14 Rockaways obviously have been a huge driver of
15 popularity of the service overall, and as we look at
16 potential future opportunities we want to make sure
17 that we're-have a full understanding of the way this
18 service is operating before, you know, move to
19 implement anything beyond the current 6 planned
20 routes.

21 CHAIRPERSON RICHARDS: So, I mean we know
22 the service is successful.

23 JAMES PATCHETT: Yes.

24 CHAIRPERSON RICHARDS: Too successful
25 obviously because, you know.

2 JAMES PATCHETT: Wildly successful.

3 CHAIRPERSON RICHARDS: Wild. Exactly and
4 it will become increasingly more popular as more
5 residents come in.

6 JAMES PATCHETT: Absolutely.

7 CHAIRPERSON RICHARDS: So in the meantime
8 there has been some calls to expand the ferry
9 satellite bus a further east to Mott Avenue, which I
10 think makes sense even without this plan moving
11 forward being that we're trying to drain-drive people
12 into the heart of Downtown Far Rockaway for tourism
13 opportunities as well. So, I'm looking at a twofold
14 not just for residents.

15 JAMES PATCHETT: [interposing] Uh-huh.

16 CHAIRPERSON RICHARDS: I think it should
17 benefit residents first, but secondly ensuring that
18 we can drive in more traffic into the Downtown Court
19 area. Has there been any movement on this
20 conversation first, and then secondly I'm still
21 waiting for an answer on when do we anticipate the
22 second ferry study to be completed.

23 JAMES PATCHETT: So, it relates to the-
24 the bus itself, you know, it currently stops about a
25 mile from Downtown Far Rockaway towards the east end

2 of the Peninsula. We have certainly looked at
3 expanding it further. We'd be happy to continue
4 those conversations, but obviously the important
5 thing to consider is the number of passengers at the
6 very far end. So, we actually—it would not be
7 surprising the closer you get to the A-Train the
8 fewer passengers we see getting on and off the—the
9 bus. So, it—the level of ridership diminishes and it
10 stops further and further from the ferry because the
11 A-Train become more competitive, and frankly, to the
12 point where we don't believe based on our analysis
13 that there—there would be a transportation rationale
14 for using the ferry, the bus plus the ferry if you
15 were in Downtown Far Rockaway as opposed to taking
16 the A-Train.

17 CHAIRPERSON RICHARDS: Now, you are
18 keeping up with the delays on the MTA.

19 JAMES PATCHETT: I have—I have—I have--

20 CHAIRPERSON RICHARDS: Even prior to all
21 of this we're glad that the rest of the city is
22 catching on now to these delays. The A-Train has
23 historically been a problem for Far Rockaway. So,
24 having more—one—more than one alternative may make
25 sense here because of the unreliability of the A-

2 Train as it is. So, you said based on your analysis
3 so you have analysis on what ridership looks like
4 now?

5 JAMES PATCHETT: Well, we have--well, I
6 mean the--the--yeah, absolutely, we have--we have lots
7 of--

8 CHAIRPERSON RICHARDS: [interposing] Has
9 it been successful or not successful based on what
10 you see?

11 JAMES PATCHETT: Sorry. Say that again.

12 CHAIRPERSON RICHARDS: On the satellite
13 bus running from 32nd Street, what are our analyses
14 now and there is--there are a healthy amount of
15 individuals who live in Downtown now who may be
16 looking for that option and, you know, for anyone who
17 gets on the L-I-double R over there you know that
18 residents take that the L-I double R--

19 JAMES PATCHETT: [interposing]
20 Absolutely.

21 CHAIRPERSON RICHARDS: --because of the
22 unreliability of the A-Train, which also takes us out
23 of our way as well.

24 JAMES PATCHETT: Uh-huh.

2 CHAIRPERSON RICHARDS: So, that
3 competition is a healthy competition based on where
4 our geography is. So, can you speak to if you have
5 numbers has the satellite bus picked up, and is the
6 city open to running it further east--

7 JAMES PATCHETT: Yeah, so yeah the--

8 CHAIRPERSON RICHARDS: --to-to test it
9 out.

10 JAMES PATCHETT: I don't have the
11 specific numbers in front of me--

12 CHAIRPERSON RICHARDS: [interposing]
13 Okay.

14 JAMES PATCHETT: --but I--what I was
15 saying is that the information that I have seen
16 suggests that the level of ridership drops with each
17 successive stop further from the ferry terminal.

18 CHAIRPERSON RICHARDS: [interposing] I
19 get--I get what--

20 JAMES PATCHETT: Okay.

21 CHAIRPERSON RICHARDS: --the bureau--what
22 the bureaucrats will say. It doesn't make sense, but
23 Rockaway is a different neighborhood. So they may--
24 the tenant there--

2 JAMES PATCHETT: [interposing] And—and I—
3 I appreciate that. I think of myself as not a
4 bureaucrat, but I appreciate your—appreciate your.

5 CHAIRPERSON RICHARDS: [interposing] I'm
6 not calling you a bureaucrat. I'm just saying.
7 Alright, engineers.

8 JAMES PATCHETT: Okay, engineers there
9 you go.

10 CHAIRPERSON RICHARDS: People who study
11 things.

12 JAMES PATCHETT: Thank you, Councilman,

13 CHAIRPERSON RICHARDS: Right, okay.

14 JAMES PATCHETT: Yeah, but we absolutely
15 take your point seriously. We understand
16 transportation is important consideration for you.
17 It's part of this plan. We're looking at a wide
18 variety of options including with our partners at
19 DOT, and we take it very seriously.

20 CHAIRPERSON RICHARDS: Right, and I have
21 two other outstanding issues, the Q22-A, which used
22 to run through Bays Water. It's another conversation
23 and then also City Ticket, which does not exist. The
24 only station in New York City where the City Ticket
25 program does not exist in New York City is Far

2 Rockaway. The last I checked we were in the five
3 boroughs. Would you agree?

4 JAMES PATCHETT: Yes.

5 CHAIRPERSON RICHARDS: Or are we a six
6 borough?

7 JAMES PATCHETT: Yeah, absolutely.

8 CHAIRPERSON RICHARDS: Alright, so we
9 haven't secede so we're still part of New York City,
10 right?

11 JAMES PATCHETT: Yep, that's right.

12 CHAIRPERSON RICHARDS: So, are there any
13 conversations and just I'm getting like a broken
14 record here. Have there been any great conversations
15 with the MTA on finally getting the ticket—City
16 Ticket available to Rockaway openings?

17 DEPUTY COMMISSIONER BOZORG: We'll have
18 to get back to you on that.

19 CHAIRPERSON RICHARDS: Alright, I've been
20 hearing that for four years.

21 DEPUTY COMMISSIONER BOZORG: Half of this
22 is nice though. (sic)

23 CHAIRPERSON RICHARDS: I'm not going to
24 be so kind on this topic as we move forward. I want
25 to hop back into environmental impacts. So the DIS

2 acknowledges that there will be a huge deficit in
3 open park space in this plan. So, Mr. Nick, short
4 for Nicky.

5 MICHELLE NORRIS: [laughs]

6 CHAIRPERSON RICHARDS: Can you speak to
7 how we are going to mitigate the open Space deficit
8 that we see in this plan?

9 NICK MOLINARI: So, the city is open to
10 exploring possibilities for open space-improvement on
11 sites. We're looking at existing open spaces, at our
12 existing park spaces, and we'll continue discussions
13 and would like to continue the open dialogue with
14 you.

15 CHAIRPERSON RICHARDS: Okay, and I know
16 that there is a sanitation lot that the Community
17 Board has requested to be a park. One of the things
18 that is a little troublesome in all of this, and I'm
19 very grateful for the Parks Department reaching out,
20 and acknowledging the fact that they would like some
21 sort of whether it's community gardens/open space
22 used there/park space, but in the plan it says you're
23 going to dispose of the sit. So, it's a-it's a
24 little worrisome because why would we dispose of a

2 city-owned site if it's going to be park space. So,
3 can—I don't know if City Planning can speak to that.

4 JOHN YOUNG: Well, we can—I mean I can
5 speak to that.

6 CHAIRPERSON RICHARDS: Okay.

7 JOHN YOUNG: The initial—the initial
8 vision for this site was that it would be a housing
9 site, but we—you know, we completed the analysis and
10 the EIS, and we heard more importantly vocally from
11 the community about the concerns around open space,
12 and so we take those considerations very serious, and
13 we did want to continue the conversation with you to
14 explore whether there's a possibility to ensure that
15 we have this or another location that can serve as an
16 open space opportunity for the community.

17 CHAIRPERSON RICHARDS: Right. Okay. So,
18 I look forward to that continued conversation, and
19 that space is only around 15 to 20,000 square feet.
20 So, we're still in a huge deficit.

21 JOHN YOUNG: 11,000.

22 CHAIRPERSON RICHARDS: Are we having any
23 other discussions on park improvements in the
24 neighboring community. For instance, you had the
25 Redfern Houses playground, which is in the back,

2 which is the Redfern Playground, which is Parks
3 Department land as well that's sort of not seen major
4 improvements for a long time, and other parks as well
5 in the surrounding area. And being that there is a
6 deficit downtown, are we exploring looking at other
7 opportunities--

8 NICK MOLINARI: [interposing] Yes.

9 CHAIRPERSON RICHARDS: --to sort of try
10 to fill that gap.

11 NICK MOLINARI: Yes, you can closely look
12 at Redfern. I think as you know it's not the most
13 efficient layout of open space there, and it could be
14 more efficiently laid out to provide additional
15 amenities. Also, NYCHA has expressed interest in
16 working together on improvements, and also we
17 depended on funding.

18 CHAIRPERSON RICHARDS: Alrighty. Let's
19 get into community facilities. So can we speak to--so
20 the plan identifies around 87,000 square feet of
21 community facility space. Where exactly with
22 community facility space exist, and we all know, and,
23 you know, that school capacity and over-crowdedness
24 is an issue in Downtown already. And I understand
25 what DOE is going to say. DOE is going to say well,

2 we still have capacity on the peninsula. That is
3 very unfair to tell parents whether it's a K through
4 5 or whatever, that their children should have to
5 travel up to 50 blocks to get to their nearest
6 school. So, one of the things the community has said
7 is that this is an important issue, community
8 facility space, things like community centers are
9 important. Can you speak to what are we doing to
10 ensure that the community will gain something in this
11 plan. Very grateful for plaza space, very nice, but
12 the community I don't see within this plan--

13 JAMES PATCHETT: Right,

14 CHAIRPERSON RICHARDS: --is really
15 gaining anything out of it right. I like the park
16 space. We love--and I--I don't want to take away from
17 the investment in infrastructure, the investment that
18 should have happened in the first place 30 years ago.
19 So this is not a gift to the Rockaway community.
20 These are things that should have happened, and we're
21 very appreciated of the de Blasio Administration
22 delivering and rectifying those issues, but I--I just
23 want to put out there, this is not a-- We're very
24 grateful for this administration's commitment--

25 JAMES PATCHETT: We understand.

2 CHAIRPERSON RICHARDS: --in rectifying
3 old issues that no community should have to go
4 through, but what are we doing to ensure that current
5 residents will also have new places and community
6 facilities to enjoy as well?

7 JAMES PATCHETT: Well, thank you. So,
8 one of the things that's been so important about your
9 leadership here in asking the city to come to the
10 table and have a conversation about a comprehensive
11 plan for the Rockaways is that it's not just about an
12 opportunity to talk about zoning. It's an
13 opportunity talk about all of the challenges of the
14 Rockaways we've been facing, this this Administration
15 determined that, you know, based on your advocacy
16 that it was unacceptable the level of investments
17 that occurred in the Rockaways, and we were able to
18 focus new investment there across many of the areas
19 that had been long forgotten in the Rockaways, which
20 we—we considered unacceptable. As it relates to
21 community facility space specifically, our estimate
22 are approximately—just over 80,000 square feet of
23 community facility space. And then you asked the
24 question quite appropriately what does that community
25 facility space look like, and how does it serve the

2 community? So, the-the most, it's obviously-this is
3 a long-term plan. We'll see that as development goes
4 forward, but most immediately we have the Beach 21st
5 Street RFP, which we anticipate will include
6 community facility, and we'll work--

7 CHAIRPERSON RICHARDS: [interposing] How
8 much square footage on that site?

9 JAMES PATCHETT: The total. I don't know
10 that.

11 NATE BLISS: I'm not sure what we
12 projected in the EIS. We can get back to you on
13 that.

14 JAMES PATCHETT: We don't have it with
15 us, but we'll be happy to get back to you with that,
16 but there's--there's absolutely an opportunity there
17 to ensure that there's a real community is--that is
18 supportive in the near term, and then, of course,
19 time there will be plenty of additional development
20 opportunities with community facility, and we'll work
21 closely with your office and our other agencies to
22 ensure that those deliver real improvements for the
23 community.

24 CHAIRPERSON RICHARDS: Yes, and I just
25 want to stress that that is a high priority for us--

2 JAMES PATCHETT: [interposing] A high
3 priority.

4 CHAIRPERSON RICHARDS: --and this plan
5 will not move forward without sufficient community
6 facility space, whatever it looks like--

7 JAMES PATCHETT: Uh-huh.

8 CHAIRPERSON RICHARDS: --and we
9 understand that right away based on possible phasing
10 of this project that the immediate need may not be
11 there right away--

12 JAMES PATCHETT: Uh-huh.

13 CHAIRPERSON RICHARDS: --but we do know
14 as this area is built out and--and right now we're
15 projecting 3,000 units, but we now that as areas are
16 rezoned that more developers tend to look at doing
17 things that, you know, or reconstructing properties
18 that they sat on for 30 or 40 years, as we're seeing
19 now so--

20 JAMES PATCHETT: [interposing] Yeah, we
21 absolutely mean to begin to--to think about the long
22 term. (sic)

23 CHAIRPERSON RICHARDS: Yes. Urban
24 Renewal Area.

25 JAMES PATCHETT: Yes.

2 CHAIRPERSON RICHARDS: So, let's just go
3 through that a little bit. So, the Thriftway Mall
4 site had been abandoned 40 years. It's very tacky.
5 We know that there are some conversations going on
6 around it. We don't know yay or nay whether things
7 are moving forward or not. How soon is the de Blasio
8 Administration prepared to move on eminent domain if
9 serious--if this conversation around development on
10 this site has been serious. And--and through this
11 rezoning, I just want you to speak a little bit to
12 the public, you know, what does urban renewal mean--

13 JAMES PATCHETT: [interposing] Sure.

14 CHAIRPERSON RICHARDS: --and sort of
15 speak English unlike me right now.

16 JAMES PATCHETT: Okay, sure. So, urban
17 renewal is a tool that has a long and imperfect
18 history in the city. It's a tool that allows the
19 city to acquire land without the consent of property
20 owners, and--and then there's a process through the
21 courts for which a value is determined, but as--as
22 long as there's a public purpose of the acquisition
23 in the site, the state--it will--provides the authority
24 for the city to take that action. And, of course,
25 there's a long history in the city of urban--of urban

2 renewal and eminent domain being used for purposes
3 that communities found problematic particularly a
4 number of transportation investments in the Robert
5 Moses era that were, you know, hard for a lot of
6 communities and divided communities in a way that was
7 problematic. That being said, we think this is a
8 very important tool in this case because what it
9 does—we view it as a tool of last resort. This is a
10 facility that as you pointed out, and as was
11 emphasized to us repeatedly, it has been vacant for
12 far too long, and really has been an eye sore in the
13 center of the community, and has been the central—one
14 of the central reasons why this community has not be
15 able to come together, and revitalize its downtown in
16 the way that we all believe it should have. And so,
17 it is our absolute intention to reach an agreement to
18 redevelop this site in a positive way, but the City
19 is absolutely prepared to act upon the approval of
20 the Urban Renewal to take this property and ensure it
21 is developed in the event that, you know, negotiation
22 is unsuccessful.

23 CHAIRPERSON RICHARDS: And when did—when
24 do we have a deadline or have we set a firm deadline
25 on what that looks like?

2 JAMES PATCHETT: We have not set a firm
3 deadline, but we take it very seriously. It's been
4 vacant for 40 years, and it needs to stop.

5 CHAIRPERSON RICHARDS: Okay-

6 DEPUTY COMMISSIONER BOZORG: And that-

7 CHAIRPERSON RICHARDS: --so we'll
8 continue.

9 DEPUTY COMMISSIONER BOZORG: --I'll add
10 to that, and just to clarify, it's not only just a
11 public purchase that gives us the authority, but it's
12 also certain conditions on the site have to be there
13 for us to be able to use that authority like
14 underutilization. So, we have to make that case
15 first, and I just wanted to add that we have sent
16 notification letters kind of in accordance with some
17 of the procedures so that we have essentially a
18 parallel process so that when we do want to act on
19 more severe actions, we'll be in a good place to do
20 that. So, we'll make that decision with you, and as
21 a partnership, but the--the notification and after the
22 ULURP action, we'll likely do some other steps that
23 get us on that path of using condemnation should we
24 need it.

2 CHAIRPERSON RICHARDS: And what other
3 sites outside of the Thriftway Mall would you
4 consider condemnation on outside of the cast---well,
5 I mean I guess it's in the renewal area.

6 DEPUTY COMMISSIONER BOZORG: Yeah, so
7 there's--there's--

8 CHAIRPERSON RICHARDS: --but offsite of
9 the Thriftway Mall.

10 DEPUTY COMMISSIONER BOZORG: In that--

11 CHAIRPERSON RICHARDS: [interposing] And
12 are there conversations going on? Has everyone
13 responded within the catchment area?

14 DEPUTY COMMISSIONER BOZORG: We haven't
15 heard anything back yet, but there are 28 tax lots in
16 the Urban Renewal Area. The--the family that owns the
17 site you're talking about owns about 75% of that area
18 even though it's 28--

19 CHAIRPERSON RICHARDS: [interposing]
20 Historical--

21 DEPUTY COMMISSIONER BOZORG: Yes.

22 CHAIRPERSON RICHARDS: --lots. Okay.

23 DEPUTY COMMISSIONER BOZORG: There's 16
24 different ownership entities right now in the URA.

25

2 So, we'll be engaging with all of them once this
3 process—once we have the actions adrift.

4 CHAIRPERSON RICHARDS: Okay. I'm going
5 to start to hammer it down just a little bit so we
6 can get to the public more importantly. So, is
7 healthcare a big issue in the Rockaways? Have there
8 been conversations with hospitals like Saint Johns,
9 the Addabbo Health Center. So, we know it's more of
10 a population. I know we're expanding the ER room now
11 thanks to the Governor, and I do understand that, you
12 know, we get this question all the time and I just
13 have to put it on the record. The City does not
14 necessarily build hospitals, the state more so is
15 building hospitals, and they're not doing that right
16 now. You know, but I'm interested in knowing what
17 are some of the improvements or are there
18 conversations with anyone around healthcare
19 improvements to this community and—and any day you
20 pass by the Addabbo Health Center in Downtown, and we
21 are expanding. I'm very grateful to the Mayor for
22 working with us to expand the Addabbo Health Center
23 up in Auburn--

24 JAMES PATCHETT: Uh-huh.

2 CHAIRPERSON RICHARDS: --bit there's also
3 a site in the downtown area that's already sort of at
4 the, you know, the brim now. So have there been any
5 conversations around that and-

6 JAMES PATCHETT: Yes, absolutely. So,
7 it's--obviously healthcare is an important issue in
8 the Rockaways ensuring that there is quality service
9 on or in the Rockaways as opposed to having to leave
10 the Rockaways to get appropriate healthcare services.
11 We have been close coordination with both St. John
12 and Addabbo to look at opportunities with both of
13 those and, you know, of course also as a part of the
14 rezoning in this facility space some of that could
15 serve as new medical space or offices or maybe an
16 additional health center. Those are all things we
17 have to look at.

18 CHAIRPERSON RICHARDS: So we will
19 continue conversations on that-

20 JAMES PATCHETT: Absolutely.

21 CHAIRPERSON RICHARDS: --and I look
22 forward to hearing a little bit more about that.
23 Hotels. So, can you speak to how we will ensure that
24 through this process we won't get a bunch of hotels
25 that start popping up that don't have to go through a

2 review process? Do we anticipate any hotel
3 development coming our way in downtown, and I know
4 that there are two hotels by as-of-right development
5 right now that are coming up in downtown. But what
6 is this filming going to do to ensure that we don't
7 end up with a bevy of hotels that may not serve the
8 purpose, and I will say this: We are a resort town,
9 and I like to put that out there. Some developers
10 are way ahead of their time, but as things happen, as
11 investment comes I do understand tourism will be
12 driven into areas like Downtown Far Rockaway and
13 Edgemere and other parts of the Rockaways. But I do
14 want you to just speak to how we're going to ensue at
15 least a review process--

16 JAMES PATCHETT: Uh-huh.

17 CHAIRPERSON RICHARDS: --or a hotel
18 special permit, or do we anticipate through the
19 zoning that any hotels would be able to go up as-of-
20 right without any notification to us or any
21 notification to the public?

22 NATE BLISS: So, we thought carefully
23 about hotels, and we know that there--certainly are
24 complex issues surrounding--surrounding them whether
25 they can serve the community in a positive way, and

2 currently the rezoning would inoculate the area from
3 as-of-right hotel development. The two are currently
4 proceeding under the current zoning, but that type of
5 zoning is being eliminated with our proposal. Any
6 future hotels would require additional land use
7 actions, which would have to go through a similar
8 process like this.

9 CHAIRPERSON RICHARDS: Right, so they
10 would have to go through ULURP process, which means
11 they would have to speak to the community board and
12 to the local Council Member inside the community?

13 NATE BLISS: Correct.

14 CHAIRPERSON RICHARDS: Alrighty. Good.
15 Can we hop into—as I begin to close this out a little
16 bit. John, can you go through setbacks a little bit
17 in the plan? So, are setbacks required at all
18 locations in Subdistrict A or no?

19 JOHN YOUNG: Correct, we are providing
20 required setbacks. They are minimum 10 feet and on
21 certain locations set—on certain locations actually
22 that they do go down to 7, but that's on the interior
23 portions of Area A. Everything facing the street is
24 minimum ten feet.

2 CHAIRPERSON RICHARDS: And let's hop onto
3 SBS as I begin to close out. So under DIS it
4 identifies that some local businesses could be
5 affected by this plan, could be displaced? I'm
6 assuming more of those are—are car uses. I want to
7 know what is SBS doing to ensure—welcome Michael—to
8 ensure that we are protecting small businesses who
9 have been her through the good and bad. You know,
10 the coffee shop under my office has been here 30
11 year, and if you stayed after Sandy, you know, it's—
12 it's critical to ensure that we are protecting these
13 small businesses. So, what is SBS prepared to do to
14 ensure that programs like Small Business Solutions
15 are available to our community as we move through
16 this plan?

17 DEPUTY COMMISSIONER BLAISE BACKER: Can I
18 just say that the coffee shop is clearly doing quite
19 well given that when we were out there recently we
20 couldn't even get a table there. So, it's obviously
21 doing quite well.

22 CHAIRPERSON RICHARDS: [off mic] I told
23 them you would come out here the other day.

24 DEPUTY COMMISSIONER BLAISE BACKER: Oh,
25 well. [laughter]

2 CHAIRPERSON RICHARDS: No favoritism
3 until they give us everything we want Jonathan
4 alright?

5 DEPUTY COMMISSIONER BLAISE BACKER:
6 Thanks Council Member Richards. So, as you—as you
7 know, obviously we've—we've done a program and we're
8 in cooperation with EDC and RDRC on starting
9 improvements. So, again while is about improving
10 aesthetics, to a certain extent it is also about
11 providing resources to the small business owners to
12 help update their storefront, their signage to
13 attract both new customers as well as ensure that
14 they're staying current, and sort of the—the
15 competitiveness in the market. We've also recently
16 rolled out—both some workshops as well as pro bono
17 legal assistance to help small business owners
18 address their commercial leasing challenges. So,
19 both when there are times where they need to engage
20 in, you know, lease renewals as well as perhaps, you
21 know, as well as new entrepreneurs looking to sign a
22 lease in retail space. So, there're workshops
23 available, and we'll be rolling out sort of once they
24 attend the workshop essentially pro bono legal
25 assistance where we can match entrepreneurs and

2 existing business owners with the pro bono attorney
3 to help them review lease provisions. So, they have,
4 you know, essentially the information they need to
5 negotiate with the landlord. And then as you know we
6 do have the Business Solution Centers. Again, I know
7 it's not—it's in Jamaica, but with—with those—those
8 resources that are available there, there's a number
9 of programs that allow business owners to essentially
10 have client advisors to, you know, lower their—any
11 fines they might be facing, and they'll essentially
12 help to navigate government so they can both open
13 more quickly. When they are opening or if they are
14 having challenges particularly, you know, restaurants
15 and in other retail businesses that have interactions
16 with the Department of Health or the, you know, FDNY,
17 DEP and DOB. We essentially have inspectors with SBS
18 that essentially can be deployed to both help
19 businesses navigate that permitting process as well
20 as ensure that they prepared when inspectors do come.
21 So, we can help to ensure that they reduce any fines.

22 CHAIRPERSON RICHARDS: [interposing]

23 Right and Jamaica is a long way from Far Rockaway.

24 So, we're looking for something a little bit more

25 local, and also for entrepreneurship we have a lot of

2 talented people in Rockaway who may not have the
3 resources to start their own business right now.
4 We're looking to see a lot more resources from SBS on
5 how people can start their business-business
6 incubator space. Can you speak to that? Has there
7 been any thought in ensuring that Rockaway residents
8 would have access to free or discounted space to run
9 their businesses out of, and that's something
10 important to us as this plan bakes.

11 DEPUTY COMMISSIONER BLAISE BACKER: I-I
12 know that you brought that up in prior conversations.
13 I mean at this time SBS is not really dealing with
14 incubator space per se when it comes to physical
15 space, but obviously we do have a number of programs
16 tailored to women—you know women owned businesses and
17 entrepreneurs, immigrant and entrepreneurs and other
18 populations that are looking to open businesses. So,
19 it has a lot do with certainly, you know, the
20 training and preparedness component to it. I think
21 when it comes to physical space I think it would be
22 worth continuing that conversation with RDRC and
23 other partners in the neighborhood to look at, you
24 know, what that—what that could look like, but I
25 think at this time, you know, SBS doesn't really run

2 an incubator program, and I think it's something we
3 have to be discussing.

4 CHAIRPERSON RICHARDS: I just want to
5 underscore that that's going to be important in this
6 plan, and also I know the Storefront Program was
7 wildly successful. Are we looking at doing any
8 additional storefronts, and then just on job
9 opportunities, I know we'll use Hire NYC here, and
10 I'm looking for reporting mechanisms around how local
11 people will benefit from these jobs and—and be hired.
12 So, can you speak to that as well? And also, you
13 know, with new businesses coming in with the—the
14 business district getting major investment from the
15 administration have you thought of a Business
16 Improvement District as well in the downtown area?
17 So, those three things: Business Improvement
18 District, Hire NYC--

19 DEPUTY COMMISSIONER BLAISE BACKER: Okay.
20 Right. So on the Certain (sic) Improvement Program
21 as—as you all know was—and it was a—a great program
22 and appreciate your office's help with it and that of
23 RDRC and EDC's funding. As you know, that—that
24 funding was provided by both the Mayor's funding and
25 EDC. So, it was private funding, and at this time

2 there are no additional resources to do additional
3 improvements, but I know in cooperation—I know RDRC
4 has been looking to potentially apply for state
5 funding through the New York Main Street Program and
6 that's something where my-my team has been working
7 with Kevin Alexander and RDRC to—to provide some
8 support there—to apply for that—that funding, but we
9 are able to provide both through our Business
10 Improvement that we recently published a few months
11 ago, and other means to continue to provide
12 assistance to those businesses. On the Business
13 Improvement District, I think again per prior
14 discussions I think we really need to do some
15 analysis to see whether one is feasible. So that
16 given the—the current amount of commercial district
17 space, you know--oh, sorry—commercial and retail
18 space in the district to see if-if you could really
19 create, you know, if there's sort of the density and
20 critical mass to create a budget that would make
21 sense for a BID. I think we're certainly open to the
22 concept, but as you know, these efforts are really
23 locally driven, and my team really provides the
24 expertise to help guide them through the organizing
25 and legislative approval process. So, I think we'd—

2 we'd want before putting too much sweat equity into
3 that in the local level is really determine whether
4 one would be feasible so that you could really, you
5 know, get enough of the budget, because we're really
6 hesitant these day to create any BIDs of a budget
7 size that really don't provide, you know, enough to
8 even hire a staff person or provide sort of the
9 amount of services that the community actually feel
10 are need. So, it's something we could continue
11 looking at, and on the workforce piece, our-our
12 expert on that actually had to leave, but I think we
13 have made commitments to continue reporting to you so
14 that you can have information on how Hire NYC is
15 doing with that.

16 CHAIRPERSON RICHARDS: And my last
17 question and this is HPD. So we know that with
18 rezonings and investments there are a lot of
19 pressures put in communities, and the post Sandy
20 we've already seen people getting pushed up and rents
21 going up. So, we know that this could have
22 implications on the community. What tools is HPD
23 looking to put in place to ensure that local
24 residents who are living in the core area and
25 downtown won't be pushed out.

2 DEPUTY COMMISSIONER BOZORG: Well, as I
3 mentioned, one of the tools we're really looking at
4 is proactive preservation efforts.

5 CHAIRPERSON RICHARDS: Just speak a
6 little bit more into it.

7 DEPUTY COMMISSIONER BOZORG: Yeah, one of
8 our tools is the—it's simply our proactive
9 preservation efforts as kind of a proactive anti-
10 harassment method. It's to lock in affordability
11 through a preservation loan. It's obviously and
12 early way to stem off vulnerability down the line.
13 We are also working closely with HRA to connect
14 existing residential with legal services and working
15 with community organizations in the area to identify
16 those needs, and we are—the Tenant Harassment
17 Prevention Task Force is citywide and, you know, we
18 are coordinated closely with them to make sure that
19 in neighborhoods where we think there are going to be
20 vulnerabilities that we are deploying a task force to
21 look at issues as they come up. And then I think as
22 you know, we've also been exploring this idea of a
23 Certificate of No Harassment, and the Working Group
24 wrapped up its work about a couple months ago, and
25 now we're evaluating kind of the budgetary and scope

2 impacts of a potential Certificate of No Harassment
3 program.

4 CHAIRPERSON RICHARDS: Okay. I want to
5 thank you all for your testimony today. The real
6 work begins now. I'm very grateful for our
7 partnership throughout this plan. We look forward to
8 working with you and continuing to work with you to
9 come up with the best plan for Downtown Far Rockaway,
10 but I'm—I'm very happy at where we're at now and how
11 much investment the Mayor has put in. I think we
12 still have a long way to go to ensure that this plan
13 will meet the expectations and needs of the local Far
14 Rockaway community. So, we look forward to continued
15 conversation, and I want to thank you all for your
16 commitment to Downtown Far Rockaway. Thank you.

17 DEPUTY COMMISSIONER BLAISE BACKER: Thank
18 your.

19 CHAIRPERSON RICHARDS: Alright, we now
20 move onto the public. Alrighty, and our first panel
21 we will call Stacey Pfeiffer Amato a local Assembly
22 Woman; Jonathan Gasper, Community Board 14; we will—
23 Kevin Alexander, RDRC; and Renee Hassock of Saint
24 John's Hospital. [background comments] I will do
25 one more. [pause] Is Lavita here?

2 LAVITA: Yes.

3 CHAIRPERSON RICHARDS: Alright, Lavita,
4 you can come up as well. [pause] Alrighty, Assembly
5 Member, you may begin. [pause]

6 STACEY PFEFFER AMATO: Hello, okay, good.
7 Good afternoon. My name is Stacey Pfeffer Amato and
8 I am the Assembly Woman of the 23rd Assembly
9 District. Than you for your opportunity to submit
10 testimony today. I would first like to commend my
11 colleague, Councilman Donovan Richards for his hard
12 work in organizing the Downtown Far Rockaway Working
13 Group in addition to his hard work as Chairman of
14 this committee. I am proud of my—I am proud of my
15 community for their dedication to this process and
16 all their work that they have put in thus far. A
17 little background on me, and I love saying this, as
18 you all know. I was born in Far Rockaway. I was
19 born in Saint Joseph's Hospital. I lived in Far
20 Rockaway my entire life, went to Far Rockaway High
21 School. I only moved a few short blocks halfway
22 through my life into Rockaway Beach. So, I've spent
23 my entire life on the Rockaway Peninsula. I'm proud
24 to represent it now in the Assembly. I give my
25 background because I grew up knowing the neglect that

2 has occurred in the Far Rockaway community. The
3 absence of service, transportation and the challenges
4 that we as parents have raising our children on the
5 peninsula, but I don't want that to distract you
6 because today I'm here to support the Subcommittee's
7 vote in a positive—for a positive vote on the
8 rezoning of the 22-block area of the Downtown Far
9 Rockaway. Councilman, you have said it very well in
10 all your questioning today talking—being hard in your
11 questioning, but knowing that we want this change for
12 our community, but there's so many open discussions
13 that we have to continue these conversations, and as
14 you said they start now. The revitalization of Far
15 Rockaway includes better connection of neighborhoods,
16 increased economic opportunity, along with strength
17 and expansion of existing commercial and residential
18 developments. While these plans are going to improve
19 the quality of life and resource for many of our
20 neighbors, there are still concerns [bell] and these—
21 -

22 CHAIRPERSON RICHARDS: Can you--

23 STACEY PFEFFER AMATO: --and these
24 concerns have come from our Community Board and our
25 civic groups, and these concerns must be considered

2 when we vote positively, but we must address these
3 concerns, and they have to do with adequate parking
4 alleviating traffic congestion, and providing
5 resources for the anticipated population growth and
6 ensuring the growth of Far Rockaway has a
7 proportionate mixture of commercial and residential.

8 What I'm saying is as we welcome this growth and
9 possibly 3,000 new units of housing, how are we going
10 to support them because we've already been neglected,
11 and to talk about the peninsula as a whole, are we
12 going to focus on one area without addressing the
13 rest of it, which is creating them versus us
14 mentality where we have to be one whole peninsula.

15 With thousands of new residential housing apartments
16 there, there's still a lack of conversation regarding
17 the resources for these new residents.

18 Transportation and education are the two of my top. I
19 loved when you talked about the schools because—or
20 the community spaces we're calling it because I
21 didn't see DOE on this panel talking about their
22 investment in Downtown Far Rockaway or in the whole
23 Far Rockaway community. How can we talk about 3,000
24 families or units of housing moving in without a true
25 investment of education? Our schools have been

2 neglected along with the downtown shopping area and
3 the services that we need, but we have not talked
4 about the commitment of education for our children,
5 and when speak about transportation, and we keep
6 talking about the same A-Train, which I'm not sure
7 how many of us as a young girl who took the A-Train
8 to go work in Manhattan, how long that commute it.
9 We can't talk about transportation without talking
10 about the Queens Rail, something that's a passionate
11 project of mine in the Rockaways, which is also
12 called the Rockaway Beach Rail Line, which is a
13 reactivation of the old railroad which would make a
14 faster commute. So, when we talk about bringing all
15 these new families and growth of Rockaway, we must
16 talk about transportation and the commitment that the
17 city has on the transportation infrastructure or our
18 community. Families in South Queens and Far Rockaway
19 deserve an absolutely—deserve an absolutely need to
20 have basic resources such as transportation,
21 education, parking, hospitals and all the great shops
22 that we've always yearned for in our community. I
23 hope that you keep these necessary important points
24 of mine that I spoke about with you right now when
25 you consider your vote for the Downtown Far Rockaway

2 area. Again, I support this whole movement. It's
3 fantastic. It's a huge project, and as myself and I
4 look at Kevin as I've written so many notes as we
5 were talking today. I don't want to touch on all
6 the, you know, the devil—the details—the devil is in
7 the details. But part of what happened with the
8 ferry, which is a positive step for our community is
9 we knew it would be successful because the community
10 talked about it, and we knew the need was there for
11 that, but I find always that there's a lack of
12 listening to the community. Those people who've
13 lived here like myself, and I'm going to call myself
14 out, 50 years in the community.

15 CHAIRPERSON RICHARDS: You're not a day
16 over 25.

17 STACEY PFEFFER AMATO: Wait for that
18 comment back that you've deleted. (sic)

19 CHAIRPERSON RICHARDS: [laughter]

20 STACEY PFEFFER AMATO: That we know—
21 there's things that we know about, the congestion
22 that's going to occur on Mott Avenue is going to be a
23 hot mess. So, if we don't take those moments and
24 talk to us that no, to have that balance, then it's
25 never going to be successful, and we're never going

1 to embrace it as our own. We want it. We've talked
2 about this for years, and I want to be like the head
3 cheerleader in charge of this conversation with you,
4 partnering with our civic groups, our Community
5 Board, which is the greatest community board because
6 we've battled so much. The most unemployment in any
7 community board of all of Queens. So, what does that
8 say about that whole community, but we can't just
9 look at Downtown Far Rockaway. When we talk about
10 economic growth, we want to make sure that there's
11 growth that we can work in our community, but we can
12 get to other opportunities. And while we're building
13 this community, I want to make sure and I'll be on
14 record that it's to be union jobs, prevailing wage,
15 opportunities that I could tell you that's happening
16 in the other part of the Assembly District: Food
17 service and the service industry is becoming such a
18 great need, but our young folks are not educated in
19 how to be service industry—be in the service
20 industry. So, we have to create workshops and
21 opportunities that we could teach them how to be
22 waiters and waitresses and customer service. There—
23 this is excitement to have those restaurants.
24 They're great jobs, but if we've never answered a
25

2 phone, because this generation has never answered a
3 phone [laughs] we have to talk about that. And one
4 analogy I'll use, and I'll leave you on that note in
5 my testimony, is this—this revitalization and
6 rezoning effort is like taking a dial—a rotary phone
7 that's on the wall, and we jump into an iPhone 7 and
8 that's how much progress has been lacking, and we
9 have to somewhere have the conversation that occurred
10 in the middle. Because we want the iPhone 7, but
11 some of us are still only using a rotary, and you
12 have to bring up at the same speed. So, thank you
13 very much for my—allowing me the opportunity to have
14 this have this testimony. Thank you again Councilman
15 Richards and your team and all your efforts, you
16 staff, you're incredible. I look forward to continue
17 to partnering with you as we build Downtown Far
18 Rockaway.

19 CHAIRPERSON RICHARDS: Thank you so much,
20 Assembly Member. You've been a great partner
21 throughout this journey. Even as a new Assembly
22 Member she hopped in right away, and said we need to
23 do something here, and I look forward to continuing
24 to work with your amazing team as well as we move
25 through this process, and I think you—you hit right

2 on the head. You know, we—we're very moving fast to
3 an iPhone 7 and we got to make sure everyone is kept
4 up to speed. So, I will also say one of the things
5 we're going to be doing even post—if we do approve
6 this rezoning making sure that, you know, the
7 community up to date process is kept in motion and,
8 you know, we're not looking for everybody to be yes
9 people. That's not something that we pride ourselves
10 in. We need people in this conversation who many not
11 necessarily agree with the plan as well. So, it's—
12 it's about ensuring that there's a space for
13 everyone--

14 STACEY PFEFFER AMATO: [interposing]
15 Absolutely.

16 CHAIRPERSON RICHARDS: --to have
17 constructed—constructive criticism on this plan, and
18 we look forward to continuing to work with everyone
19 to ensure that that could happen here because any
20 plan that just sails through where everybody agrees,
21 there's something wrong with that. We always the
22 best plans are the plans where everyone doesn't
23 agree, but that we try to find a medium. So, thank
24 you for your leadership on this. We look forward to
25 continuing to work with you, and rotary phones are

2 not that bad either. They might be better actually.

3 [laughs] We'll go to Kevin Alexander now.

4 KEVIN ALEXANDER: Good afternoon, Council
5 Member Richards, and members of the City Council. My
6 name is Kevin Alexander and I am here on behalf of
7 the Rockaway Development and Revitalization
8 Corporation to voice our support of the necessary
9 actions to unlock the Downtown Far Rockaway new
10 development plan. RDRC has been serving the people of
11 Rockaway for 39 plus years from our offices located
12 in the heart of Downtown Far Rockaway operating
13 social programs such as the Beacon Center, Summer
14 Youth Employment, In-School Youth, Work Learn and
15 Grow Programs that have assisted, trained or employed
16 tens of thousands of New Yorkers. Stabilizing our
17 neighborhoods as a HUD certified housing counseling
18 agency, providing first time buy, foreclosures and
19 credit counseling services in one of the most
20 underbanked, unbanked and relined community districts
21 in all of New York City. Strengthening and-
22 strengthening our businesses and commercial
23 corridors-corridors as the former Far Rockaway Zone
24 Administrator at retaining businesses and-and jobs in
25 the community. More recently working with ECC and

1 DOT to raise capital funds to restore the Beach 20th
2 Street Pedestrian Plaza, partnering with DOT to
3 maintain and activate the plaza with family focused
4 entertainment, arts and culture and events.
5 Partnering with SBS to implement and manage a highly
6 successful storefront improvement program that has
7 benefited 18 businesses, activating local merchants'
8 association that now includes 40 persons—pay members
9 and as an active member of the Downtown Far Rockaway
10 Working Group, and I say this to say that we connect
11 with a lot of people within the community, diverse
12 backgrounds, business owners, property owners and
13 residents. So, this is what's qualifying us to
14 really speak on behalf not just of audio seed, but
15 the people that we serve as well. The Downtown Plan
16 has many benefits, and we agree that it starts with
17 new infrastructure. It continues with affordable
18 housing, and we have to discuss what that means in
19 terms of affordability, but it's there. Okay. New
20 streetscapes, new sidewalks, the roadways, open
21 spaces are there so that we can enjoy a better
22 quality of life for the persons that haven't had the
23 benefit for generations. New community space is very
24 important to us, and we will continue to promote
25

1 community space as part of the revitalization of any
2 community including Far Rockaway. Cultural, arts and
3 culture, community healthcare organizations, daycare
4 and senior adult daycare programs. By the way,
5 Downtown Far Rockaway doesn't have one daycare center
6 in the district. Looking also at local employment
7 opportunities, temporary construction jobs, property
8 management, retail, hospitality, food industry,
9 security and surveillance and healthcare are all
10 important to revitalization—revitalization of
11 Downtown Far Rockaway. New commercial and retail
12 space to attract new businesses and entrepreneurship
13 opportunities. We mentioned restaurants, catering,
14 specialty stores, furniture and appliance, medical
15 and healthcare, and for existing businesses that have
16 struggled the opportunity to attract more shoppers
17 and consumers into down—the Downtown District as a
18 result of new streetscapes, improved transportation,
19 new housing and open spaces. And let me close by
20 final—finally saying, oh, yes, we are very clear
21 about the long-term of a project like this, and RDRC
22 will be there to monitor the MWBE, the local hiring,
23 the residency requirements negotiated with developers
24

2 for the life of the project. Thank you so much for
3 giving me this opportunity to speak.

4 CHAIRPERSON RICHARDS: Thank you, Kevin.
5 Jonathan Gaska.

6 JONATHAN GASKA: So, good afternoon. I'd
7 first like to thank the Councilman Donovan Richards
8 who's done a—just an amazing job. I'd also like to
9 thank the Mayor for committing \$100 million. For
10 those of you who don't know me, I've been the
11 District Manager of Community Board 14 for almost 30
12 years. My office is across the street from the site.
13 For—for over three decades I've looked at this vacant
14 shopping center, and the negative effect that it has
15 had on the surrounding community has really stifled
16 economic development, jobs. Has kept, I believe real
17 estate values down, and has really been a—a boot on
18 the neck of just prosperity down—down in Far
19 Rockaway. Just a quick—an aside. Donovan and I were
20 at an event about two years ago, and I was
21 reminiscing and he had said how long had I been
22 district manager and I said almost three decades, and
23 he said, you've seen a lot of things, and he said
24 what would you like to see? And I had said look
25 before I retired I'd really like to see—so the only

2 one now—I'd really like to see the downtown Far
3 Rockaway area get developed before I retire. So,
4 Donovan got the Mayor to spend \$100 million so I
5 would retire. [laughter]

6 CHAIRPERSON RICHARDS: Yes.

7 JONATHAN GASKA: That's how bad he wanted
8 to get rid of me as District Manager, but it was—
9 quite frankly, it's worth the trade because what this
10 project is going to do for that area is going to be
11 amazing, and I also would be remiss to not thank the
12 folks at EDC and all the agencies. This has truly
13 been a collaborative process. I'd like to thank, as
14 they are referred to as the blonde lady from EDC, and
15 the brunette lady from EDC because no one has ever
16 been able to get their names right, but—but clearly
17 they literally met in people's kitchens to talk about
18 the project. So, they were truly collaborative. This
19 was truly a community effort, and I just—as a
20 bureaucrat, become someone before was offended to be
21 called a bureaucrat—as a bureaucrat working for the
22 city for 33 years, it is—we bureaucrats will make
23 this city run. That it's good to see that the
24 agencies really were vested in—in the community, and
25 if I could, I'd like to place--

2 CHAIRPERSON RICHARDS: [interposing]

3 Yeah, keep it.

4 JONATHAN GASKA: Yeah, it's my-my

5 testimony. Since the early 1960s, the residents of

6 Far Rockaway have been waiting for a project that

7 revitalized the downtown shopping area. The Board

8 and the surrounding communities have been begging for

9 commercial revitalization. The Board held numerous

10 meetings and public hearings before the board voted

11 on the year-year the big application. The public has

12 spoken, and one thing that every speaker was this:

13 The project is too dense, too many residential units,

14 and the buildings are too tall, and there is not

15 enough parking. The surrounding neighborhoods of

16 this project are mostly low scale 1 and 1 to 3-family

17 homes, and the areas directly adjacent to the

18 commercial area the building height generally does

19 not exceed seven stories. Downtown Far Rockaway is

20 not Long Island City nor is it Manhattan, and the

21 residents of Far Rockaway want to preserve

22 neighborhood character and the character of the

23 adjacent neighborhoods. The Board conditionally

24 approved the plan, and quite frankly, it was

25 overwhelmingly in support of the plan. The need is

1 there. We just have a certain number of
2 recommendations that we will believe will make this
3 project better, and something that this community can
4 live with for the next 40 years. One, we felt that it
5 was vital to cap the height of the proposed buildings
6 at 105 feet, and to limit two buildings at that
7 height. The Board supports no more than 1,100 units
8 within the Urban Renewal Area. Placing 1,700 units
9 in the Urban Renewal Area which is about 13 to 15
10 acres, is like trying to put five pounds of cheese in
11 a one-pound bag. The Auburn Urban Renewal Area is
12 305 acres, and they are proposing 5,000 units. So,
13 you're putting 5,000 units on site that 200% smaller
14 or bigger depending how you look at it. Quality of
15 life matters. We also object to the proposed R6
16 upzoning in the areas outside the Urban Renewal Area.
17 We request an R5 with a 40-foot height limit. The
18 homes directly adjacent to the proposed R5 upzoning
19 are are 1 and 2-family homes. R6 is completely out
20 of character. We also strong believe that a new
21 zoned elementary school be built within the scope or
22 directly adjacent to Urban Renewal Area asking 5, 6
23 and 7-year old children to be bussed to a school 7 or
24 8 miles away on the other side of our district is
25

2 both bad educational and public policy. A school
3 must be built within the site. The Board also
4 request that within the Special District of Urban
5 Renewal Area that 75% parking be instituted for all
6 units no matter what income level. Parking is at
7 premium during the year, but during the summer it is
8 impossible. We are a transportation desert. Most
9 people who work—who live in Far Rockaway and work,
10 get on—drive for sure. If you take public
11 transportation, from Far Rockaway to Jamaica, it is
12 an hour an a half. You can get to Albany in an hour
13 and a half or close to it. So, parking is very
14 important. The Board also opposed the sale of the
15 vacant city lot, which the good Councilman had spoken
16 to Nameoke, which is a form of sanitation, a
17 satellite office. The—the DEIS had defined a need
18 for open space. This would be a wonderful spot for a
19 community children's playground with a park house
20 with bathrooms. The community needs this. It wants
21 that, and if you're adding two or three thousand more
22 families there needs to be a park. So, that is
23 something that is very important. We believe that
24 the project, as the Board recommended, is a good
25 compromise from what is proposed and this is what the

2 community wants and needs. Remember whatever is
3 finally built in the downtown area the residents will
4 have to live with forever. Let's do it right, but
5 again we support the project with our changes, and
6 I'd again like to thank Councilman Richards. He has
7 been absolutely wonderful and a champ—the champion
8 we've been waiting for—for at least the three decades
9 that I've been in the Community Board. Thank you.
10 [applause]

11 CHAIRPERSON RICHARDS: Are you clapping?
12 Okay, alright. You can clap at that. Okay alright,
13 you get one pass. [laughter] It's a good thing.
14 Thank you Jonathan. Thank you for your partnership
15 in this as well. It's never easy doing rezonings
16 with Community Boards, but I want to say that this
17 Community Board really took in the community's needs,
18 and have been fair through the process. There's no
19 other way to really put it. They've been overly
20 fair, and we appreciate your partnership.

21 JONATHAN GASKA: Thank you.

22 CHAIRPERSON RICHARDS: And I want you to
23 know that we are committed to making sure we reach as
24 a close of compromise on this as possible--

2 JONATHAN GASKA: [interposing] I know you
3 will.

4 CHAIRPERSON RICHARDS: --and we really
5 appreciate the work that you've done.

6 JONATHAN GASKA: Thank you.

7 CHAIRPERSON RICHARDS: And thank you.
8 Thank you for your 30 years of service--

9 JONATHAN GASKA: Okay, thank you.

10 CHAIRPERSON RICHARDS: --and we hope to
11 have to have hammers in the ground before you retire.
12 Alright. Alrighty, we'll go to the next.

13 REBECCA GAFFER: Good afternoon. My name
14 is Rebecca Gaffer and I'm reading a statement on
15 behalf of Saint John's Episcopal Hospital. My name is
16 Rene Hastick-Motes Vice President of External Affairs
17 with Saint John's Episcopal Hospital. As you know,
18 Saint John's is the only hospital providing emergency
19 and ambulatory care to the densely populated,
20 culturally and economically diverse and medically
21 underserved populations of the Rockaways and five
22 towns in Southern Kings County and Southwestern
23 Nassau County, New York. Today, on behalf of Saint
24 John's Episcopal Hospital, I stand here to say we
25 support the proposal to invest in Far Rockaway,

2 including the proposed land use actions through ULURP
3 and programming that has been set out in the Action
4 Plan. As a member of the Downtown Far Rockaway
5 Working Group and a participant in the public
6 meetings, Saint John's Hospital has participated
7 along with business owners, local community groups
8 and residents on this community driven proposal. We
9 have been impressed by the openness and the extensive
10 outreach effort of the city to reach all the
11 stakeholders within the area. We understand the
12 complexity of this project, and what that means to
13 many residents, business owners and even the
14 hospital, but we also understand the great need of
15 the community associated with each component
16 involved. With that said, Saint John's stands in
17 support and we encourage you to support this
18 application as well. Thank you.

19 CHAIRPERSON RICHARDS: Thank you. Thank
20 you all for your testimony. I look forward to
21 continuing to work with all of you. Alright, we're
22 going to go to the next panel. Fernando Cantelli,
23 Municipal Art Society; Allison Jeffrey, Neighborhood
24 Resident; Mara Kravitz, 596 Acres; Phyllis Rudnick
25 and Enid Gladman, Bayswater Civic. Come on up. Hi,

2 Enid. [background comments] Oh, my sweetie came all
3 the way down here. Hello, oh, oh and Eugene Fallick
4 (sp?) couldn't make it today, but I just want to
5 acknowledge that his testimony will be on the—in the
6 record. I'm so sad. [background comments] I am. He
7 picked the worst week to go on vacation. Out of
8 every week. Today was his day. You may begin,
9 young lady.

10 ENID GLADMAN: Okay. Thank you so much
11 for that.

12 CHAIRPERSON RICHARDS: Hit your mic. Is
13 your mic on.

14 ENID GLADMAN: I would like Enid to go
15 first.

16 CHAIRPERSON RICHARDS: Oh, Enid. [pause]

17 ENID GLADMAN: Okay, we have to be very,
18 very brief because we have to leave. So, first of
19 all I want to thank our local people. They know the
20 things that need most, best and that's Kevin and
21 Jonathan particularly and/or Stacey. They know what
22 we need. I'm afraid some of the city agencies go
23 ahead with planning and don't know what we require.
24 I am—I own—I'm at my house 60 years, but I spent my
25 childhood at the beach.

2 CHAIRPERSON RICHARDS: You're not a day
3 over 25 so stop it.

4 ENID GLADMAN: That's right.

5 CHAIRPERSON RICHARDS: Alrighty.

6 ENID GLADMAN: I don't act that way.

7 Anyway, the point is that we're certainly—we've been
8 in need for all these years for improvements. I know
9 that it was like when it was a beautiful seaside
10 beach community. With all the things that we had in
11 the so-called Village, but—and I've been through all
12 the neglect. So, I'm urging please. I don't want—
13 I'm not going through all the things that were said
14 because as I said, we're in a hurry, but I just want
15 to implore the city agencies and the city departments
16 to please listen to what we say. The—the fact that—
17 I'm—I'm—I would like to—I would like Far Rockaway,
18 Downtown Far Rockaway to remain pretty much as it is.
19 That being said, I'd like the improvements that we
20 require to be considered before the main issue of
21 housing when more people are being brought in here
22 without the proper amenities. I'll close.

23 PHYLLIS RUDNICK: Great. [pause] I
24 guess.

25 CHAIRPERSON RICHARDS: [off mic]

2 PHYLLIS RUDNICK: Yes. I'm Phyllis
3 Rudnick, Bayswater Right, Far Rockaway for 46 years,
4 and I agree and we agree with everything that was
5 said prior to us. They know their Rockaway. They
6 know the problems. Donovan Richards has been
7 wonderful. We can't agree on how to get a haircut,
8 but he's wonderful. There was an ad Newsday-hot an
9 ad, an article that said *Down and Out in the*
10 *Rockaways*. I was in-I was in downtown the other day,
11 and absolutely we need-we need to fix it up. We need
12 to rehab, we need to revitalize. There were some
13 things I was going to say, but listening to what went
14 on here, certain things stuck out and I would like to
15 address them. The first word that I heard was
16 oversized. Oversized was related to SoHo, but if you
17 think about what you're actually going to be putting
18 into Downtown Far Rockaway within a small area, I
19 would have to say that's call oversizing, and that
20 really has to be addressed. The other things that
21 struck were transportation. Is the city going to
22 fight, and are you going to fight for the Queen's
23 Rail. That-it took us almost two hours to get here
24 today. That would reduce it to maybe an hour. I
25 mean people need jobs, people want jobs. We want

2 people to come back to the Rockaways. An hour is
3 wonderful. Queens Rail doesn't have to be another
4 park. Queens Rail needs to be transportation. Will
5 you create a path between the A-Train and the Long
6 Island Railroad? Will there be some sort of a
7 shuttle? How will Bayswater and West Florence
8 utilize downtown? Are you considering [bell] [pause]

9 CHAIRPERSON RICHARDS: Ms. Rudnick, keep
10 going.

11 PHYLLIS RUDNICK: Thank you. Thank you.
12 Are you considering a shuttle or some sort of a bus
13 transportation into Rockaway—into Bayswater and into
14 West Florence so that we can get into downtown. We
15 like coffee as well as anybody else. We used to be
16 able to park in that disgusting parking lot and we
17 could go anywhere in town. Now, we're limited to the
18 few stores there and Capital One. At the end of day,
19 I bank at Capital One. How am I going to get to
20 Capital One if there is on way to get there via car
21 or bus transportation? And certainly, if you live
22 near the Bay, you need the parking. How will you
23 handle Capital One or for that matter, Dunkin'
24 Donuts, which is doing a thriving business with walk-
25 ins from that parking lot. And the other thing that

2 concerns me someone said that we had about the
3 largest lowest per capital income going. If you're
4 bringing in so many low-income people, how will that
5 suffice to give the beautiful stores and businesses
6 that you're planning where will that extra income
7 come from because in the end, we may end up still
8 traveling out of town to shop. And the last thing
9 that really bothered me, and it's-it's we consider
10 our selves part of the Rockaways. I mean you've to
11 Bayswater. You've been all over, Don-Donovan.
12 There's a -there was an article in the Wave and it
13 said, *How do we integrate the uses so that everyone*
14 *feels that they belong to this new community?* And the
15 response someone from someone's office, and I'm not
16 quoting said, *Well, the Redfern people can fit in*
17 *with the new people.* I don't know what that means,
18 but I know that Bayswater is a stunning community of
19 many shade and degrees. West Florence is the same.
20 Edgemere is the same. Does it not matter that we fit
21 in with the new people? And I'm using the words
22 stated by someone in some official office. That's
23 disturbs me and I don't know what it means and I have
24 a feeling we need discussion on that, and I thank you
25 again for all your efforts and all your work.

2 CHAIRPERSON RICHARDS: Thank you for so
3 much you all for your testimony, and I can address
4 that making sure that public housing residents
5 directly across from the site also feel a part of the
6 plan as well. So, whatever—however people write
7 things I can't control because there's a lot of
8 things in that article that—that were written in
9 certain ways. Anyway, I won't go there, but what I
10 will say is that we want to ensure that this plan is
11 a plan that all communities feel a part of in the
12 Rockaway community including—including our public
13 housing residents who will live adjacent to the site.
14 Alright. Alrighty. [pause]

15 ALLISON: Hi, good afternoon everyone.
16 Thank you for allowing me to speak Councilman
17 Richards. I have resided in Far Rockaway for the
18 past 30 years since I emigrated to New York with
19 family at eight years old. I am currently a homeowner
20 of Far Rockaway and I implore you to preserve the
21 Sanitation site at the corner of Augustine Avenue and
22 Nameoke Street, formerly known as Queens Block 15534,
23 Lot 70. I specifically ask you to vote no on the
24 ULURP 170248PPQ that would transfer the site to
25 private developers, and we ask that you lift the ban

2 or the hold on the site and transfer it to Parks
3 Department so that it can be developed and preserved
4 as a green space. In-in light of the-the large
5 revitalization project, which Far Rockaway does need
6 I am a witness—a 30-year witness to the changes in
7 Far Rockaway and it is needed. I commend this
8 project. However, I feel that we need to maintain
9 green space, and because Far Rockaway is a food
10 desert, and a high rate of heart disease, maintaining
11 whether it's a park, whether it's a garden, something
12 that the community can hold onto in light of the loss
13 of acres of green space that we're losing, and I feel
14 that it's small space, but it can start—it can serve
15 with such a large impact because of the poverty, the
16 health issues and the lack of, you know, sufficient
17 affordable food. And whether again, whether-whatever
18 the space becomes, as long as it's maintained and
19 owned by the people publicly and not be transferred
20 to private developers is a why I'm here to advocate.
21 Thank you.

22 CHAIRPERSON RICHARDS: Thank you and just
23 want to echo you—I mentioned that a little bit
24 earlier to the Administration. This rezoning won't
25 be passed with this provision on that lot so--

2 ALLISON: Thank you,

3 CHAIRPERSON RICHARDS: --we are serious
4 about ensuring that we maintain parks space here so
5 that is one thing we will not worry about here.

6 [laughter] Alright, we'll go to the next speaker.

7 [pause]

8 MARA KRAVITZ: Hi, I'm Mara Kravitz and I
9 am the Director of Partnerships at 596 Acres, which
10 is New York City's Community Land Access Advocacy
11 Organization. Thank you so much Council Member
12 Richards for hearing your constituents' voices about
13 keeping the Department of Sanitation lot on the
14 corner of Nameoke and Augustina in public ownership,
15 and I-I--this meant--I can articulate it again what the
16 Community Board has said and community members have
17 said about how this particular action it's one of six
18 ULURP actions that are part of this whole plan, and
19 stopping the disposition of this lot to create first
20 do into zoning will ensure that whatever the goals
21 are of people who live in the neighborhood including
22 play space for children, growing space. All of those
23 things can be achieved and people can begin to plan
24 the future together, but only if the lot is protected
25 as space. So, just to echo Allison. Thank you so

2 much, and we stand ready to help facilitate the
3 planning of that space if it's—if it's transferred to
4 Parks.

5 CHAIRPERSON RICHARDS: Thank you.

6 FERNANDO CANTELLI: Okay. I'm Fernando
7 Cantelli (sp?) from Municipal Arts Society and I
8 commend Council Member Richards and the New York
9 Economic Development Corporation, the City, community
10 stakeholders and Downtown Far Rockaway Working Group
11 for their efforts to bring vibrancy into Downtown Far
12 Rockaway. Far Rockaway has been in need of
13 revitalization for generations, and we recognize the
14 challenges that lay ahead for the success of these
15 projects. MAS has a number of concerns discussed
16 herein that we urge the city to address before we can
17 support the proposal. We are submitting a full
18 version to our testimony, which provides further
19 details in our position. Mindful of the potential
20 for the proposal to be restate (sic) that area low-
21 income resident, MAS believes the city should define
22 and evaluate a specific MAS option that reflects the
23 actual income of the community residents before the
24 plan is approved. The median household income in the
25 rezoning area ranges approximately from \$21,000 to

1 \$49,000 a year. However, all affordable units would
2 be—would be available to households at or below 8% of
3 AMI, which is currently \$72,000 for a family of four.
4 If Far Rockaway is to be the transportation hub
5 ambition under the proposal, MAS urges EDC the
6 Metropolitan Transportation Agency and the Department
7 of Transportation to find visible solutions to
8 address the various transit challenges including
9 moving the off-street bus stop and the bus layover to
10 an on-street site removing them next to the parking
11 facility and our mitigated traffic impacts under the
12 proposal. Also, MAS urges the city to work with the
13 community to come up with a plan that addresses that
14 significant shortage of open space in the area. With
15 the addition of 8,463 new residents in the area, the—
16 these conditions will undoubtedly—undoubtedly worsen.
17 Furthermore, MAS recommends that the plaza in the
18 Urban Renewal Area be subject to the design
19 guidelines found in the New York City [bell] Zoning
20 Resolution for privately owned public spaces.

21 CHAIRPERSON RICHARDS: If you can wrap
22 up. Are you going to wrap up?
23

24 FERNANDO CANTELLI: I'm just like going
25 to add the 209 childcare facility slots that will be

2 needed in this rezoning, and the commitments that
3 should be mandated at the local low 175. Thank you
4 for the opportunity to comment.

5 CHAIRPERSON RICHARDS: Thank you all for
6 your testimony. Thank you—

7 MARA KRAVITZ: [interposing] Thank you

8 CHAIRPERSON RICHARDS: --and we'll go to
9 the next panel. Reverend Arthur Davenport. [gavel]
10 Oh, that's—oh Deaneen Ferguson; Lavita Jarvis. Is
11 she still here? Alright, Lavita; Cecelia Brown;
12 Manuel Silva; and we'll have Susan Kahn from 32BJ,
13 and we have one more panel left. [pause] 32BJ. Is
14 there anyone here from 32BJ? [background comments]
15 Sitting here. Okay, did you fill out a slip?
16 Alrighty, I think I did see another slip with them.
17 Oh, Brian Brown. Okay, got it. Perfect. Alrighty,
18 thank you all for being so patient. Daneen you may
19 first. Alright, start first. [background comments]
20 Wait, hit your mic and just state who you are for the
21 record and who you're representing and then you may
22 proceed.

23 DANEEN FERGUSON: Daneen Ferguson is my
24 name, a 30-year member of the Auburn Church of God,
25 and the Auburn Church of God is the parent for the K-

2 12, Kindergarten to 12th grade Church of God
3 Christian Academy, which is within the confines of
4 the LU 721, the District for the property to be
5 zoned-upzoned, and also a 28-year resident of Far
6 Rockaway, and the Clergy Liaison with the 101
7 Precinct. We are in support of the upzoning to-to
8 the LU 726-721 and looking forward to improvements in
9 that area. The other comment that we have was that
10 with regards to the LU 726, the disposition we're
11 glad to hear that that's going to remain with Parks.
12 We've been Church of God Christian Academy, the
13 school has been maintaining the-part of that site for
14 over 15 years keeping it clean, keeping it debris
15 free, keeping it crime free, and so, we will look
16 forward to working with Parks as Friends to the
17 Augustina Playground. Thank you.

18 CHAIRPERSON RICHARDS: You got a name for
19 it already?

20 DANEEN FERGUSON: Hey.

21 CHAIRPERSON RICHARDS: Geeze, okay.

22 DANEEN FERGUSON: We don't fool around.

23 CHAIRPERSON RICHARDS: No, you don't move
24 slow, huh?

25 DANEEN FERGUSON: We don't fool around.

2 CHAIRPERSON RICHARDS: Laughs. Ms.
3 Lavita.

4 LAVITA JERVIS: My name is Lavita Jervis
5 and I'm thanking for this opportunity today so I can
6 express the thoughts and opinions of the merchants.
7 I'm a longstanding Far Rockaway business owner and
8 just new elected President of the Merchant
9 Association for the second time. I'm elated again,
10 as I said to be given this opportunity to express and
11 support on behalf of the Merchants of Far Rockaway,
12 our opinion again and support for this project. In
13 my first term of president of REMA, we advocated a
14 long with RDRC, who I must say has been doing a great
15 job under the leadership of Kevin Alexander and his
16 efficient staff, and again I say we were elected and
17 advocated, which and partnered with RDRC to encourage
18 the officials to invest in Downtown Far Rockaway. We
19 the business owners suffered over the years from lack
20 of amenities. Examples: Poor street lighting,
21 damaged sidewalks, and the list goes on. Poorly
22 maintained properties. The Downtown Far Rockaway
23 Redevelopment Plan that is being considered by the
24 City Council without a doubt is a light at the end of
25 a tunnel and truly a game changer. Councilman Donovan

2 Richards, I thank you so much for being part of this
3 plan. With this plan we now have the opportunity to
4 capitalize on being in the right place at the right
5 time. I shouldn't say should-when the Council
6 approves this plan. I just want to say a little
7 story. I remember my decision to invest my life
8 savings into a business in Far Rockaway. [bell] My
9 beautiful daughter-

10 CHAIRPERSON RICHARDS: [interposing] Keep
11 going.

12 LAVITA JERVIS: My beautiful daughter
13 said to me, Mom, you're putting your life savings
14 into a town called Far Rockaway. It is a forgotten
15 town. The city does not have it on its map. My
16 granddaughter said to me: Remember the commercial,
17 if you don't have McDonald's coffee you're going to
18 end up Far Rockaway. Remembering that, we have now
19 thanks to Councilman Donovan Richards, we have
20 roadmap for action. We view this plan as a win-win
21 situation meaning that the merchants of Far Rockaway
22 is extremely happy that we now can invest our money
23 and look forward to a prosperous Far Rockaway.
24 Property owners will now have the incentive to build
25 or repair their properties. In addition to the new

2 commercial retail space will attract new and diverse
3 business and encourage existing businesses to invest
4 and improve the business as well as residents with
5 strong commercial retail district and will hopefully
6 encourage shoppers to stay in our neighborhoods,
7 which we need. Donovan Richards, again I say thank
8 you for this plan, and I know it needs a lot of
9 tweaking and I listen to you with details as I sat
10 there attentively listening to how interested you
11 were with the little details and I know it's not the
12 approved plan, but I know you will see that it is for
13 the benefit of Rockaway. Thank you again.

14 CHAIRPERSON RICHARDS: Thank you, Lavita.
15 I'm going to step out for one minute. I just have to
16 go vote in the other room and then I will be right
17 back. So, Chair Greenfield will hold down the fort
18 for me for a second.

19 SENIA BROWN: Good afternoon. My name is
20 Senia Brown and I've been a resident of Far Rockaway
21 for 38 years. I live at Lordack at 50-59th Street.
22 It's a co-op, and I am really impressed with the
23 Council Member Richards that he has invested time in
24 listening to the community.

2 COUNCIL MEMBER GREENFIELD: He's—he's the
3 best Councilman just as he is.

4 SENIA BROWN: Yes.

5 COUNCIL MEMBER GREENFIELD: I can vouch
6 for that as the Chair of the Land Use Committee.
7 Everybody loves him.

8 SENIA BROWN: Yes, and I must say that I
9 have observed he has been—I live on 59th and with the
10 mosquito problem he has always been there. My
11 complex, the development where I live we were in need
12 in of assistance, and he has been there for us. I
13 could go to his office and his assistant Dishmukh
14 (sic) she's always very helpful. I could call her
15 and she'll be there, or she'll let me know that's
16 going. I take interest in the community where I
17 live. I usually call to find out what's going on
18 when there's a meeting because we really need to
19 improve the Rockaways. I am thankful of that
20 Downtown Rockaway, the—the improvement that they are
21 doing because I am tired of having to leave the
22 community to go out to do shopping elsewhere, which
23 should not be. And, I'm thankful for the service
24 that the Councilman has brought to the community, and
25 I'm looking forward to working with him in many more

2 developments that he has for the community, and I
3 thank you very much for giving me this opportunity to
4 express myself, and as I said, agree to the
5 Rockaways.

6 COUNCIL MEMBER GREENFIELD: Thank you,
7 ma'am.

8 SENIA BROWN: It's been needed. [pause]
9 [bell]

10 MANAV SILVER: Hello, my name is Manav
11 Silver. I'm here as a resident of Rockaway, someone
12 who was born in Saint John's Hospital and has lived
13 in Rockaway for 27 years. So, the Council Member,
14 well Council Member Richards actually addressed or—or
15 expressed many of the same concerns as me or with
16 this project. I am in full support of renewing the
17 Downtown area, and ensuring that the investment there
18 is an investment in the area, but I just want to
19 express a few things. Public parking should be
20 considered and included, and there should be a lot of
21 it. There are countless examples in New York City,
22 and especially in Queens where parking wasn't
23 considered in the development of the neighborhoods,
24 and residents are paying for them now literally in
25 many cases paying for it. The next item was the

2 space that is the Urban Renewal space—area that is
3 currently—I want to express that that area right now
4 is not only an eyesore, but it is an incident of
5 squandered potential. There is so much that could
6 have been done there, and hasn't been done there, and
7 I am very happy to see that we're moving forward with
8 creating commercial space as well as residential
9 space in that area. Not only affordable housing
10 needs to be considered, but maybe affordable
11 commercial space so that we can encourage
12 entrepreneurship and we can encourage people or give
13 people the opportunity to start new businesses and
14 try and possibly fail, but at least they had an
15 opportunity to try. And, I do think moving forward it
16 is important that we, or that that the city in that
17 area give non-profits and minority developers
18 preferential treatment when it comes to developing
19 the area, and building buildings, and it is also
20 important that community gardens and community run
21 park space are considered with this plan especially
22 the space on Augustina and Nameoke.

23 CHAIRPERSON RICHARDS: Thank you, Mr.
24 Silver.

2 RON WADE: Thank you, Chair Richardson.

3 My name Ron Wade. I'm an Executive Board Member of

4 32BJ. 32BJ is the largest property service union in

5 the country representing 80,000 members in New York

6 City and hundreds of members who live in Far

7 Rockaway. 32BJ recognizes that Far Rockaway is in

8 need of revival. If done—if done responsibly,

9 this rezoning can provide affordable housing for

10 [cell phone ringing] Far Rockaway a commercial hub to

11 the Peninsula. This rezoning will open up public

12 spaces and make the downtown more even more inviting

13 and connected. We estimate that about 75 residential

14 building service jobs will be created this area, but

15 we want to ensure that these new jobs contribute to

16 the community's economic revival. We have three

17 recommendations to help make sure this happens.

18 First, we are calling the developers and owners of

19 the four largest development sites to make early

20 commitments to create good prevailing wage jobs for

21 building service workers. These are the types of

22 jobs that have allowed me as a building service

23 worker to support my family. These are the kinds of

24 jobs that will allow us as a—and our neighbors to

25 continue to call New York City our home. Second, we

2 are calling on the city to make sure that any project
3 received in public subsidies or being developed on
4 public land pay prevailing wages and benefits to
5 building service workers like me. The city has
6 already included a prevailing wage requirement and
7 Beach 21st Street RFP. Lastly, we are calling on the
8 city to help ensure that the responsible developers
9 are kept out of the designated Urban Renewal Area.
10 Far Rockaway deserves affordable housing for
11 developments that do not undermine local industry
12 standards for building service workers. We are
13 calling for a guarantee that there will be a fair and
14 transparent process to determine the developers or
15 the Urban Renewal Area. To close, I want to say
16 again that we think the rezoning is an investment in
17 the area can be a very good thing for Downtown Far
18 Rockaway. I urge this subcommittee to ensure that
19 there is [bell] a commitment to responsible
20 development that creates high quality permanent jobs
21 as part of this rezoning. Thank you.

22 CHAIRPERSON RICHARDS: Thank you so much
23 and just state your name for the record again.

24 RON WADE: Ron wade.

2 CHAIRPERSON RICHARDS: Ron Wade. Okay,
3 just make sure you fill out a slip, okay.

4 RON WADE: I think they did one on me
5 when I stepped up to the pulpit.

6 CHAIRPERSON RICHARDS: Alright, I got.
7 Okay, no problem. Alright, thank you.

8 RON WADE: Yeah.

9 CHAIRPERSON RICHARDS: Alright, we'll go
10 to the next panel. Thank you all for your testimony.
11 Sante Antonelli, QEBC; Tom Grech I think.

12 [background comments] Tom Grech, Queens Chamber of
13 Commerce; Cowell Anderson, Community Board 14;
14 Jeffrey Williams Masonette, resident. Is there
15 anyone else who wish to testify on this item? Oh,
16 with—are you from BJ? Oh, okay, I thought you were.
17 Okay, Suzanne Kahn, if you could come up as well.

18 Are there still here? Queens Chamber of Commerce
19 here? Well, just putting there. You can just bring
20 your test—oh, whose from—anybody Queens Chamber?

21 TOM GRECH: On the development.

22 CHAIRPERSON RICHARDS: You're from Queens
23 Chamber?

24 TOM GRECH: Uh-huh, on the development.

2 CHAIRPERSON RICHARDS: Oh, you're from
3 QBC. Okay, I could just-- If you bring it, I'll just
4 stated that they submitted it.

5 TOM GRECH: Yes.

6 CHAIRPERSON RICHARDS: Alright.

7 [background comments] I just want to read into the
8 record we received testimony from Tom Grech,
9 Executive Director, Queens Chamber of Commerce.
10 Alrighty, you may begin, sir.

11 SANTE ANTONELLI: Dear Council Member
12 Richards. My name is Sante Antonelli and I'm the
13 Director of Business Services for the Queens Economic
14 Development Corporation. As a public approval
15 process for Downtown Rockaway moves forward, it is
16 important to consider the impact for the entire
17 Rockaway Peninsula. Over the last years significant
18 economic development programs have transformed the
19 central and western portion of the Rockaways while
20 leaving behind the eastern part of the peninsula
21 called Far Rockaway. Through rezoning new
22 investments and concerted focus to work with all
23 sectors of the community, Downtown Far Rockaway can
24 be transformed into a vibrant mixed use neighborhood
25 that would bring new jobs and economic activity to

2 the area and surrounds. The positive impact of this
3 project will ripple from the downtown area to include
4 housing retail, recreational and commercial space.
5 This in turn will attract new residents and jobs
6 bolstering the local economy. The QEDC has always
7 been a supporter of development in the Rockaways and
8 is active with many groups focusing on redevelopment
9 and marketing. We believe this project can be
10 balanced helping the existing community while
11 attracting new residents and businesses. The new
12 development will also help Queens retain some of the
13 millions of dollars in spending the city now loses
14 through adjacent suburbs. [coughing] As you know,
15 the creation of housing is extremely important
16 especially affordable housing, which is sorely needed
17 if we are to provide for all sectors of our diverse
18 population. The QEDC urges the City to move forward
19 this plan and we support it. Thank you.

20 CHAIRPERSON RICHARDS: Thank you.

21 JEFFREY WILLIAMS MASONETTE: Jeffrey--
22 [coughs]-excuse me, Jeffrey Williams Masonette,
23 Intern for the Honorable Donovan Richards and a proud
24 constituent. I want to thank you all for having me
25 this morning--this afternoon, excuse me, to testify.

2 Allow me to share a story of growing up in the
3 Rockaways as a young adult and—and a child the
4 Rockaways has come a long way. Oh, first, I want to
5 say I am in support of the Downtown Far Rockaway
6 Revitalization. However, I do want to share the long
7 progress that has been coming forward in this
8 community. Growing up, waking up to almost nothing,
9 almost dirt roads, messed up streets, sidewalks,
10 schools were a very far distance, very hard to get
11 to. Growing up in a very challenged neighborhood
12 with a lot of violence and a lot of like just no
13 opportunity whatsoever. A 9-year-old came to me the
14 other day, and he shared a story out of a diary that
15 really hit me because I could related to this so
16 much, and he's only 9 years old, and already two
17 generations has passed before we even heard of
18 Downtown Far Rockaway. He shared in his diary that
19 he wants—he does not want to own the home that his
20 parents wants to live—leave to him because there's
21 nothing for him to do or nothing for kids to do in
22 general. No good places to eat, no fun to do for the
23 kids and young adults. [coughing] This is just
24 another example of how young people feel in the
25 Rockaway area and why this plan is so detrimental to

the community and as young people and as a whole.

There is no point in building all these fabulous developments if we're not offering an opportunity to those who lived during the struggle. People do not change that easily when a neighborhood looks well.

They change when they know that there is hope, something that I could look forward to and

accomplishing in life. So, with that being said,

we're looking for once again the community space,

public school, a charter school, whatever school that

is likely we are advocating for that. We want more

job opportunity, labor, whether it is labor

apprenticeships or anything that can put people back

on their feet, and give them hope in the community

again. So, that way when we go out to Lower

Manhattan or anywhere across the city, when we say

we're from Far Rockaway we could feel proud about it,

and no one could say, Oh, why all the way out there?

There's nothing there. Now, that we have these plans

going forward, it will now give us the strength and

the courage again to be proud of where we live. I

want to thank everybody again for the testimony, and

I also want to thank my mom at home that's watching

me today, and thank you, Council Member Richards for

2 all the hard work that you've done, and the rest of
3 the board members and constituents, and the City
4 Council and, of course, my lovely community.

5 CHAIRPERSON RICHARDS: Mom, you should be
6 proud. Alrighty.

7 SUZANNE KAHN: Good afternoon. My name
8 is Suzanne Kahn. I'm here today to testify on
9 behalf of the 80,000 32BJ members in New York City
10 and the hundreds of 32BJ members who live and work in
11 the Far Rockaways. So, as you heard from Ron, we
12 think that this rezoning can do a lot of good for the
13 Far Rockaways, but we have been concerned to hear
14 that the rezoning may be facilitating a deal to put
15 the largest parcel the space that's going to be
16 designated as an Urban Renewal Area into the hands of
17 Phipps Houses directly instead of going through and
18 open transparent and competitive process to select
19 the developer. 32BJ believes that any developer in
20 the Urban Renewal Area should be selected through a
21 transparent process. Because the site is becoming an
22 Urban Renewal Area, the city has a central role in
23 facilitating what gets built on this land and who
24 builds it. As you all know, meaningful discussions
25 between private entities regarding an Urban Renewal

1 Area will only happen with the implicit or explicit
2 approval of the city. A developer will only buy the
3 property if he's confident that the eminent domain—
4 that eminent domain will not be imposed or that they
5 will, and that they will receive discretionary
6 subsidies necessary to develop the affordable housing
7 that's intended for this site. Because of all these
8 factors and because we think it can be such a
9 resource for the community, we are asking that the
10 Urban Renewal Plan and this rezoning include a
11 guarantee of an open and competitive process for the
12 selection of the developer at the site. There should
13 be an opportunity for public input and for
14 stakeholders to weigh in on the track records and
15 plans of the applicants seeking to develop this site.
16 The Far Rockaway community deserves this chance to
17 think about who will develop this enormous parcel,
18 which again has the capacity to be a real resource
19 for the community. We don't believe that [coughs]
20 that Phipps would be selected to develop the site
21 through a more open process because in recent years
22 Phipps has undermined job standards for building
23 service workers in New York City. The Urban Renewal
24 Area offers a unique [bell] opportunity to create
25

2 jobs and affordable housing for Far Rockaway
3 residents on a large scale, and an open process would
4 allow the community to prioritize selecting a
5 developer committed to the creation of both.

6 CHAIRPERSON RICHARDS: Thank you. Carl
7 Anderson.

8 CARL ANDERSON: Good afternoon. My name
9 is Carl Anderson, a member of Community Board 14, one
10 of the youngest in the city. This is a defining
11 moment in the city's history. We can choose to go
12 left or right or we can choose—we can choose to
13 gentrify or satisfy the needs of the existing
14 community. We can address the housing crisis or look
15 away and build more luxury housing that no one can
16 afford. I'm not saying that this proposal does that,
17 but we're asking for our issues as a member of the
18 existing community to be met, to be heard and
19 addressed, and that we not plant our new community in
20 an—in an existing community without resources to be
21 able to mitigate that. We want a school. We want
22 access to 30% of MWBE jobs for the hiring and the
23 hiring process. We want, you know, a medical
24 facility, which was also discussed earlier today. We
25 want housing that we can truly afford, and which the

1 Council Member has discussed today as well. We don't
2 want to be forced, you know, out of our neighborhood
3 meaning the existing community. We want to be able
4 to from 10 and 15 and 20 years from now be able to
5 live in the same neighborhood that we've lived in--
6 folks here have lived in their entire life. Just a
7 little story on my end. When I was growing up in
8 Brooklyn, we were forced out of Brooklyn because of
9 gentrification and because our rent had increased
10 four times what it was originally when we moved
11 there, and we don't want to see that happen again
12 here in the Rockaway community as we, you know, enter
13 this development. We don't want the city to lie to
14 us essentially and say that they are committed to
15 redevelopment in the area and folks are being pushed
16 out in mass droves. I'm not saying that that's
17 what's happening in this process, but this is what's
18 happened to us before as Rockaway residents. We've
19 been told that--we were promised a park in Auburn by
20 the Sea for folks who live in that development.
21 [bell] Folks are still waiting for that park. So,
22 that, you know, that's an example of something that
23 we don't to see in this new development. I do
24 support the plan. I do support our Council Member
25

2 Donovan Richards who has worked tirelessly with the
3 city to ensure that this plan is balanced and fair,
4 but we have to continue to make sure that the process
5 is transparent, continue to be engaging as it has
6 been, and we have to continue to support—we have to
7 continue to support that participation and that same
8 spirit and—and honestly keep—keep our foot on—on the
9 necks of greedy developers who will potentially
10 attempt to—to occupy the space, and just tell them no
11 and tell them that that is not what we're looking
12 here. We're looking to build the community. Thank
13 you.

14 CHAIRPERSON RICHARDS: Thank you. Thank
15 you all for your testimony today. I want to thank
16 all of the people who have gotten us here today. In
17 particular I want to thank especially Kelly Williams,
18 Rebecca Gaffer, Eric Belau (sp?), Nate Bliss and I
19 didn't see Alenny (sp?) here today, but I want to
20 thank them all for the work that they've done over
21 the past two years to really make this actually one
22 of the most inclusive plans that I've seen as the
23 Chair of Zoning in the City. The outreach that was
24 done, the willingness to go to people's kitchen
25 tables to meet them in the coffee shop really speaks

1 to what true community planning is all about. So,
2 while many people might have come to public meetings
3 they really did go out of their way to meet people in
4 any spaces that they wished and I want to applaud the
5 city for doing a great job on community participation
6 here. To all the agencies, DOT, DEP, HPD, City
7 Planning, the Deputy Mayor Alicia Glen, to our HPD
8 Commissioner to the Mayor for really not talking—
9 talking about it, but walking the walk when it comes
10 to reinvesting in Downtown Far Rockaway. People like
11 that they're off the path. They like to say all the
12 things about the Mayor. He doesn't do anything for
13 Rockaway. The last I check Far Rockaway was in the
14 Rockaways. It may not be in particular areas that
15 some people wish, but Far Rockaway does exist, and
16 I'm very happy to say that this administration has
17 been the only administration in my 15 years. I've
18 been at the Council since 2003. This conversation
19 has happened time in and time out. There's been
20 false starts by so many administrations in moving
21 this plan forward, and today is the first time I can
22 truly say that I feel like we have really—have
23 changed the trajectory of—of where this community is
24 going. While we have a lot of work to do to make
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2 sure that local hiring, green space, affordability,
3 commercial development, entrepreneurship, all the
4 things that were raised today, traffic aren't
5 perfect. There's no such thing as a perfect plan,
6 but we aim and we will strive to make sure that this
7 is the best plan for our community as we move
8 forward. Today was an historic day in the city. We—
9 we voted on an East Midtown plan and talked about Far
10 Rockaway, two different communities distinctly in the
11 city, but I think at the end of the day I think
12 everyone whether you're a business owner, whether
13 you're a homeowner, whether you are looking for
14 affordable housing, everybody is looking a great
15 quality of life in this city, and I think today
16 speaks to where this city is headed and there's so
17 much more work to do to make sure that we can make—
18 achieve that in this city, achieve an equitable city,
19 and Far Rockaway is one place that if you're looking
20 to address the Tale of Two Cities, there's no other
21 place that you could look in this city that has been
22 looked over for far so long. So, today's a great
23 day. A lot of work to get to. I want to thank the
24 Land Use staff today for their work. John Douglas
25 who worked big time on this. Dylan Casey, Amy

1 Levinson, Jennifer, Raju Mann, and to Debonny Brown
2 who's done a lot of organizing our Deputy Chief of
3 Staff around this whose nagged people, whose called
4 them, who chased them down and whose really been one
5 of the brain behind making sure that the community is
6 going to get a great plan. So, we look forward to
7 negotiations and continuing this conversation over
8 the course of the new few weeks, and God willing
9 we'll get to an agreement here, but we look forward
10 to working with the Mayor's staff and everyone on
11 this. With that being said, are there any other
12 members of the public who wish to testify on this
13 issue? Alrighty, seeing none, I will now close the
14 public hearing on Land Use Items No. 721 through 726.
15 We are going to lay over all of the applications that
16 we did not vote on earlier for future consideration.
17 This meeting is adjourned. [gavel]

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1 SUBCOMMITTEE ON ZONING AND FRANCHISES

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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 August 4, 2017