

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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September 17, 2018
Start: 12:13 p.m.
Recess: 1:24 p.m.

HELD AT: 250 Broadway - Committee Rm.
14th Fl.

B E F O R E: ADRIENNE E. ADAMS
Chairperson

COUNCIL MEMBERS: Inez D. Barron
Peter A. Koo
I. Daneek Miller
Mark Treyger

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

Mickey Ronan, Assistant Commissioner
Division of Child and Family Services at ACS
Administration of Children's Services

Kate Lemos McHale
Landmarks Preservation Commission

Ali Rasoulinejad
Landmarks Preservation Commission

Sandy Balboza, Property Owner and 48-year
Resident of 321 Atlantic

Andrea Goldwyn, New York Landmarks Conservancy

Ann Friedman, Resident & homeowner
Boerum Hill History District

Jonathan Brecht, Member, Boerum Hill Association
Appearing for: Howard Kolins, Chair Boerum Hill
Association

Wendy Foyer, Resident of 234 Bergen Street

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2 MARITIME USES

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3 [sound check] [background comments,
4 pause] [gavel]

5 CHAIRPERSON ADAMS: Good afternoon.

6 Welcome to this meeting of the Subcommittee on
7 Landmarks, Public Siting and Maritime Uses. I am
8 Council Member Adrienne Adams, the Chair of this
9 Subcommittee. We are joined today by Council Members
10 Koo, Treyger, Barron, Salamanca, and Menchaca.

11 Today, we will be holding hearings on a site
12 selection and acquisition for a childcare center in
13 the Bronx, and the historic designation in Brooklyn.
14 However, before we commence our hearings, we will
15 vote on two items previously heard. We will vote to
16 approve with modifications LU 175 an application
17 submitted by the New York City Police Department and
18 the Department of Citywide Administrative Services
19 for renewal of an existing lease for the acquisition
20 of property located at 700 Columbia Street in Red
21 Hook, Brooklyn. The Police Department has leased
22 this property since 1994 for use as a vehicular
23 evidence storage facility that has the capacity of
24 1,700 vehicles. This facility is located in Council
25 Member Menchaca's district. Our modification will be

2 to limit the term of the acquisition to ten years.

3 Council Member Menchaca.

4 COUNCIL MEMBER MENCHACA: Thank you,
5 Chair. Thank you members of this committee for
6 allowing me to say a few words, and really
7 representing the work, the incredible hard work that
8 this ULURP gave us and I want to remind everyone that
9 a month ago I was here before this chair, and this
10 committee and I offered public comments on the
11 proposed renewal for an NYPD evidence storage
12 facility at Erie Basin in Red Hook. I made several
13 comments at that hearing that I—I think I made some
14 people uncomfortable, but I pointed out my discomfort
15 with approving the continued siting of a critical
16 NYPD facility at a highly vulnerable waterfront
17 location. As we approach Sandy' anniversary, as we
18 are still picking up the pieces as Florence hits the
19 Carolinas, we cannot—we cannot be silent on these
20 topics, and I reference the significant public
21 investments that were made along side the original
22 lease, and the new—renewed need for those public
23 commitments, and I told NYPD that I thought that this
24 should be the last time the Council approves this
25 particular lease. What we found out from this lease

3 from the very beginning was—and through our
4 incredible investigation from our—our team, and
5 working in partnership with their team that this
6 lease essentially, an approval would have given them
7 an indefinite amount of time to for renewal. That
8 came to light. Then we asked them what would be
9 fine, and they said 25 years, and we said no, and we
10 said we want something that is fair and gives
11 everyone the opportunity to get an exit plan and a
12 strategy to leave this property, and we landed at 10
13 years. That is the modification that is before you
14 today, and with these comments, I communicated to the
15 city agencies and the Mayor's Office that I take very
16 variously my role in this ULURP process as an
17 advocate not just for New York, but for all New
18 Yorkers that depend on this place to hold their
19 evidence and their cars in the Criminal Justice and
20 their Justice System. It has been one month since
21 that hearing, and in that month a lot has happened.
22 We the public now have a better under—a much better
23 understanding of the history of this facility, the
24 threats to the Criminal Justice System that this
25 facility current—currently faces and the major public
investments that are planned in this highly

3 vulnerable location. We weren't give this
4 information, and we sought it out, we dug it out, and
5 we asked a lot of questions, and we came to a better
6 solution, and I want to streets important this
7 process has been. We as a Council and the members of
8 this Council have both responsibility and the power
9 to seek out that information to bring every one to
10 the table and to craft better solutions. How far
11 have we come? Well, for starters now we have the
12 facility in front of us who will find a new home, and
13 we're asking them to use every ounce of opportunity
14 including eminent domain, anything that we can do as
15 a city bring our critical resource, and a critical
16 site for the city somewhere in the city, and a more
17 appropriate home. Not in 25 years, not in 50, not in
18 100, but in 10, and that is a big major win for New
19 Yorkers. We also are establishing a relocation
20 working group that will help resource this relocation
21 effort, and ensure accountability that this critical
22 facility will need. That's New Yorkers coming
23 together with our agencies working hand-in-hand. We
24 have some very, very smart and talented folks in Red
25 Hook that want to be part of the solution, and bring
creative ideas. We have better solutions. We're

2 also renewing all the public benefits that were part
3 of the original agreement 25 years ago, and ends at
4 Valentino Pier Park, which I invite all of you to
5 come to, by the way. It's beautiful. It's a gem, a
6 jewel for the neighborhood, and enhancing the public
7 access at the Columbia Street Esplanade, and
8 supporting neighborhood wide planning, work that will
9 address the myriad, the resilience and development
10 pressures the neighborhood is facing. These are wins
11 for Red Hook and the City of New York. I am proud to
12 ask this committee and the Council to vote yes
13 because this has been a truly constructive that is
14 better for the residents and my city—the residents of
15 my district and the city. We take our roles
16 seriously here. I am really proud of the work that
17 this Council has done. I want to thank the partners
18 at the NYPD including the commissioner who was at
19 these meetings, DCAS, Parks, the Mayor's Office of—
20 the Mayor's Office for the significant time and
21 effort, a lot of midnight oil and weekend oil was
22 burnt. I have in my hand the letters of commitment.
23 These papers are going to last longer than any one of
24 us in our administration. When we have this
25 conversation again in 10 years, it's going to be a

2 new Mayor. It's going to be a new City Council, and
3 we want to make sure there is longevity and
4 accountability. That's what we got today. Thank you
5 so much for this time.

6 CHAIRPERSON ADAMS: Thanks very much
7 Council Member Menchaca, and for all of the tireless
8 hours that you've put into this. I know that it
9 wasn't easy. I appreciate your time and your
10 collaboration with NYPD to get this done. Thank you.
11 We will also vote to approve with modifications LU
12 151, the Landmark Preservation Commission's
13 designation of the Central Harlem West 130th through
14 132nd Street's Historic District. The Historic
15 District consists of approximately 164 properties
16 primarily row houses located on West 130th, West 131st
17 and West 132nd Streets between Lenox and 7th, Avenues.
18 This historic district is in Council Member Perkins'
19 District. Our modification will be to remove one
20 property, garage on the periphery of District at 161
21 through 165 West 132nd Street from the Historic
22 District. The removal of this property is warranted
23 due to its different character from the rest of the
24 buildings in the Historic District. This is the only
25 commercial property within the Historic District. I

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2 now call for a vote to approve with the modifications
3 I have described, LUs 175 and 151. Counsel, please
4 call the roll.

5 LEGAL COUNSEL: Adams.

6 CHAIRPERSON ADAMS: I vote aye.

7 LEGAL COUNSEL: Barron.

8 COUNCIL MEMBER BARRON: Permission to
9 explain my vote.

10 CHAIRPERSON ADAMS: Council Member
11 Barron.

12 COUNCIL MEMBER BARRON: Thank you. I
13 vote aye on all, and I'm very much concerned about
14 the future of the property located at 161-165 West
15 132nd Street. The residents that I spoke to who came
16 to me said that their concerns were that this was
17 property that had far reaching designs and ideas to
18 build the future in a density that is not in keeping
19 with what currently exists. They've been told well
20 the owner indicated at the hearing that those were
21 not his intentions, but we know things do change.
22 So, I'll just be interested to see what this property
23 looks like 10, 20 years from now. But I vote aye on
24 all.

25 CHAIRPERSON ADAMS: Thank you.

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2 LEGAL COUNSEL: Koo.

3 COUNCIL MEMBER KOO: Aye.

4 LEGAL COUNSEL: Treyger.

5 COUNCIL MEMBER TREYGER: Aye.

6 LEGAL COUNSEL: The Land Use items are
7 approved by a vote of 4 in the affirmative, no
8 negatives and no abstentions, and will be referred to
9 the full Land Use Committee.

10 CHAIRPERSON ADAMS: Thanks very much.

11 LEGAL COUNSEL: And we will leave the
12 vote open.

13 CHAIRPERSON ADAMS: We will leave the
14 vote open. Thank you very much. We will not move
15 onto our two hearings. The first application we will
16 hearing LU 220, an application submitted by the
17 Administration for Children Service and the
18 Department of Citywide Administrative Services.
19 Pursuant to Section 197-c of the New York City
20 Charter for the acquisition of property located at
21 888 Westchester Avenue for continued use of the
22 childcare facility. The childcare center has—has
23 been operated on this site since the early 1970's in
24 a privately owned one-story building. The Childcare
25 Center I located Chair Salamanca's district in the

2 Bronx. The LSSNY Early Life Children's Center 2

3 serves up to 135 children. The facilities occupy the
4 entire one-story building including a cellar and the
5 rooftop play area. The facility uses approximately
6 26,058 square feet inclusive of a 7,080 square foot
7 rooftop play area. There are five classrooms for 3
8 to 4-year-olds, staff offices, commercial kitchen,
9 bathroom facilities and storage facilities. The
10 proposed lease is for a term of 10 years with no
11 renewal option. I now call on DCAS or ACS to testify
12 on this designation, and then we will take testimony
13 from the public.

14 Hi. Good afternoon, Chair Adams and
15 members of the Subcommittee on Landmarks—Oh.

16 CHAIRPERSON ADAMS: We have to interrupt
17 you. Counsel, please swear in the witness.

18 Oh, sorry.

19 CHAIRPERSON ADAMS: Thank you/

20 LEGAL COUNSEL: That's okay. Before
21 answering, can you please state your name. Do you
22 affirm to tell the truth, the whole truth, and
23 nothing but the truth in your testimony before this
24 subcommittee and in response to all Council Member
25 questions?

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2 ASSISTANT COMMISSIONER RONAN: I'm Mickey
3 Ronan, and yes I do.

4 LEGAL COUNSEL: Thank you.

5 CHAIRPERSON ADAMS: Thank you, Ms. Ronan.
6 You may begin.

7 ASSISTANT COMMISSIONER RONAN: Okay,
8 great. Thank you. So, good afternoon again,
9 everyone, Chair Adams and members of the Subcommittee
10 on Landmarks, Public Siting, and Maritime. My name
11 is Nicky Ronan. I am an Assistant Commissioner at
12 the Division of Child and Family Services at ACS. I
13 appreciate the opportunity to testify this afternoon
14 on behalf of 888 Westchester. The Division of
15 Children and Family Wellbeing aims to engage families
16 before they reach the child welfare system with
17 resources and services to help them thrive. CFWB,
18 the acronym for my division, focuses on the factors
19 that contribute to family wellbeing. That includes
20 health, education, employment, and culture and uses
21 place based and population based approaches to engage
22 families and communities. CFWB's scope includes the
23 agency's Community Partnership Program Networks,
24 Safe-Safe Sleep Initiative, Early Care and Education,
25 Primary Prevention Services and a brand new Office of

2 Equity Strategies, that works to identify strategies
3 to reduce inequities, implicit bias and other factors
4 that contributed to disparate outcomes for the
5 families and communities that we serve. CFWB
6 currently oversees the city Early Care and Education
7 system of which I work directly with, and that
8 includes our Early Learn Contracted Care System, and
9 the provision of childcare vouchers. Our system
10 serves almost 100,000 children from ages six weeks to
11 13 years of age, approximately 40,000 of which are
12 served under the Early Learn umbrella. ACS' Early
13 Learn program is specifically developed to provide
14 high quality, holistic early childcare that provides
15 social and intellectual development for young
16 children. I have come before the subcommittee today
17 regarding a lease renewal for one of our Early Learn
18 sites, that's Lutheran Social Services Early Life
19 Center 2, which is at 888 Westchester Avenue in the
20 Bronx and Community Districts 2 and Council District
21 17. The facility is located on a privately owned lot
22 on Westchester Avenue at its intersection with
23 Reverend James Polite Avenue. This one-story
24 building--and Chair Adams you mentioned some of these
25 statistics--sits on a 10,961 square foot lot. It's

2 occupied fully by the Daycare Center. It includes a
3 total area-floor area of 26,058 square feet
4 consisting of approximately 18,978 square feet of
5 interior space and approximately 7,080 square feet of
6 rooftop play area. Luther Early Life Center 2 is
7 contracted to serve 137 children in our Early Learn
8 program. That includes 60 for DOE's 4K program.
9 The effective contract rate per child per year is
10 \$13,643 with an FY Budget of \$1.9 million and
11 estimate parent fees of \$49,808. The site has been
12 used to provide quality-quality childcare since 1971,
13 and was the subject of a previous acquisition
14 approved in 1990-1991. A 20-years lease-a 20-year-
15 lease as implemented after the 1990 approval. The
16 lease was in effect from June 9, 1996 to June 8,
17 2016. Since expiration of the lease, the facility
18 has operated under month-to-month tenancy. This
19 proposed action would allow the negotiation of a new
20 lease. DCAS is currently negotiating a 10-year lease
21 with an option for one 5-year renewal, as well as an
22 option to terminate after five years. The landlord
23 has not indicated any intention to sell or redevelop
24 the property. As the Council is also aware, all
25 Early Learn sites will be transferring to DOE in

2 2019, at which time this program will fall under the
3 supervision and requirements of DOE. The Center at
4 888 Westchester has provided quality childcare to the
5 children of Longwood community for nearly 50 years.
6 The new lease will allow Lutheran Social Services of
7 New York to continue to provide childcare in a stable
8 location for the next ten years. Council Approval of
9 this application is critical to achieving. I'm
10 looking forward to answering any questions you might
11 have regarding the application.

12 CHAIRPERSON ADAMS: Thank you very much
13 for your testimony, Ms. Row—Ms. Ronan. I now
14 recognize Chair—Chair Salamanca to offer his
15 statement.

16 CHAIRPERSON SALAMANCA: Thank you, Chair
17 Adams. Chair, if you don't mind, I would like to go
18 straight to questions on this application.

19 CHAIRPERSON ADAMS: Okay.

20 CHAIRPERSON SALAMANCA: Yes, that's fine?

21 CHAIRPERSON ADAMS: Be my guest.

22 CHAIRPERSON SALAMANCA: Thank you. Thank
23 you Commissioner. Commissioner, where's the
24 provider?

2 ASSISTANT COMMISSIONER RONAN: the
3 provider is not here today. So, apologies. I think
4 it was maybe an under-a misunderstanding. So, I'm
5 here representing as a-a person from the Early Learn
6 System is my understanding.

7 CHAIRPERSON SALAMANCA: Wouldn't-wouldn't
8 you think it would be appropriate if ACS is here
9 trying to renew a lease for a building in which you
10 have an outside provider running this program, you
11 know, running a program out of this particular
12 facility that the provider would be present?

13 ASSISTANT COMMISSIONER RONAN: I-I
14 completely understand where you're coming from, and
15 again, apologies for the misunderstanding that they
16 are not here today.

17 CHAIRPERSON SALAMANCA: Commissioner, I-I
18 understand the need for these daycares. I have a 4-
19 year-old, and he just started in Universal Pre-K and
20 so, you know, I'm a big supporter of Universal Pre-K
21 and he's having a good time, and so, and I also
22 understand the need of having childcare for families
23 so that they can take their young one so that they
24 can go work, and, you know, and their-their young
25

2 ones will get a—a good education, but I have
3 particular questions and concerns about this—

4 CHAIRPERSON ADAMS: Excuse me, Chair
5 Salamanca, I apologize. Can we remove whatever the
6 noise is from the room, please? [pause] Thank you.

7 CHAIRPERSON SALAMANCA: Thank you, Chair.
8 But this particular building there were some concerns
9 that were flagged going through the—the process when
10 you—when the application reached the Borough
11 President's Office, and one of the concerns that the
12 Borough President pointed out was that the building
13 does not have a fire sprinkler system, and so I would
14 like to know why and what is ACS planning on doing or
15 what is the city planning on doing to protect our
16 young ones from a fire by adding the adequate fire
17 protection systems in place?

18 ASSISTANT COMMISSIONER RONAN: So, I'm
19 going to defer to one of my colleagues actually to
20 field this question. Gaduze (sp?) [pause]

21 Good morning, my name is Gaduze Sheikh.

22 CHAIRPERSON ADAMS: [interposing] Counsel
23 has to swear you in, please. Please have a seat.

24 GADUZE SHEIKH: Okay.

2 LEGAL COUNSEL: So, before you answer,
3 please state your name. Do you affirm to tell the
4 truth, the whole truth and nothing but the truth in
5 your testimony before this Subcommittee and in
6 response to all Council Member questions?

7 GADUZE SHEIKH: My name is Gaduze Sheikh,
8 and the answer is yes.

9 LEGAL COUNSEL: Thank you.

10 CHAIRPERSON ADAMS: You may proceed.
11 Thank you.

12 GADUZE SHEIKH: Thank you for—for asking
13 this question. ACS is fully committed to providing a
14 safe environment for all children in the care of our
15 programs. Child safety is our highest priority, and
16 fire safety is no exception. It is a fundamental
17 component in the scopes of work for childcare
18 centers. This project's scopes of work includes
19 fully upgraded fire alarm system, a complete facility
20 with fire alarm, smoke detection system including
21 heat detention and post stations on carbon monoxide
22 detection for the whole facility. These fire
23 protection measures have proven effective for
24 ensuring children's safety. In addition to the
25 facility's fire protect system, all providers in our

3 Early Learn System receives instructions on fire
4 safety in their facilities.

5 CHAIRPERSON SALAMANCA: Alright. So my
6 question is why doesn't this building have a fire
7 structure sprinkler in it, and does ACS plan on
8 installing a fire sprinkler system to this particular
9 building?

10 GADUZE SHEIKH: This building was built
11 in 19—the late 1960s, and early 70s and the building
12 at that time confirmed—conformed to the New York City
13 Building Codes. At the time the fire—the fire
14 sprinkler systems were not required, and as such, no
15 sprinkler system was installed in this building. We—
16 we are continuing looking into upgrading the system
17 within all of our buildings, and —and we will review
18 this as well, review this property as well.

19 CHAIRPERSON SALAMANCA: Does ACS have the
20 capital funding to install a fire sprinkler system in
21 this particular building?

22 GADUZE SHEIKH: I can't answer to that
23 question. I am not the capital person.

24 CHAIRPERSON SALAMANCA: How many fire
25 extinguishers are there in this building? This is
the importance of having a provider present because

2 this Administration is not ready to answer these
3 questions. You can ask—you can answer some questions
4 in terms of when the building was built, and what
5 fire safety measures were—were law back then, but
6 right now, how many fire extinguishers are there in
7 this building? Do we know?

8 GADUZE SHEIKH: I don't.

9 CHAIRPERSON SALAMANCA: How many fire
10 exits are there?

11 GADUZE SHEIKH: There are two minimum
12 fire exits that are required in each building.

13 CHAIRPERSON SALAMANCA: I know they're
14 required, but how many do they have?

15 GADUZE SHEIKH: Most likely two.

16 CHAIRPERSON SALAMANCA: Okay, so you
17 don't know the answer to that. How many exits are
18 there in the roof for this—for the playground that's
19 on the roof?

20 GADUZE SHEIKH: I would say two.

21 CHAIRPERSON SALAMANCA: Okay, you don't
22 know the answer. The—the roof, there's a train that
23 it's the—so this building is right underneath the 205
24 Line and the 205 Line Train Station the rails are
25 being remodeled. MTA has closed the streets many

2 times on this particular block to change the rails.

3 When—have there been an inspections to ensure that

4 none of these particles are—are dropping on this open

5 space playground that's on the roof underneath the

6 train?

7 GADUZE SHEIKH: Not to my knowledge.

8 CHAIRPERSON SALAMANCA: Okay, you don't

9 know the answer?

10 GADUZE SHEIKH: Correct.

11 CHAIRPERSON SALAMANCA: That's why the

12 provider should have been here. Are you aware that

13 right next door to 888 Westchester Avenue, is a

14 needle exchange program?

15 GADUZE SHEIKH: No.

16 CHAIRPERSON SALAMANCA: Okay, and are you

17 aware, ACS, that the Administration when they wanted

18 to bring—when they proposed a safe injection site,

19 the—the site, the Needle Exchange Program directly

20 next door to this child daycare, which is called

21 Saint Ann's Harm Reduction, which I'm a supporter of—

22 of the work that they do, but are you aware that that

23 is a location where the Mayor wanted to bring in a

24 safe injection site?

25 GADUZE SHEIKH: No.

2 CHAIRPERSON SALAMANCA: Okay. That's why
3 the provider should have been here. Are you aware or
4 can you answer--this is a--since it's an older building
5 are there any capital needs in this building? Are
6 there leaks? Are there structural damages in this
7 building that you're aware of?

8 GADUZE SHEIKH: I'm not aware of
9 structural damages, but there is--there is a
10 substantial scope of work that--that--that is mandatory
11 under the new lease agreement.

12 CHAIRPERSON SALAMANCA: Okay, can I get a
13 list? Can my office get a list of that scope of work
14 that needs to be--that's--that's needed?

15 GADUZE SHEIKH: Yes.

16 CHAIRPERSON SALAMANCA: See, my concern
17 is again you don't know the answers to these
18 questions. There may be safety hazards to these 3 or
19 4-year-olds that our community, that my community is--
20 is taking these kids thinking that they are in a safe
21 environment, but yet you don't have the answers to
22 these very simple questions. With that, thank you,
23 Madam Chair.

24 CHAIRPERSON ADAMS: Thank you, very much,
25 Chair Salamanca. Along the same lines of my

2 colleague's questions, did we ever actually name the
3 provider?

4 ASSISTANT COMMISSIONER RONAN: [off mic]
5 I think that we gave some sources. (sic)

6 CHAIRPERSON ADAMS: Thank you very much.
7 I would also like to follow up with one of my
8 colleagues' line-lines of questioning. How many fire
9 drills are-are-are conducted per-per month, per year?

10 ASSISTANT COMMISSIONER RONAN: So fire
11 drills are to be conducted once monthly, and to the-
12 I-and I-I have not seen their first drill law, but
13 they are to be conducted once monthly.

14 CHAIRPERSON ADAMS: So, we have no idea
15 when the last fire drill was actually conducted?

16 ASSISTANT COMMISSIONER RONAN: I have not
17 looked at that recently no.

18 CHAIRPERSON ADAMS: Okay, thank you.

19 ASSISTANT COMMISSIONER RONAN: Okay.

20 CHAIRPERSON ADAMS: Thank you very much
21 for your testimony today, and as Chair Salamanca did
22 so well express, we need answers to these questions.
23 We are speaking about children, our most vulnerable
24 that need to be protected, and it is very, very
25 disheartening to sit here in roles as protectors of

2 our children of the City of New York to sit here and
3 know that there are no fire sprinklers in place, and
4 there is no feasible date or scope even as to when
5 that may happen as is actualized by the testimony for
6 the both of you here today. So, thank you very much
7 for your testimony. Are there any more members of
8 the public who wish to testify on these items? Okay,
9 seeing none, I will now close the hearing on this
10 item, and it will be held over. The next item on
11 today's agenda, is [background comments, pause]
12 Welcome Council Member Miller.

13 COUNCIL MEMBER MILLER: Thank you.

14 CHAIRPERSON ADAMS: We'll now open the
15 vote for Council Member Miller.

16 LEGAL COUNSEL: We're voting on Items LU
17 175 and 151 with the notifications that were
18 described earlier. Council Member Miller.

19 COUNCIL MEMBER MILLER: I vote aye.

20 CHAIRPERSON ADAMS: Thank you, the-

21 LEGAL COUNSEL: [interposing] And the-the
22 Land Use Items are approved by a vote of 5 in the
23 affirmative, no negatives and no abstentions, and
24 will be referred to the full Land Use Committee.

2 CHAIRPERSON ADAMS: Thank you very much.

3 That item is closed. The next item on today's agenda
4 is LU 2919, the Landmarks Preservation Commission's
5 designation of the Boerum Hill Historic District—
6 District Extension. Boerum Hill Historic District
7 Extension consists of approximately 288 buildings
8 developed in the mid-19th Century. According to the
9 LPC Designation Report, the extension encompasses an
10 important commercial corridor adjacent to the Boerum
11 Hill Historic District and contains cohesive rows of
12 buildings designed in the Greek Revival, Italianate
13 and other 19th Century styles. Construction of the
14 working and middle-class since the growth of
15 commerce, industry and transportation drove
16 development in Brooklyn around the Civil War. The
17 extension is in Council Member Levin's district. I
18 will call on LPC to testify on this designation and
19 then we will take testimony from the public. Mr. Ali
20 Rasoulinejad from LPC. Hello Ali. You pass? Okay.

21 KATE LEMOS MCHALE: It's Kate.

22 CHAIRPERSON ADAMS: Okay, Kate—Kate
23 McHale from LPC. We welcome you here today.

24 KATE LEMOS MCHALE: And I will swear in?

2 CHAIRPERSON ADAMS: Yes. Counsel, please
3 swear in the witness.

4 LEGAL COUNSEL: Before you answer, please
5 state your name and do you affirm to tell the truth,
6 the whole truth, and nothing but the truth in your
7 testimony before this subcommittee and in response to
8 all Council Member questions?

9 KATE LEMOS MCHALE: Yes, I'm Kate Lemos
10 McHale and I do.

11 LEGAL COUNSEL: Thank you.

12 KATE LEMOS MCHALE: Thank you and good
13 afternoon, Chair Adams and Subcommittee members. I am
14 here to present and thank you for the opportunity to
15 take you through the Boerum Hill Historic District
16 Extension. LPC unanimously voted to approve this
17 extension on June 26th, which expands the original
18 Boerum Hill Historic District designated in 197 by
19 approximately 288 buildings. The extension includes
20 three areas that are adjacent to the original
21 district, which is shown here, and the buildings in
22 the extension are along blocks adjacent to the
23 existing historic district with similar architectural
24 character, scale and typologies, and also incorporate
25 an intact section of the historic Atlantic Avenue

3 Corridor. A request for this extension came to us
4 from the Boerum Hill Community with the strong
5 support of the local Council Member Stephen Levin.
6 OPC does extensive owner outreach as part of our
7 designation process and we held meetings with
8 property owners and community stakeholders. At our
9 public hearing on May 8th, 16 people testified in
10 favor of designation including the Council Member
11 Stephen Levin, representatives of the Boerum Hill
12 Association, Historic Districts Council, the New York
13 landmarks Conservancy and ten individuals. Nine
14 individuals spoke in opposition to designation,
15 primarily concerned with the inclusion of a portion
16 of Atlantic Avenue within the proposed boundary. The
17 Commission also received a petition opposing the
18 inclusion of Atlantic Avenue in the district with
19 signatures from 16 individuals. OPC staff had
20 several additional meetings with these owners to hear
21 their concerns, and to talk about what it means to be
22 an historic district, and presented the Commission
23 with additional analysis of Atlantic Avenue, which I
24 will summarize for you. It the 1973 Boerum Hill
25 Historic District is made up of approximately 300
buildings. The majority of them being brick and

3 brownstone row houses and built in two periods before
4 the 1880s. It has a cohesive historic character that
5 continues into the extension. The Boerum Hill
6 Historic District Extension was primarily built
7 during the same two periods of development. The
8 first in the late 1840s and 50s coincided with
9 industrial growth along the South Brooklyn
10 Waterfront. As you can see on the map, development
11 had begun by 1850. At the same time, new
12 transportation infrastructure such as Long Island
13 Railroad's Atlantic Avenue Branch, and Local horse
14 cars along Atlantic Avenue and Bergen Street offered
15 Brooklyn residents much faster access to Manhattan
16 and South Ferry, and this really was the beginning of
17 Atlantic Avenue being an important corridor in this
18 part of Brooklyn because of those connections. The
19 second phase of residential development occurred
20 after the Civil War in the Southeastern section
21 coinciding with the opening of the Gowanus Canal and
22 the arrival of factories and warehouses south of the
23 neighborhood. By 1886, nearly all the lots within
24 the Historic District Extension area were developed
25 with row house scale buildings. The area was
originally home to mainly German, Italian, and Irish

3 immigrants and included merchants, business people
4 and trades people who worked in the port or the
5 industry along the Gowanus Canal. Notably, Mohawk
6 people began to arrive in Boerum Hill around the
7 1920s and helped to build the skyscrapers of
8 Manhattan. For many years, Boerum Hill had the
9 largest Mohawk population outside of a reservation,
10 and the Cuyler Presbyterian Church on Pacific Street
11 in the Extension was an important institution for
12 their community. Extensive mapping and analysis went
13 into the evaluation of the extension and aided the
14 determination of boundaries to incorporate
15 streetscapes with a similar consistency of high
16 quality, intact architectural character as found
17 within the existing district. I'm just taking you
18 through that quickly. Both the Boerum Historic
19 Districts and the Extension predominantly contain
20 buildings constructed before 1880 with some early
21 20th Century buildings and only a small number of
22 buildings built after 1920. You can see the area was
23 largely built up by 1800 including along Atlantic
24 Avenue. We see a consistent use of similar
25 architectural styles throughout the district and
extension primarily Greek Revival and Italianate,

3 which results in cohesive rows throughout all three
4 areas of the Extension. The building typologies in
5 the Boerum Hill district and extension are primarily
6 residential including row houses, apartment buildings
7 and residential buildings originally built with
8 stores on the ground floor. There are also a few
9 institutional and commercial buildings located in the
10 Extension, and that is mapped here, which shows the
11 predominance of residential buildings that are mostly
12 row houses or row house scale. Found in each of the
13 Extension areas there is a concentration of
14 residential buildings with commercial ground floors
15 along Atlantic Avenue in cohesive rows in the same
16 architectural styles and scale as the buildings in
17 the historic district. And looking at building
18 heights you can see that again it's very cohesive.
19 The majority of the entire area is a similar height
20 at approximately 2-1/2 to 4 stories. We looked at
21 building integrity looking at levels of how the
22 historic design and features are still intact, and we
23 mapped that, which also shows a high level of
24 intactness throughout all three areas of the
25 district, and this results in very cohesive
streetscapes with a lot of historic character where

3 the level of integrity and the—and the extension
4 results from this strong historic character, and just
5 a few examples of that. This is three houses on
6 Bergen Street. They were built in 19885 and eclectic
7 Second Empire Neo-Grech style with delicate detail,
8 and this is an intact row of 26 Italianate style
9 houses built in 1872 along Wyckoff Street. The
10 portion of Atlantic Avenue included in the Extension
11 is characterized by cohesive rows of historic
12 buildings and storefronts, which share a similar
13 scale and architectural styles with the districts and
14 other areas in the extension, and have a special
15 historic sense of place. During the designation
16 process, concerns were raised by some property owners
17 on Atlantic Avenue. So, I wanted to share with you
18 our additional analysis. As we've seen, there is
19 remarkable cohesiveness within the Boerum Hill and
20 Extension districts including along Atlantic Avenue.
21 The 19th Century development of Atlantic Avenue is a
22 commercial corridor with key to residential
23 development and growth of Boerum Hill. The buildings
24 along Atlantic Avenue and the extension are of the
25 same age and styles as the existing district, and
their small shops historically serve the residents of

1 Boerum Hill. Boerum was dominated by row house scale
2 buildings designed in 19th Century architectural
3 styles. They typically feature three bay façade
4 configurations, cornices with dentils or modillions,
5 flush or molded lentils and historic stoops or
6 storefronts. Shown here are 19th Century Greek
7 Revival style row house scale buildings on Atlantic
8 Avenue, on Hoyt Street in the Extension, and on Dean
9 Street in the existing district. In determining a
10 boundary for Atlantic Avenue, we analyzed the
11 integrity of buildings that share the qualities that
12 characterize Boerum Hill's historic character:
13 Building age, style, materials, row house scale and
14 typology. This map shows intact buildings that share
15 these characteristics in green, and buildings that
16 due to combinations of larger scale, different
17 construction period and typology or heavy alterations
18 are shown in red as non-contributing. The Building
19 Analysis informed in evaluation of more overarching
20 factors such as cohesiveness and consistency or
21 historic character and strong rows on both sides of
22 the street where possible that support a district—a
23 distinct sense of place. This map shows this
24 analysis, which defined a boundary that includes the
25

3 strongest and most consistently intact rows that
4 share the historic characteristics of Boerum Hill.
5 We also spent time looking here at the overlap.
6 There is a special zoning district along Atlantic
7 Avenue here that dates back to the 1970s to protect
8 the historic character of those portions of Atlantic
9 that were not included east-west of Court Street in
10 the Cobble Hill and the Brooklyn Heights Historic
11 District, and we've found that there is a
12 concentration of buildings that the zoning has
13 identified as specified buildings and specified
14 historic storefronts, which has some guidelines about
15 design, and it's really aimed at keeping historic
16 character and we found that LP regulation is closely
17 aligned with this overlying special zoning district.
18 And then just looking at these rows on Atlantic
19 Avenue, the District includes a cohesive row of mid
20 19th Century buildings, the storefronts on the north
21 side of Atlantic Avenue strong rows between
22 Hoyt and Bond and a portion of the block between Bond
23 and Nevins Streets. There is a cluster of non-
24 contributing buildings between these rows, but
25 because of the strength of the rows on either side,

3 they were included within the boundary, and these
4 slides to show where that boundary was drawn. Groups
5 of buildings determined not to merit inclusion due to
6 alterations and character not consistent with the
7 Boerum Hill District define the boundaries at the
8 east and west edges of these cohesive rows. This
9 photo shows the west boundary on the north side of
10 Atlantic Avenue indicated by the dash line in white,
11 and this photo shows the east boundary on the north
12 side of Atlantic Avenue. Here we see the proposed
13 extension from the east between Bond and Nevins and
14 the different character inside and outside of the
15 proposed boundaries. And these are views at that
16 point at the east of the historic rows showing the
17 character outside the boundary and the row of
18 historic buildings within the boundary on the—on the
19 left as within and on the right is looking east. To
20 conclude, the Boerum Hill Historic District Extension
21 includes primarily 19th Century Architecture
22 representing major periods of construction and design
23 in Brooklyn before and directly following the
24 American Civil War. The intact residential blocks in
25 the commercial corridor of Atlantic Avenue offer a
rich perspective on the middle and working class

2 history of Brooklyn and its connection to its ports.

3 The district extends the Boerum Hill Historic

4 District's distinct sense of place to blocks sharing

5 similar development history and architectural

6 character, and the LPC urges the Council to approve

7 it as designated. Thank you and I'm happy to take

8 any questions.

9 CHAIRPERSON ADAMS: Thank you very much.

10 I'm just interested, Kate, how long have we been

11 looking at this particular area?

12 KATE LEMOS MCHALE: We have been looking

13 at this area for quite a long time. I think formerly

14 as part of this designation since the beginning of

15 2017.

16 CHAIRPERSON ADAMS: Okay, how—for lack of

17 a better way to put this, how—how easy was this

18 particular determination?

19 KATE LEMOS MCHALE: Well, it, you know,

20 defining boundaries is one of our hardest jobs, and

21 so it's a very careful and—and very detailed process,

22 and we have to consider many of the things that I

23 tried to describe and so you do want to capture a

24 sense of place that has a very strong historic

25 character and you want to capture buildings that have

2 still that historic character that the historic
3 fabric still exists for the Commission to regulate,
4 and understanding, you know, when you look at a
5 historic district, and you look at what might be a
6 possible extension, it was very important that there
7 was this shared historic character that was similar
8 to what we find in the district.

9 CHAIRPERSON ADAMS: Uh-hm, that-that's
10 exactly what I was getting, what I was getting at.
11 You answered it very well. I just noticed how well
12 the-the photos showed the distinction between the
13 property. So, I really appreciated that visual.

14 KATE LEMOS MCHALE: Thank you.

15 CHAIRPERSON ADAMS: Yeah, Thank you for
16 that. Any questions, Council Member Miller?

17 COUNCIL MEMBER MILLER: Yes. So, this is
18 primarily the south side of Atlantic Avenue. Does it
19 include any properties on the north side?

20 KATE LEMOS MCHALE: Yah, there's a-if you
21 looking in Area 3, which is at the top of the map,
22 that's Atlantic Avenue. So, there is a very strong
23 row on the north side.

2 COUNCIL MEMBER MILLER: Does that include
3 churches, mosques, or anything other faith based
4 institutions that exist here now?

5 KATE LEMOS MCHALE: Actually, I believe
6 it does not. There's a--there is a church in a
7 building that was very altered. So, it didn't have
8 its--any of its historic features, and that was just
9 outside the boundary.

10 COUNCIL MEMBER MILLER: Okay, so even if
11 they were kind of within those parameters, if they
12 [coughs] didn't meet their original architectural
13 design, they wouldn't be considered?

14 KATE LEMOS MCHALE: Yeah, it's really
15 based on the architecture.

16 COUNCIL MEMBER MILLER: Okay, thank you.

17 CHAIRPERSON ADAMS: Thank you, Council
18 Member Miller. Thank you very much for your
19 testimony today. I appreciate it.

20 KATE LEMOS MCHALE: Than you.

21 CHAIRPERSON ADAMS: I am going to read
22 into the record a statement from Council Member. I'm
23 going to read it as read-as it is written, rather.
24 Good morning. My names is Council Member Stephen
25 Levin. Thank you to Chair Adams, the Committee and

3 staff for convening today's hearing. I'm proud to
4 support the proposal to extend the Boerum Hill
5 District. I represent the 33rd Council District
6 wherein preservation plays a vital role in
7 maintaining the aesthetic character and charm of each
8 of our neighborhoods. Extend the Boerum-Boerum Hill
9 Historic District is a very key component of this
10 work consisting of 288 buildings, and three distinct
11 areas adjacent to the original historic district.
12 Designated in 1973, the western portion includes Dan
13 and Bergen Streets between Smith and Hoyt Streets,
14 the Northern Section, which includes a portion of
15 Atlantic Avenue between Hoyt and Nevins Streets and
16 Pacific Street between Hoyt and Bond Street, and
17 Pacific Street between Hoyt and Bond Streets and the
18 eastern section, which includes Wyckoff and Bergen
19 Streets between Bond and Nevins. These additions
20 reflect the diverse community of the merchants and
21 waterfront laborers who influenced Brooklyn's
22 architecture during the period in which they were
23 built dating as far back as the 1850s. The
24 commercial storefronts and single-family row houses
25 came out of the Greek Revival and Italianate styles,
whereas other construction took place in the decades

3 that followed. The handsome details incorporated
4 into these buildings showed the indomitable spirit of
5 the immigrant communities settled in at that time and
6 are distinctive to Brooklyn this day. Given its
7 proximity to the waterfront, the Gowanus Canal, and
8 Atlantic Avenue, the Boerum Hill Historic District
9 Extension paints a vivid picture of development in
10 the 19th Century. I urge the city to preserve these
11 buildings for the greater good of the community so
12 that they may last to tell our story once we're gone.
13 Thank you for your time today, and to my constituents
14 and neighbors who have been deeply engaged throughout
15 this process, and that's from Council Member Stephen
16 Levin. Are there any more members of the public who
17 wish to testify on these items? [background
18 comments] Okay. Okay, we'll call up Sammy Balboza.
19 Please step up. Andrea Goldwyn, is it Goldwyn? Oh,
20 that's you. [laughs] Sorry, and—and Ann Isabel
21 Friedman, please step up. [background comments,
22 pause] You may begin whenever you're ready.

23 SANDY BALBOZA: Okay. Good afternoon.
24 Thank you for listening to us. I am Sandy Balboza a
25 property Owner and 48-year resident of 321 Atlantic
Avenue between Smith Street and Hoyt Street. In

2 1972, the New York City Planning Commission created
3 the Atlantic Avenue Special Zoning District with the
4 aim of preserving special architectural features of
5 the 19th Century buildings between Court Street and
6 Fourth Avenue. Unfortunately, community efforts to
7 stop inappropriate alterations of storefronts was not
8 backed up the Department of Buildings responsible for
9 enforcing the Special Zoning Guidelines. The current
10 zoning now allows building heights up to 80 feet
11 propelling developers join and demolish multiple
12 properties including some that specially listed.
13 Realtors market the properties as development sites.
14 Thus, the formally harmonious quality of 2, 3 and 4-
15 story structures is being lost. Today, as a
16 consequence of improved economic and social
17 conditions, together with zoning changes, it is now
18 necessary to create stronger protections for Atlantic
19 Avenue through landmarking to preserve the finest and
20 most intact examples of 19th Century commercial
21 architecture. The unique historic character of
22 Atlantic Avenue's commercial corridor is among the
23 business district's strongest assets and contributes
24 to making Atlantic Avenue a destination. Thank you.

25 CHAIRPERSON ADAMS: Thank you.

2 ANDREA GOLDWYN: Good day Chair Adams and
3 Council Members. I'm Andrea Goldwyn speaking on
4 behalf of the New York Landmarks Conservancy. The
5 conservancy is pleased to join community and
6 preservation advocates in supporting designation of
7 the Boerum Hill Historic District's Extension. In
8 1977, just three years after designating the original
9 district, LPC staff issued the report noting: Since
10 Boerum Hill is historically and architecturally
11 unified over a somewhat larger neighborhood than is
12 comprised by the Historic District, consideration
13 should be given to extending the district. This is
14 justice here today. Boerum Hill once known as
15 Gowanus North is a rare vernacular New York City
16 Historic District. Early residents were solidly
17 middle-class merchants, small manufacturers, and
18 civil servants. The district doesn't boast many
19 architect designed buildings, and perhaps they are
20 not as high style as the nearby Cobble Hill and
21 Brooklyn Heights, but they are no less handsome
22 cohesive. The bakeries, upholsterers and other
23 merchants along 19th Century Atlantic Avenue served
24 this row house neighborhood much as the Avenue's
25 small businesses, boutiques, and restaurants served

2 the Boerum Hill community today. This district will
3 preserve those intact Atlantic Avenue Buildings with
4 commercial ground floors and residences above
5 constructed from the 1850s to 1870s. Designation
6 will offer the same protections to these rare
7 survivors as was achieved 50 years ago on the west
8 end of Atlantic Avenue when Brooklyn Heights and
9 Cobble Hill were designated. The buildings are a
10 particular risk. Historic storefronts on Atlantic
11 were included in a special zoning district enacted to
12 protect the architectural integrity of this historic
13 area in a way that would promote growth. However,
14 the zoning overlay does not protect buildings from
15 demolition. The time has come to protect Boerum
16 Hill's historic sense of place and expand the
17 district. We thank the Commission for moving
18 quickly, and we urge the Council to affirm this
19 designation. The Conservancy looks forward to
20 working with owners [bell] and offering the services
21 of our historic properties fund, technical services
22 staff and Sacred Sites Program. Thank you.

23 CHAIRPERSON ADAMS: Thank you very much.

24 ANN FRIEDMAN: Good afternoon, Chair

25 Adams and Commissioner and Council Members. I'm Ann

3 Friedman. I'm a resident and homeowner of the---in-
4 within the existing Boerum Hill Historic District for
5 the past 29 years, and was co-chair of the of the
6 Boerum Hill Association Historic District Extension
7 Committee. The Boerum Hill Association representing
8 neighborhood residents has advocated for expansion of
9 the Historic District for many years. Most recently
10 we've worked closely with LPC and with City Council
11 Member Levin's staff and we're really excited to be
12 here today. The expanded district includes, as
13 you've heard, portions of Atlantic Avenue within the
14 Atlantic Avenue Special Zoning District. These 54
15 buildings on Atlantic represent and extraordinarily
16 intact and cohesive mixed-use corridor of red brick
17 row houses with commercial ground floors and
18 residences above. Originally occupied by butchers,
19 bakers and furniture makers, these buildings
20 supported and enhanced the life of our community in
21 the 19th Century just as the salons, restaurants,
22 boutiques and delis of this portion of Atlantic
23 support and enhance the life of Boerum Hill and our
24 many visitors today. In 1972, the Boerum Hill section
25 of Atlantic Avenue was considered blighted--blighted
with vacant and deteriorated buildings. That's no

2 longer the case. These are now very desirable blocks
3 for both residential and commercial tenants. There's
4 a special zoning district established in 1972 to help
5 preserve the character of the historic storefronts
6 east of Court Street, but does not prevent them from
7 being demolished. Several significant historic
8 buildings within the proposed extension have been
9 marketed to developers for their potential
10 replacement with 6 to 8-story luxury apartment
11 buildings. Some owners along the Atlantic Avenue
12 Corridor have expressed concern about the impact of
13 landmark designation on their tenant store owners,
14 but LPC oversight as you—as you've heard is
15 completely consistent with the Special Zoning
16 Regulation. Today the Boerum Hill section of
17 Atlantic Avenue is just as vital and viable as the
18 Brooklyn Heights and Cobble Hill sections, and for 50
19 years LPC has done a great job [bell] regulating
20 those—that end of the district. So, we expect
21 nothing different.

22 CHAIRPERSON ADAMS: Thanks very much.

23 [background comments] Alright, we'll call up the
24 second panel. Jonathan Bright, Kate Perry, and Wendy

2 Foyer. [background comments, pause] You may begin
3 whenever you're ready.

4 JONATHAN BRECHT: Good afternoon, Chair
5 Adams and members of the Subcommittee. My name is
6 Jonathan Brecht, and I am speaking as a member of the
7 Boerum Hill Association. My—the Chair of our
8 association Howard Kolins could not make the meeting
9 today, but I have testimony that I brought by him
10 that we would like to incorporate in the record. The
11 association has led efforts to extend the proposed
12 district. We are pleased to enthusiastically join
13 neighborhood groups and preservationists throughout
14 the city in support of the proposed extension, and we
15 are grateful for the vision, support and leadership
16 or our local Councilman Steven Levin. In addition,
17 we particular want to acknowledge the efforts of the
18 Landmarks Preservation Commission to protect an
19 important part of our city's history. The existing
20 Boerum Hill Historic District is, in fact, one of the
21 smallest in the city. Expansion of the district was
22 contemplated by the LPC staff as early as 1977.
23 Given the historical and architectural similarities
24 between the existing district and the surrounding
25 area, the Boerum Hill Association itself has

3 periodically studied district expansion and some
4 three years ago, it initiated a community wide effort
5 to promote the extension. To this end, the
6 association held a number of public events to present
7 the proposed extension and to seek community input.
8 These efforts coincided with the LPC's own work on
9 the area, with the superb of Boerum Hill and Cobble
10 Hill by Columbia University's Graduate School of
11 Architecture. While much work remains to be done
12 especially with regard to important intact portions
13 of State Street that are outside the scope of the
14 plan before you, we are pleased that the proposed
15 extension will double the size of the existing
16 district. In addition, the expansion will also
17 preserve some of the finest examples of intact 19th
18 Century commercial architecture in New York City.
19 The buildings—the commercial buildings under
20 consideration has businesses that support the local
21 community. The Atlantic Avenue Corridor between
22 Cobble Hill and Brooklyn Heights Historic Districts
23 show where that coexistence with [bell] with
24 residential buildings is possible, and we urge you to
25 support this initiative. Thank you.

CHAIRPERSON ADAMS: Thank you very much.

2 FEMALE SPEAKER: [coughs] Good

3 afternoon. Atlantic Avenue is has kept many of its
4 historic buildings intact over the years, and it has
5 become a special place. It's now a destination for
6 shopping, strolling and dining. We need the landmark
7 designation to preserve the historic atmosphere and
8 the original low-rise buildings that give our area
9 its charm. I've owned my building since 1987. It is
10 between Hoyt and Boerum, and it is one the properties
11 selected for landmarking, which I welcome Nearby
12 Brooklyn Heights has had landmark designation for
13 many years without detriment to property owners and
14 businesses, and the house where I live on State
15 Street is also protected by Landmarks and we
16 appreciate how this has helped prevent inappropriate
17 alterations on the street. My tenants on Atlantic
18 Avenue love the atmosphere of the avenue, and this is
19 because of the charming and original feel of the
20 buildings and storefronts. There is so much new
21 construction and developing the area that we are in
22 danger of losing the very appeal that the historic
23 buildings offer to visitors and residents alike. We
24 need to move now and protect what we have on the
25 avenue and what we love about it and prevent any

3 further development that threatens the original
4 feeling and charm of these historic buildings. Thank
5 you.

6 WENDY FOYER: Good afternoon Chair and
7 Council Members, and Committee Counsel. I'm Wendy
8 Foyer. I'm a resident at 234 Bergen Street. We first
9 moved into the neighborhood in 1995 renting an
10 apartment on Bergen between Hoyt and Bond Streets.
11 Two years later in 1997 we were fortunate to be, with
12 the purchase of brownstones, still on Bergen but
13 between Bond and Nevins. We had at the time and for
14 years after and in-in my many, many, many walks I
15 noticed the brown and white signs that indicated
16 streets that were included in the historic district
17 and read-and read with interest the larger signs
18 especially the one on Nevins between Dean and Bergen.
19 They explained the boundaries of the district and the
20 architectural history, that made it worthy for
21 inclusion. I thought my house and most of my
22 neighbor's houses had similar characteristics to
23 those within the districts. For years, I wondered
24 why we were not included in the district. I can say
25 many on the block have signed a petition that brought
around at least 15 or 20 and there were offers to get

2 more signatures extending the district. All parts of
3 the extension including Atlantic Avenue, that
4 includes buildings that are at scale and have
5 storefronts so rarely seen in commercial areas in the
6 city would complete the designation of the area that
7 was initiated and fell short over 40 years ago.
8 Thank you very much.

9 CHAIRPERSON ADAMS: Thank you very much.
10 Thank you all for your testimony today. If there are
11 no more members of the public--

12 JEROME HAGGERTY: Yes, I want to testify.

13 CHAIRPERSON ADAMS: Do we have slips for
14 you?

15 JEROME HAGGERTY: Yes, I signed a slip,
16 and I gave it to the desk. [background comments,
17 pause]

18 CHAIRPERSON ADAMS: We have to have slips
19 for you up here before you can submit your testimony.

20 FEMALE SPEAKER: What is your name?

21 CHAIRPERSON ADAMS: What's your name?
22 Haggerty?

23 CHAIRPERSON ADAMS: Haggerty.

24 [background comments, pause] Okay, I think we are
25 good to go.

3 SIMEON BANKOFF: Okay.

4 CHAIRPERSON ADAMS: Simeon Bankoff,
5 Josephine Haggerty, and Jerome Haggerty. You may
6 begin.

7 JEROME HAGGERTY: Okay, I'm Jerome
8 Haggerty. I would just like to start off with my
9 family has roots in the block of Atlantic Avenue
10 between Bond and Nevins from the 1860s. I live in a
11 house built and detained in 1863 by the Dohertys. We
12 hadn't already had extended family, but we have them
13 now. They are now extended family. My primary
14 interest you have much about the character of the
15 neighborhood and everything else. My primary
16 interest is the increasing development of high
17 density buildings on our edge. I did not want to see
18 that encroach into the—our neighborhood, into
19 Atlantic Avenue where has been—has been noted that
20 there are many—or several properties being marketed
21 as development properties. Development properties
22 generally go for highest and best use, which means
23 how many people can you cram into the space. We
24 don't want to lose the character we have, and I know
25 that having lived with the Building Department, lack
of enforcement on the Special Zoning District in many

2 instances landmarks provides much greater protection
3 and that's right. I am in favor of this bill or bill
4 be passed.

5 CHAIRPERSON ADAMS: Thank you.

6 JOSEPHINE HAGGERTY: Hi. I'm Josephine
7 Haggerty, and yes this is my husband. We live at 408
8 Atlantic Avenue. We've been there since 1979, and
9 the storefronts on Atlantic Avenue are gems, and
10 Atlantic Avenue itself is a gem. The Buildings are
11 in character for the whole neighborhood. It is an
12 area to walk around, and to see all the high-rise
13 buildings go up, it's discouraging to think that
14 people would actually think of having a building on
15 Atlantic Avenue in this proposed area, torn down to
16 building something higher. We really need to
17 preserve these storefronts on Atlantic Avenue. They
18 are beautiful, and it is a destination area where
19 people do walk, and it is of-of a neighborhood. It's
20 a neighborhood.. It's a building, a block that has
21 these huge buildings that really don't add anything
22 to the neighborhood itself. So, I am very much in
23 favor of having our building as well as the proposed
24 buildings are protected by Landmarks Preservation
25 that you.

3 CHAIRPERSON ADAMS: Thank you.

4 SIMEON BANKOFF: Good afternoon, Council
5 Members. Simeon Bankoff, Historic Districts Counsel.
6 We're very strongly in favor of this—of this
7 extension. We were happy enough to work with the
8 Atlantic Avenue BID back in 2014 as one of our six to
9 celebrate. I'll send you the brochures later. One
10 of the things, and I'm going to take just a half a
11 minutes to a fast physics—civics lesson, it was
12 mentioned about the Special Zoning District, which
13 was a creation the City Planning Commission's Urban
14 Design Group, which was the innovation of the Lindsay
15 Administration. Back at the time in the early 1970s
16 the Landmarks Preservation Commission was still
17 constitutionally untried. It was very possible, in
18 fact, that it could be overturned at any time, and
19 there was great trepidation of creating historic
20 districts around commercial areas. One of the
21 innovations that the Lindsay Administration did was
22 the Urban Design Group, which creates special zoning
23 overlays in areas that could potentially not be the
24 best landmarks because there might be a lawsuit, and
25 then the whole—the whole system might get throw out.
The Special Atlantic Avenue was one of them. It was

2 enough—it was an attempted to create a tool for
3 another kind of preservation because they were
4 uncertain about the LPC. Let's fast forward 50
5 years. The Landmarks Commission in *Penn Central Vs.*
6 *U.S.* was supported as being constitutional under the
7 United States Supreme Court, and we have seen that 50
8 years of progress and 50 years of continued
9 investment in the area has done very well for the
10 neighborhood, and it is now time to actually use the
11 best tool possible to continue that—that increased
12 investment there. So, we very strongly support this
13 designation, and we support designating specifically
14 the Atlantic Avenue Corridor. Additionally, the
15 Collier House Church on Pacific Street has a
16 fantastic cultural history of a forgotten part of New
17 York City's Native American connection, and a very
18 small [bell] community. So, that is also a wonderful
19 addition to the collection of historic properties.

20 CHAIRPERSON ADAMS: Thank you for your
21 testimony today. You may step down. Thank you. We
22 have one more speaker. Mohammed. B. Mohammed,
23 please step up. [pause] You may begin when you're
24 ready. Sure. [pause]

3 MOHAMMED DE MOHAMMED: Good afternoon,
4 Council Member. My name is Mohammed de Mohammed.
5 I'm a resident from Brooklyn (sic) area since 1994.
6 I'm a real estate broker and also I'm a small you can
7 call it investor, and I own four buildings in in
8 Bronx Heights area, 358 Atlantic Avenue, 360 Atlantic
9 Avenue, 378 Atlantic Avenue and 878 Hoyt Street.
10 I've been living in the neighborhood since 1994. I
11 work and live in the neighborhood. I was involved in
12 a lot of—most of the rental on the avenue. I used to
13 be senior vice president. I was with another
14 gentleman and I was in charge of the whole commission
15 area of Downtown Brooklyn and Atlantic Avenue. So I
16 know the area very well from experience over three
17 year, and I'm here to speak on behalf of the
18 residential neighborhood. We are not against the
19 landmark. We understand that. I own a building,
20 which is 78 Hoyt Street, and it does have a lot of
21 details and it is not landmarked. I welcome the
22 landmark to have a landmark because there is some
23 things in the building you can preserve. Now, the
24 buildings has been choose by the landmark. But they
25 are not. For example 358 and 360 Atlantic Avenue
they are completely façade, in fact, there has been a

3 changed. This is not the original façade of the
4 building. This has been redone. Also the building
5 385 Atlantic Avenue and 388 Atlantic, it's been
6 choose to be a landmark and it's completely from the
7 top to the bottom it's completely demolished and
8 being built up. So my question is why Landmark is
9 choosing those buildings specific other buildings has
10 the original façade. Example: 405 Atlantic Avenue,
11 403 Atlantic Avenue [bell] 407 Atlantic Avenue, 403
12 Atlantic Avenue, 351 Atlantic Avenue, 353 Atlantic
13 Avenue all these buildings have the original façade.
14 Why they didn't choose those buildings and choose the
15 building that doesn't have the original façade? But
16 when we asked the Landmark, they gave us no specific,
17 you know, answer. They don't answer us. We tried to
18 work with them. Convince us, you know, try to work
19 with us, but they don't, and I don't know if I can
20 speak any more, I mean the time. Can I or can I go
21 on or--?

22 CHAIRPERSON ADAMS: We do have to wrap up
23 because as you see, people are waiting for this room.
24 So, we—we put you on a time limit for that reason,
25 but we do appreciate your testimony.

MOHAMMED DEMOHAMMED: Okay.

2 CHAIRPERSON ADAMS: Thank you very much.

3 MOHAMMED DEMOHAMMED: Thank you.

4 CHAIRPERSON ADAMS: Thank you. If there
5 are no more speakers for this particular item, we
6 will close the public hearing on LU 219, and it will
7 be laid over. This concludes our public hearings for
8 today. I'd like to thank all of the members of the
9 public for being here today, my colleagues, Council
10 and our great Land Use staff for attending today's
11 hearing. This meeting is hereby adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 1, 2018