

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON WATERFRONTS

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September 25, 2008

Start: 1:15 pm

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HELD AT: Council Chambers
City Hall

B E F O R E:
MICHAEL C. NELSON
Chairperson

COUNCIL MEMBERS:
Gale A. Brewer
Melissa Mark-Viverito
Anthony Como

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

Wilbur Woods
Director of Waterfront and Open Space Division
NYC Department Of City Planning

Roberta Weisbrod
Director
Partnership for Sustainable Ports

Roland Lewis
President
Metropolitan Waterfront Alliance

Edward J. Kelly
Executive Director
Maritime Association of the Port of New York, New
Jersey

David Schnakenberg
Municipal Art Society of New York

Jennifer Barrett
Research And Policy Associate
New York Industrial Retention Network

Michael Demma

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CHAIRPERSON NELSON: Okay. Okay.

Hey Melissa. [Pause] Okay.

SERGEANT AT ARMS: Quiet, please.

[Pause]

CHAIRPERSON NELSON: Okay. Welcome everybody. Good afternoon and welcome to today's hearing of the Committee on the Waterfronts, my name is Mike Nelson, I'm Chair of this Committee.

Today we're going to discuss a Speaker bill, Introduction Number 809 that would amend the New York City Charter by adding a new subdivision G to Section number 192; Section 192 deals with the City Planning Commission. This bill would require the City Planning Commission to draft a Comprehensive Waterfront Plan by December 31st, 2010, and not less frequently every 10 years thereafter.

In 1982, the New York City Board of Estimate adopted New York City's first Waterfront Revitalization Program in accordance with Section 197 of the City Charter. Soon thereafter it was recognized that the city's Waterfront Revitalization Program would need to be revised to reflect the current needs of the city's

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Then in 1992, the Department Of City Planning issued the Comprehensive Waterfront Plan. The Comprehensive Waterfront Plan divided the New York waterfront into four different waterfront types: the natural waterfront, the public waterfront, the working waterfront, and the redevelopment waterfront. Each waterfront type was described and mapped and the significant issues facing that waterfront type was analyzed. Specific goals were proposed for each waterfront type, as well as strategies for accomplishing those goals.

It was in the Comprehensive Waterfront Plan that the concept of significant maritime and industrial areas and special natural waterfront areas were first established. The Comprehensive Waterfront Plan also made waterfront zoning proposals, proposed map changes, and proposed changes to the Waterfront Revitalization Program.

The Waterfront Revitalization Program was formally amended in 1999--I remember that--based on the suggestions found in the

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2 Comprehensive Waterfront Plan. The amended
3 Waterfront Revitalization Program was approved by
4 the Council in 1999, and by the State Department--
5 the New York State Department of State in 2002.

6 The bill we are considering today,
7 Introduction Number 809 would require the City
8 Planning Commission to create another
9 Comprehensive Waterfront Plan by the end of 2010.
10 That plan would once again look at the four
11 waterfront types found in the city's first
12 Comprehensive Waterfront Plan--again, the natural
13 waterfront, the public waterfront, the working
14 waterfront, and the developing waterfront--and
15 would formulate new goals and policy objectives.
16 The comprehensive waterfront plan under Intro 809
17 would also take into consideration the Mayor's
18 Strategic Policy Statement, the 10-Year Capital
19 Strategy, the 4-year Capital Plan, and community-
20 based 197-A plans.

21 Finally, since the time this
22 hearing was scheduled and the notices were sent
23 out, the Council and the Administration agreed to
24 two changes to improve this bill, there was not
25 enough time before the hearing to disseminate a

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2 version that incorporates those changes, so the
3 version of the bill we are considering today does
4 not reflect those changes. The changes we have
5 agreed upon are: one, the location of this bill
6 should be moved from Section 192 to its own
7 section because Section 192 is protected by the
8 referendum requirements of Charter Section 38;
9 and, two, that references to the City Planning
10 Commission shall be changed to Department Of City
11 Planning because it will be department staff who
12 actually produce the report.

13 I thank you all and, before
14 introduce the first speaker, I would like to thank
15 Jeffrey Baker to my immediate left, the Counsel to
16 the committee, and Colleen Pagter, Policy Analyst,
17 and I'd like to welcome Council Member Melissa
18 Mark-Viverito as well.

19 And I would now like to call Mr.
20 Bill Woods from the New York City Department of
21 City Planning. Mr. Woods, please.

22 [Pause]

23 MR. WILBUR WOODS: Okay.

24 CHAIRPERSON NELSON: Good. Thank
25 you.

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2 MR. WOODS: Very good. Good
3 afternoon, Chairman Nelson and members of the
4 Committee on the Waterfronts. I am Wilbur Woods,
5 Director of Waterfront and Open Space Division of
6 the Department Of City Planning. Thank you for
7 the opportunity to address this committee in
8 regard to Intro Number 809, the proposed amendment
9 to the City Charter requiring the City Planning
10 Commission to prepare and file a new Comprehensive
11 Waterfront Plan for the City of New York.

12 On behalf of the Director of the
13 Department Of City Planning, Amanda Burden, I
14 would like to commend the Speaker of the Council
15 and the sponsoring Council Members for initiating
16 this legislation. The Department wants to express
17 support for updating of the city's Comprehensive
18 Waterfront Plan and following productive dialogue
19 with the City Council as you just went over, the
20 administration strongly supports amendments to
21 Intro 809 that will direct the Department of City
22 Planning to submit the plan beginning in 2010.

23 The city's plans for its 578-mile
24 waterfront have evolved steadily over the last two
25 decades and I would like to review for you some of

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the major accomplishments of our agency.

In 1992, when the Department published the city's first-ever Comprehensive Waterfront Plan, it was issued as a discussion document and it received widespread recognition as a balanced vision for the 21st century. Then in 1993 and 1994, the Borough Plans for the Waterfront were released to add detailed studies of existing conditions, and waterfront planning issues and recommendations for each of the city's waterfront communities.

The Comprehensive Waterfront Plan addressed a range of citywide policy issues, including the need to protect natural areas, to guide waterfront development, and to protect infrastructure improvements to support the working waterfront. The plan led to a new chapter in the City Zoning Resolution with the Waterfront Zoning Regulations. These regulations, which were adopted in 1993, recognized the unique nature of waterfront development, and it incorporated public access requirements, and increased the number of areas where maritime uses could locate.

Since 2002, the Bloomberg

1 Administration has vigorously pursued the planning
2 and stewardship of the waterfront. We have
3 completed a new Waterfront Revitalization Program,
4 WRP, which lays out the city's policies for
5 development and use of the waterfront. The
6 program, a part of the New York State's Coastal
7 Management Program, now recognizes the differences
8 in characteristics of individual sections of the
9 waterfront and provides a strategy that is guided
10 by a careful and thorough examination of uses
11 appropriate to each location. To help identify
12 policy priorities, the WRP designates and maps two
13 types of coastal areas with special
14 characteristics that were identified in the
15 Comprehensive Waterfront Plan. Those are the
16 Significant Maritime Industrial Areas, sometimes
17 known as SMIA's, and the Special Natural Waterfront
18 Areas, or SNWAs.

20 This proactive approach by this
21 administration towards reclaiming the waterfront
22 has included rezoning the underutilized areas for
23 public open space, housing, and mixed-use;
24 supporting the continued vitality of active
25 maritime and industrial areas; and protecting

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2 unspoiled natural areas. Working with our city
3 agencies, we have made significant progress in
4 implementing innovative plans like Greenpoint-
5 Williamsburg and Hunters Point South, these foster
6 both continuous public access and more affordable
7 housing, and the East River Waterfront, whose
8 innovative design and program will provide diverse
9 communities with access to a world-class
10 waterfront. New passenger ship terminals are
11 developing in Red Hook and on Manhattan's West
12 Side, and new industrial and maritime facilities
13 in Sunset Park and in North Shore of Staten
14 Island. We are combining the revitalization of
15 the waterfront with the enhancement of public
16 waterfront open spaces from Barretto Point in the
17 Bronx to IKEA in Brooklyn. By increasing the use
18 of ferries and water taxis, we are encouraging
19 more convenient access between waterfront
20 neighborhoods and helping to reduce dependence on
21 automobiles.

22 There is so much more to be done.
23 We will continue to work on improving and
24 implementing the various parts of the
25 comprehensive plan, such as continued efforts to

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2 reclaim the waterfront for public access and
3 ensure that waterfront open space is of high
4 quality and inviting to the public. As we set the
5 stage for a new comprehensive waterfront plan, we
6 will be helping the next administration set its
7 own priorities and agenda for balancing the
8 benefits derived from sustainable development,
9 environmental protection, and public use. We look
10 forward to working with the City Council on
11 planning for the New York City's waterfront and
12 its dynamic future.

13 Thank you very much and I'll be
14 glad to answer any questions.

15 CHAIRPERSON NELSON: Thank you, Mr.
16 Woods. Any of my colleagues have anything to say
17 or ask Mr. Woods? Okay.

18 Could you explain the role that the
19 Waterfronts Revitalization Program plays in
20 getting the waterfront development?

21 MR. WOODS: What role does it play?
22 Yes, well it is a requirement of the state in
23 terms of its Coastal Management Program that if
24 the city adopts its own local waterfront
25 revitalization program, it then can lay out the

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policies and priorities for what that program is.

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And when we first adopted this in 1982, the waterfront was kind of an undiscovered resource and we were starting from scratch, so in order to have those policies in a coherent fashion, we borrowed the policies initially from the state, used the same policies that were statewide so that our policies were the same here as they were in Buffalo and in Montauk.

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After we did the Comprehensive Waterfront Plan and the Waterfront Zoning Regulations, we went back to the state and we said, look, we got all this information, we've done all of this work, we would propose to do our own WRP that basically streamlines the policies and makes them relevant to the conditions of New York City, and they said, fine, we'll support you in that. So we, in effect, created a regional plan with 578 miles of the waterfront. We have 20% of the state's coastline so they went along with that and supported it.

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And now we have the power through the WRP to look at every discretionary project in the city that comes into the city, whether it be

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2 in ULURP or whether it be through the state and
3 federal consistency process. When they file a
4 joint application or permit for Army Corps of
5 Engineers' approval or DEC approval, we get to
6 look at that and we get to comments and to
7 ascertain whether we think it's consistent with
8 the city's policy. So there is a very strong role
9 in terms of implementation of the Comprehensive
10 Waterfront Plan through the Waterfront
11 Revitalization Program.

12 CHAIRPERSON NELSON: Okay. Has
13 there ever been any hindrances between, let's say,
14 the federal government or the state in a part of
15 the view of the city?

16 MR. WOODS: Well we have worked
17 very, very closely with those state agencies that
18 are involved, particularly the Department of
19 State--they've basically funded a number of our
20 initiatives, prime example being fresh kills,
21 we've gotten a lot of support from them.

22 We work as closely as we can with
23 the Department Of Environmental Conservation and
24 that is not to say that they have completely
25 agreed that we supersede any of those policies

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2 that they may have, but we do try to point out to
3 Department Of Environmental Conservation how
4 balanced our policies are and how the priorities
5 in New York City do depend on the locations. So,
6 example, we're not trying to preserve all of the
7 waterfronts throughout the city for, say, wetland
8 protection. We've basically identified where the
9 wetlands are and we try to enforce those policies,
10 particularly if you look at the special natural
11 waterfront areas, those are areas of concentration
12 of wetlands.

13 CHAIRPERSON NELSON: And the Feds
14 control it [off mic]

15 MR. WOODS: But we may have some
16 arguments with them sometimes about something like
17 the working waterfront because in our policies
18 we've basically tried to elevate those policies in
19 the section dealing with working waterfronts that
20 might say that the primacy in this area, say the
21 significant maritime industrial areas, is to
22 encourage maritime and industrial uses so that the
23 creation of a dock or the repair of a bulkhead
24 should be considered at the very highest priority.

25 CHAIRPERSON NELSON: You work with

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2 the Army Corps of Engineers at times?

3 MR. WOODS: Yes, yes, they are part
4 of the joint application process.

5 CHAIRPERSON NELSON: And, as far as
6 the dredging aspect, it's not related to today
7 specifically, we'll be having a hearing on that
8 sometime in the very near future, but do you have
9 any knowledge or any ideas or any feelings about
10 how important that dredging would be in certain
11 areas?

12 MR. WOODS: It's extremely
13 important, it's extremely important and I
14 participate myself on a regional dredging task
15 force that meets once a month at the Army Corps of
16 Engineers and it's a joint group from New Jersey,
17 as well as New York City. So we discuss those
18 dredging opportunities, as well as dredging
19 disposal places.

20 CHAIRPERSON NELSON: Yeah,
21 appreciate it if you are available at our
22 committee hearing to join us, I'd appreciate that.

23 MR. WOODS: Okay.

24 CHAIRPERSON NELSON: Okay.

25 MR. WOODS: Thank you.

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2 CHAIRPERSON NELSON: How are
3 individual discretionary waterfront development
4 projects reviewed?

5 MR. WOODS: How many?

6 CHAIRPERSON NELSON: Process or how
7 is it reviewed, what's the process?

8 MR. WOODS: The process is generally
9 that we are coordinating our review with the
10 Department of State. The requirement of the--

11 CHAIRPERSON NELSON: [Interposing]
12 Oh, I'm sorry, within the consistency of working
13 with the Waterfront Revitalization Program, I
14 mean, yeah.

15 MR. WOODS: Yes, yes, we're working
16 with the Department Of State. Quite often they
17 might get an application under the joint
18 application, a copy is sent to the Department of
19 State. We've tried to put out to consultants and
20 the agencies that they should send us a copy of
21 that application at the same time, if they don't
22 do that, the Department of State will make sure
23 that we get it and then we review it and we are
24 discussing back-and-forth with the Department of
25 State, may ask for some additional information or

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2 ask for some changes. And so when we are ready to
3 give them a consistency finding that it looks
4 good, looks consistent, then they will release
5 their finding.

6 The practice right now is that they
7 basically can hold up something until they have
8 heard back from us that it's consistent and the
9 Army Corps will not issue a permit until they hear
10 back from the Department of State, so that seems
11 to be working pretty well.

12 I can't say that it's quite as
13 clear cut with DEC, but we're trying to have as
14 much conversation early on in the process with DEC
15 as we can.

16 CHAIRPERSON NELSON: Okay. Oh,
17 okay. The last Comprehensive Waterfront Plan, as
18 we know, was completed in 1992--

19 MR. WOODS: Right.

20 CHAIRPERSON NELSON: --does your
21 department have an accurate current account of the
22 city's waterfront resources, including the parks,
23 public access points, piers, launches, marinas,
24 utilities, and commercial/industrial development?

25 MR. WOODS: No, no, no, I think

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2 that's a very important part of this proposed
3 legislation and it is going to take us quite some
4 time I think to accomplish all that. However, I
5 will say that the amount of information that's
6 available to us and the--I would say the
7 understanding of other agencies, both state and
8 local agencies, is so much higher today than it
9 was in 1990 when we started the first
10 Comprehensive Waterfront Plan and the culture now
11 is far more informed, the public is far more
12 active on the waterfront.

13 So I think that this is going to
14 be, you know, a much more interesting process. It
15 will include a lot of different agencies, as well
16 as the public.

17 CHAIRPERSON NELSON: Well that
18 process, if you could please describe by which the
19 1992 plan was crafted, reviewed, and approved, and
20 how did your department reach those conclusions?

21 MR. WOODS: Well the first
22 Comprehensive Waterfront Plan was issued as a
23 discussion document.

24 Before that was issued, we had
25 created a task force, we brought in about close to

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2 75 different individuals from all different
3 agencies and groups in the city and we met on a
4 regular basis leading up to the publishment of
5 that document. We then had a whole series of
6 public meetings after that to discuss the document
7 and that lead immediately to the formulation of
8 the Waterfront Zoning Regulations, which were
9 adopted than a year later.

10 Then we set to work to do the
11 borough plans, the city was divided into 22
12 different sections and we did a more detailed
13 study of each of those sections and then we
14 combined those borough by borough so that there
15 are five volumes now that were published in 1993
16 and 1994. Those are still today, probably the
17 most complete inventory of resources and policies
18 and priorities that has been done--and those were
19 also discussed individually with various
20 communities, as well as on a citywide basis.

21 CHAIRPERSON NELSON: [Off mic] The
22 Comprehensive Waterfront Plan of '92, as far as
23 the goals of the four different type of
24 waterfronts, how close have we come to achieving
25 any those goals?

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2 MR. WOODS: Well quite a bit. The
3 implementation that I spoke about earlier, it's
4 just a quick, very quick summary and leaves out
5 more than it includes, but I think that that would
6 be something that could be put forward in this
7 next plan, it would be a kind of summary at the
8 start of that plan as to what we've accomplished
9 since 1992.

10 CHAIRPERSON NELSON: Thank you. The
11 proposed zoning changes made up in 1992, relevant
12 to that, the proposed map changes and proposed
13 changes to the Waterfront Revitalization Program,
14 the suggestions in the plan were used to update
15 the zoning resolution in '93--

16 MR. WOODS: Right.

17 CHAIRPERSON NELSON: --and the
18 Waterfront Revitalization Program in 1999.

19 MR. WOODS: Right.

20 CHAIRPERSON NELSON: Does it make
21 sense, do you think, to periodically review the
22 conditions of the New York waterfront and devise
23 new objectives for its development, proposed
24 policy goals, and the means to accomplish these
25 goals, such as zoning changes, map changes, and

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changes to the Waterfront Revitalization Program?

MR. WOODS: Yeah, yeah, no, I think that all of those are appropriate and I think the overall format of doing the plan as you have in the legislation is similar to what we did in '92. It's slightly different in terms of including the capital budget and long-term capital planning. That's fine, I think that that's a good way to break it out.

And I would say that following that submission of the plan, there ought to be discussion then about what parts of the plan then need to be put into the Waterfront Revitalization Program, which is an approved 197-A plan, and if it were amended, it would to go back through some kind of approval process, and then very importantly, it is ultimately approved by the Department of State and by the U.S. Department of Commerce. So it then has this it's beyond any other 197-A plan in the city, it has this extra level of state and federal approval, which then makes it possible to review the federal projects like Army Corps or DEC projects or any of the state agencies that are subject to this--and

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they've all signed on to it, the 197-A plan.

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CHAIRPERSON NELSON: Okay. I'd like to welcome Council Member Como from Queens.

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COUNCIL MEMBER COMO: Thank you.

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CHAIRPERSON NELSON: Thank you. My last question for the moment would be, could you please describe how the public, how would they be playing a role, involvement in the Comprehensive Waterfront Plan?

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MR. WOODS: Well, again, the picture of the public interest in the waterfront is vastly different today than it was in the beginning of the 90s, and so I am already working with a number of organizations that just didn't exist at that point. So I think that that it's not going to be any time at all that we will spend in trying to organize that, that public input is already organized and already ongoing through work by people like the Metropolitan Waterfront Alliance, Regional Plan Association and other groups in the city. So I think that we'll have to work out a format for that and move through it, but I don't see any problems about getting the proper public input.

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2 CHAIRPERSON NELSON: Oh good, okay,
3 we're going to hear from some of the members of
4 the different organizations as well, and hopefully
5 they feel they have had enough input and, if not,
6 we'll get back to you as well, if you're not going
7 to be staying at the meeting for a while.

8 MR. WOODS: Okay.

9 CHAIRPERSON NELSON: I also want to
10 mention, some of the members of the committee have
11 conflicts--like I had one too by the way, the
12 Veterans Committee just prior to my getting here--
13 and I know my colleagues have the same situation,
14 so it certainly wasn't rudeness on their behalf.
15 I know that--any other questions by my colleagues?

16 Well, Mr. Woods, I thank you so
17 much for being here and enlightening us to a great
18 deal, I look forward to seeing you at further
19 meetings and, upcoming as I mentioned, meeting on
20 dredging.

21 MR. WOODS: Yes. [Crosstalk]--

22 CHAIRPERSON NELSON: Need your
23 valuable expertise.

24 MR. WOODS: Thank you, Mr. Chairman.

25 CHAIRPERSON NELSON: Thank you.

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[Pause]

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And the panel will consist of three illustrious members of the metro area, actually two, Roberta could not stay, we all know Roberta and love Roberta Weisbrod--oh, Roberta stayed, oh, there you are, I thought you had to cut out to other meeting. Ms. Weisbrod, please, and, of course, the ever-affable, Roland Lewis--I had a friend Rowland Hill, I almost went into that, there aren't too many Rolands around, you know.

And, of course, the distinguished Mr. Edward J. Kelly.

[Pause]

[Off mic]

MS. ROBERTA WEISBROD: Mr. Chairman, and members of Council and staff, I again commend you for your oversight and your serious efforts in protecting our waterfront in introducing this legislation.

I'm going to focus my remarks on the working waterfront because I believe, and I think we all have evidence, that it is the most threatened part of the waterfront and loss of it, continued loss will result in deterioration of New

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2 York City's economic vitality, I mean we're now--
3 you know, our strength is now with the demise of
4 the financial--partial demise of the financial
5 institutions an export and also for environmental
6 soundness. The working waterfront allows for
7 transport of 20% of our goods, tens of millions of
8 passengers annually and the heavyweight municipal
9 waste, as well as heavyweight construction
10 materials--we need to grow it, not lose it.

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There are two reasons why I think
the legislation should be more aggressive
particularly with respect to the working
waterfront and I believe there should be an annual
inventory of the working waterfront because you
can't manage what you don't know and I think some
of the mistakes and losses were as a result of not
having an up-to-date inventory.

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So, one, again, is the value and--
the two reasons are the value and the maritime
Support Services study, just showed how
tremendously value it is, the working waterfront
is and it will be and there are more and more in
my standpoint on national review committees on
maritime transport. The Marine Highway,

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2 containers, trailers, railcars on vessels will
3 only grow, the technology is better and the push
4 for it is better. And you're going to see in the
5 next day or two that one of the major regional
6 institutions is taking over the rail floats in New
7 York Harbor and I can only see that as a greater
8 positive, a moving high-weight freight in and out
9 of the region really help our quality of life and
10 environment.

11 So that's one reason is it's a
12 value and an annual inventory will help it, and
13 the other reason is that there's an effective
14 legislative model. Baltimore, which the national
15 committee went to visit this past summer, we all
16 saw has a tremendously vibrant waterfront of all
17 sorts of transit-oriented development and offices
18 and historic preservation and recreational
19 activities, and they do an annual inventory of the
20 working waterfront. They had been tracking the
21 waterfront before the legislation for the past
22 decade so they saw how many businesses, the loss
23 of business, how much money, how much money goes,
24 how much was invested, how much came back to the
25 treasury, and they found once the bill took effect

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2 more businesses came to the--there was certainty,
3 more businesses, more investment, more revenues.
4 So I think that if you just look at the last
5 annual report of Baltimore's City Council, the
6 Maritime Industrial District Overlay Zoning Map--
7 it has a terrible name--but you will see that
8 there they have a positive impact on preserving
9 the working waterfront while still allowing all
10 the other good things to happen.

11 And if you put that into the
12 legislation, we have an inventory right now of the
13 working waterfront as a result of EDC's study and
14 it can be built upon.

15 So, again, thank you for your
16 oversight. I look forward to what I think will be
17 groundbreaking when you do have the dredging
18 meetings, I think that will be tremendously
19 important, so, again, thanks.

20 CHAIRPERSON NELSON: Thank you, Ms.
21 Weisbrod, good to see you again.

22 And either Rowland or Ed?

23 [Pause]

24 Oh, I like to also welcome Council
25 Member Gale Brewer, thank you.

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[Pause]

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MR. ROLAND LEWIS: Chairman Nelson and the Committee, I also commend your oversight and commend you for this bill. I was there when Speaker Quinn announced this at our event--the City of Water Day, and I bring it up, not just out of some small bit of pride that--

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CHAIRPERSON NELSON: [Interposing]

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Oh, I'm sorry, I must give top-notch billing to Gale Brewer and Chris Quinn.

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MR. LEWIS: That's [crosstalk] Chris Quinn and the other co-sponsors.

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What was remarkable about that day was that we had roughly 200 vessels of various types converge on Governors Island, it was the largest day they've had in Governor Island's history. And what's really remarkable in terms in light of this legislation was that in 1992 no one could have imagined such a thing. Dozens, actually hundreds of kayaks, canoes, and the ferries and we barged in all our food from Hughes Maritime across the Buttermilk Channel, so we used the working waterfront as it should be used--to move goods.

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2 So what I've learned about the
3 waterfront is, like most things in New York, it
4 changes at lightning speed and I would commend the
5 annual review that Roberta just spoke about, but
6 10 years is better than what we have right now.
7 So a 10-year planning process. Other examples is
8 again on the working waterfront, the same time
9 that EDC was pending and researching the maritime
10 locations study and telling us that we need so
11 many more graving docs, the sister agency, was--I
12 call it the same agency was building a parking lot
13 right over one--a huge one right in Red Hook.
14 Another example would be climate change, if you
15 read the papers, there are a couple of hurricanes
16 that are going to miss us, thank God, but come
17 close in the next couple of days. We weren't
18 thinking in 1992 about climate change and rising
19 sea level rise, we're thinking about it now. So
20 these are dynamic transformational factors that
21 affect our waterfront and need to be reckoned with
22 and in a systematic way.

23 The other thing that Roberta
24 pointed down to Baltimore, I'll point out to
25 Portland, Oregon, where they have a comprehensive

1
2 program for the entire revitalization and changes
3 they call the River Renaissance Program, it's a
4 planning process that's been going on, it's as
5 inclusive as can be--the environmentalist, the
6 working waterfront, everybody has been part of it
7 and it's been driven from the Mayor through their
8 legislators and through every agency and its
9 transformed that city. So other cities are taking
10 the initiative and actually doing amazing,
11 wonderful work on the maritime side and on
12 recreation and we should learn from them and
13 replicate them and I think this is an opportunity
14 to do that through this legislation.

15 And finally, just as you may know,
16 we've worked with the 240 members of the
17 waterfront community over the last year to put
18 together an action agenda that will be unveiling
19 at our November 13th conference and there are a
20 number of things that this proposed legislation
21 will promote, including dredging. I think it's
22 key to the life of the waterfront and how it
23 operates for educational purposes, for recreation,
24 and certainly for maritime. Environmental issues
25 are key. Destinations, creating places where

1
2 people want to go to the water that are lively
3 and, again, the rising tide--these are things that
4 came forward in our brainstorming process that
5 will be a part of our action agenda.

6 And finally, we do talk to Bill and
7 the Department Of City Planning and we're very
8 pleased to work with such a great agency and such
9 dedicated professionals. We hope that, as I've
10 sort of alluded to, during--that sister city
11 agencies talk to each other as much as some of the
12 civics do talk particular ones. I would've liked
13 to have seen EDC here as part of this hearing,
14 they have as probably as much to do with
15 waterfront planning as our own city planning
16 department. So making sure that each of the Parks
17 Department, that this is a certainly the
18 Department Of City Planning plays a lead in this
19 area, but the sister agencies should be brought in
20 and made a part of this dialogue too, along with
21 great experts like Ed and Roberta and others.
22 Thank you very much.

23 CHAIRPERSON NELSON: Thank you,
24 Roland, and truth to tell, if that's not an
25 oxymoron for a politician to say, you three really

1
2 have been so tremendously helpful to the city
3 throughout the years and we really appreciate it
4 very much. Thank you.

5 [Pause]

6 [Off mic]

7 MR. EDWARD J. KELLY: Mr. Chairman,
8 committee members, staff, ladies and gentlemen, my
9 name is Edward J. Kelly, I'm the Executive
10 Director of the Maritime Association of the Port
11 of New York, New Jersey and I'm here today
12 representing our over 500 paid corporate and
13 individual members who are active in the maritime
14 community here in the Port of New York, New
15 Jersey. We represent international steamship
16 lines, terminals, maritime attorneys, labor,
17 longshoremen, dry docks, tugs, barges, you name
18 it, if it touches the water, we basically
19 represent it.

20 We have a few comments to make on
21 this. We are thoroughly and enthusiastically and
22 100% behind a comprehensive waterfront plan. We
23 support 809, our comments regarding it include,
24 since the early 1600s, the waters that surround
25 this great city and its area have provided an

1
2 economic engine that has made it one of the
3 greatest cities in the world. We are highly
4 disappointed with the benign neglect that our
5 waterfront has suffered over these past years.
6 Certainly with no plans since 1992--well let's
7 take a look, even this 10-year proposal, if we go
8 10 years back, there was no 9/11, people weren't
9 conducting their business on the Internet, they
10 didn't have the raft of demand for waterfront
11 space that's out there now, and we certainly feel
12 it's certainly time that we get a comprehensive
13 plan that brings all interested parties to the
14 table.

15 Although we represent primarily a
16 working waterfront contingent, we are probably one
17 of the strongest proponents for responsible mixed-
18 use of the waterway. As was mentioned, there's
19 over 570 some odd miles of waterway here, there's
20 certainly room for everybody to play, there's
21 certainly enough room to work, to live, and to
22 move people and freight responsibly. It's good
23 for our city economically, it's good for our
24 environment, our water transport is still the
25 best, greenest way to move people and freight that

1
2 we have in this area. It has the least demand on
3 infrastructure, you will never find a pothole in
4 the water, and you can handle heavy loads on
5 water--there's no road weight limitations
6 involved.

7 What we may also say is that as we
8 approach this plan, we certainly hope that it will
9 be a regional plan. Certainly New York City
10 doesn't operate in a vacuum, it is the Port of New
11 York, New Jersey and in fact, our other lesser-
12 known neighbor Connecticut. This whole waterway
13 is based on interoperability and there are certain
14 segments in areas that are best suited for certain
15 applications, while other areas are best suited
16 for others. We think that there should be a
17 comprehensive inventory of all waterfront
18 properties so that, as has been mentioned before,
19 we know what's out there, we know who owns it, we
20 know how it's actually zoned, and we know how it's
21 used.

22 I have been, I guess the fortune or
23 misfortune in my travels in my career, to have
24 been in virtually every major port in the world.
25 I would have to say that New York is one of the

1
2 horribly underutilized port areas I have ever seen
3 in my global travels. We are grossly
4 underutilized for taken advantage of our
5 waterfront and, in fact, there are very many areas
6 of our waterfront that are termed as derelict and
7 there are reasons for that.

8 One of the reasons--and I hope our
9 plan will address this--is the onerous
10 overregulation, and I don't want to point a
11 finger, but I'll say DEC, that virtually prohibits
12 the ability of property owners to upgrade and
13 remediate their waterfront properties and there
14 are properties therefore that have gone idle, that
15 are used as auto scrap yards, that pollute our
16 environment, and are wasting some of the most
17 valuable real estate on the planet. Access,
18 waterfront access in a port like New York that's
19 contiguous to deep water federal channels that are
20 suitable for navigation and for recreational
21 usage, and they're junkyards. We have to find
22 ways past this. There are models in other cities,
23 in other countries that certainly have led the
24 road and have done a much better job at utilizing
25 the waterways than we have here. We certainly

1
2 stand anxious and willing to participate in any
3 boards, studies, or anything else that might help
4 us to make the proper use of this most valuable
5 asset in our area.

6 There is only so much waterfront
7 property, we're not really making any new
8 waterfront property. Dredging is a key issue to
9 maintain that waterfront and I certainly hope to
10 be engaged in that committee. We have a list
11 about that long of missed opportunities, of
12 travesties, and also of opportunities for this
13 port to be properly have a dredging program put in
14 place, not just for federal funding, but for
15 state, local, and even private people who are
16 frustrated that have no--we hate to say dredge
17 spoils, dredge materials, we need disposal sites
18 for materials that are slightly tainted, as well
19 as for waters clean.

20 So, in summary, we'd really like to
21 say we're ready to assist, we support there being
22 a plan, and we would also say--I think it's been
23 voice several times--that once every 10 years and
24 maybe--not since 1992 that's about 16 years in my
25 book--there ought to be part of this plan should

1
2 mandate that there be an ongoing discussion, a
3 continued perhaps, as there used to be, a maritime
4 advisory board that would update these studies,
5 keep these inventories correct, because I can't
6 believe anything that was inventoried in 1993, if
7 a fraction of that is even remotely accurate at
8 this point, I'll be amazed. These things need to
9 be kept vital so that we can make the maximum use
10 of our waterfront properties and the waterways
11 that enable us to make this port one of the
12 nation's primary economic engines that generate
13 hundreds of thousands of full-time jobs directly
14 related to maritime transport, and to give us the
15 opportunity to improve our environment and our
16 lifestyles by using our waterway to move freight
17 and people safely, cheaply, and efficiently. And
18 we stand ready to help.

19 Thank you.

20 CHAIRPERSON NELSON: Thank you, Mr.
21 Kelly. Perhaps the 10-year plan should have been
22 like a five-year plan, but of course now we're
23 going through this horrible economic times, I'm
24 sure that will slow down every improvement that we
25 would like to get to, but any type of resolution

1
2 we could try to push forward to our Albany
3 brothers and sisters or perhaps an intro [off mic]
4 if you please work with the committee on that, we
5 try to get something out of the committee on to
6 the floor as well. Because harsh economical
7 times, true, but this is a boost to the economy,
8 so I would imagine it would be a lot more
9 potentially coming in than we have the problem
10 with as far as coming in at the moment along those
11 same equal lines will again.

12 Well again, we thank you so much.

13 Do any of my colleagues... [Pause]

14 Yes, Dr. Brewer?

15 COUNCIL MEMBER BREWER: Please. I
16 should know this, but was there an advisory
17 maritime group in the past in the city of New
18 York? What is the way in which in the past, if at
19 all, maritime issues were brought in a consistent
20 basis to the attention of city government?
21 Because obviously you need city, state, and
22 federal--you need a lot of different kinds of
23 input.

24 [Pause]

25 MR. KELLY: I'm not sure of the

1
2 exact date, I know I had written to the Mayor's
3 office when I first came into this position asking
4 if that was going to be revitalized and
5 volunteering to be part of that and I got a rather
6 polite note that thanked me for my interest and
7 they'd let me know if I was needed.

8 I don't--someone else may have
9 some--but I know there was a maritime advisory
10 board in this city at one time not that long ago,
11 perhaps it was related to the study that came out
12 [crosstalk]--

13 COUNCIL MEMBER BREWER:

14 [Interposing] So is that part of the legislation,
15 Mr. Chair? I should know this, that there is an
16 advisory board?

17 CHAIRPERSON NELSON: [Off mic]

18 [Pause] Wasn't on. We have not been directed
19 yet, we've been asking this question for some
20 time, perhaps my counsel heard something
21 differently.

22 MALE VOICE: It's still in the
23 Charter.

24 CHAIRPERSON NELSON: It is still in
25 the Charter, yes. So in effect we could say

1

2 there's a violation of the Charter going on right
3 now, which is--

4

COUNCIL MEMBER BREWER:

5 [Interposing] That's what I thought, I was asking
6 the question that--

7

CHAIRPERSON NELSON: Yeah, oh.

8

9 COUNCIL MEMBER BREWER: --I knew it
10 was in the Charter, but it has never really met,
11 so that would be something for the committee
12 perhaps to take up because it's such a, as
13 everyone said, the waterfront changes so often
14 that you would need something that was dynamic
15 enough to keep up with the waterfront. I think it
16 was Ruth Messinger study, wasn't it?

16

MS. WEISBROD: She--yes--

17

18 COUNCIL MEMBER BREWER: Giving her
19 credit where credits due.

19

20 MS. WEISBROD: --she did an
21 excellent study and it--for the Manhattan
22 waterfront, and--

22

COUNCIL MEMBER BREWER:

23 [Interposing] Correct, she talks about it all the
24 time, she talked about it this morning with me,
25 so... Thank you.

1
2 CHAIRPERSON NELSON: Gale's a proud
3 graduate of the Messinger school like I am of the
4 Schuma [phonetic] school.

5 Well, if--any other questions or
6 any other statements? Any of the panel members
7 would like to make prior to exiting, feel free.
8 Roberta? Oh, okay, I don't want to put you on the
9 spot.

10 MS. WEISBROD: Well there was a
11 state, a maritime advisory board--

12 CHAIRPERSON NELSON: Yes.

13 MS. WEISBROD: --Lou Panorella
14 [phonetic], remember was on it, and there was a
15 working waterfront under the years of Governor
16 Cuomo. So that was--

17 CHAIRPERSON NELSON: Oh, the
18 microphone, all right, that was just sort of like
19 a [off mic]--

20 MS. WEISBROD: Oh, okay, yeah--

21 CHAIRPERSON NELSON: --official
22 stuff, so all right--

23 MS. WEISBROD: --so there was
24 something that did meet and discuss issues.

25 MR. LEWIS: And, Ed, you served on

1

2 it, there was a chairman's roundtable at the port
3 authority, correct?

4

5 MR. KELLY: Yeah, that had nothing
6 to do with actual city--

6

[Crosstalk]

7

8 MR. KELLY: --structure, that was
9 just--if you'd like a list of ad hoc discussion
10 groups--

10

CHAIRPERSON NELSON: Ad hoc.

11

12 MR. KELLY: --in the area, I can
13 rattle those off too, but no, I think we're
14 looking--

14

MS. WEISBROD: Yeah, some do--

15

16 MR. KELLY: --directly toward this
17 city and there was a maritime advisory board. I
18 have run across some papers in my office, I've
19 been in this position just about five years, and
20 it went back some years before that, so I'm
21 guessing it might have been tied to [crosstalk]--

21

22 MR. LEWIS: [Interposing] I think it
23 died under Giuliani, I was talking to the counsel
24 to Chris Quinn's office and that's what my
25 understanding was.

25

CHAIRPERSON NELSON: And last was--

1

2 mayor was Dinkins for that?

2

3

MR. LEWIS: Yeah.

4

5

CHAIRPERSON NELSON: Well, you know, Ed, Roberta, and Roland, you're like a veritable warehouse of information, that's why you're so valuable to be here. And always, of course, as you've been in my office, Mr. Kelly, and I've met with Roland a few times and Roberta I known for a long time, please keep in touch and of course with the Council. You all know my very able sidekick over here--oh, oh, there is another panel, I'm sorry, I apologize, I did not realize that.

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MR. LEWIS: [Off mic]

15

MS. WEISBROD: Yes.

16

17

CHAIRPERSON NELSON: But, you know, keep in touch with Jeffrey and Colleen.

18

19

MR. LEWIS: Mr. Chairman, [off mic] this--how a bill becomes a law. Where does this thing go next after this hearing? [Crosstalk]

20

21

CHAIRPERSON NELSON: Okay. We'll vote in a hearing and, of course, it'll go onto the floor and it'd be well-received by the city agencies whom we've heard, so--and it would be enacted immediately.

22

23

24

25

1

MR. LEWIS: Okay.

2

3

CHAIRPERSON NELSON: So the next step should be, hopefully, perhaps we can have a vote on it within the next month or two?

4

5

6

[Off mic]

7

[Pause]

8

CHAIRPERSON NELSON: It's possible, and I'm going to push for it.

9

10

MR. LEWIS: Very good. Thank you.

11

CHAIRPERSON NELSON: But thank you very much, 'cause we've been dragging legs in this city enough. Thank you so much.

12

13

14

And the next panel, please, would be Mr. David--I'm sorry, I may not pronounce your name right, Schanack--you can pronounce it yourself, David, please.

15

16

17

18

MR. DAVID SCHNAKENBERG:

19

Schnakenberg.

20

CHAIRPERSON NELSON: 'Cause I don't want to say anything bad. How is that again?

21

22

MR. SCHNAKENBERG: Schnakenberg.

23

CHAIRPERSON NELSON: Schnakelman?

24

MR. SCHNAKENBERG: Schnakenberg.

25

CHAIRPERSON NELSON: Schnakenberg,

1

2 thank you very much. And Jennifer Barrett.

2

3

FEMALE VOICE: Written testimony?

4

MR. SCHNAKENBERG: I do, do you need

5

it? Sorry.

6

CHAIRPERSON NELSON: And Mr. Michael

7

Demma, Ms. Jennifer Barrett, okay.

8

[Pause]

9

[Off mic]

10

CHAIRPERSON NELSON: Never hand a

11

politician an envelope--

12

MALE VOICE: I know, right here.

13

CHAIRPERSON NELSON: --in public.

14

MALE VOICE: Here.

15

CHAIRPERSON NELSON: Or out of

16

public for that matter. Thank you. That's an

17

invitation?

18

MALE VOICE: Yeah [crosstalk]--

19

CHAIRPERSON NELSON: Okay.

20

MALE VOICE: --it was sent to you,

21

I'm not sure--

22

[Pause]

23

CHAIRPERSON NELSON: Well thank you.

24

MALE VOICE: [Crosstalk] it's down

25

here [off mic]

1
2 CHAIRPERSON NELSON: Good to see
3 you. Appreciate you being here.

4 MALE VOICE: [Off mic] later.

5 CHAIRPERSON NELSON: Okay. Thank
6 you so much. Take care [off mic]

7 Wow. Hi, Ms. Barrett, oh,
8 whichever panel member wants to speak first, by
9 all means--

10 MALE VOICE: Ladies first.

11 CHAIRPERSON NELSON: Here you go.
12 Ms. Barrett.

13 [Pause]

14 MS. JENNIFER BARRETT: [Off mic]
15 Good afternoon and thank you for the opportunity
16 to speak on this issue. My name is Jennifer
17 Barrett and I'm the Research And Policy Associate
18 for the New York Industrial Retention Network, or
19 NYIRN. NYIRN is a citywide economic development
20 organization that works to promote both blue-
21 collar jobs and sustainable development.

22 NYIRN supports the provision for a
23 waterfront plan to be revised at least every 10
24 years with the hopes that such a plan would enable
25 this city to best utilize their goals for a

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sustainable city.

As the city's population continues to grow, the waterfront, will be an important asset for waterborne transportation, open space, and residential use, and employment generating uses. A comprehensive waterfront plan would help ensure that neighborhoods such as Sunset Park, Gowanus, and the South Bronx retain their strength as places with active working waterfronts and areas for well-paying industrial jobs.

Over the past decade, as you know, the city has rezoned a tremendous section of its waterfront to encourage residential development. While the city may have had a surplus of industrial waterfront space at one time, we may be reaching a point where additional rezonings will undermine basic infrastructure and a sustainable economic future. It is now important that a comprehensive waterfront plan take into account the need to balance the needs of the city and land use decisions that will make the city sustainable for decades to come.

The recent New York City EDC Maritime Support Services study showed that

1
2 maritime support industries provide more than
3 11,000 direct and indirect jobs. There are
4 several times more industrial jobs in waterfront
5 areas such as Sunset Park, Red Hook, Gowanus, Long
6 Island City, Newtown Creek, and the South Bronx,
7 and parts of Staten Island. While not all
8 businesses in these communities are currently
9 water-dependent, they may benefit from proximity
10 to waterfront in the future as the city looks for
11 ways to decrease truck traffic by increasing
12 waterfront traffic. In addition, the city could
13 also create opportunities for new jobs, including
14 new green industries. And, for example, there are
15 several recycling facilities already located on
16 the waterfront that could be a resource for
17 emerging industries that rely on recycled
18 materials and the reuse of materials, such as
19 wood, metal, or glass.

20 The New York City Maritime Support
21 study also calculated that 90% of goods arrive in
22 New York's harbor by boat. Yet, in order to
23 continue to be a port region, we must maintain our
24 infrastructure on the waterfront. A comprehensive
25 waterfront plan would give the city the

1
2 opportunity to prevent the displacement of
3 important maritime support services and related
4 industries by strengthening current zoning
5 regulations. Waterfront-specific zoning could
6 promote active industrial uses and prohibit other
7 non-industrial uses that are currently allowed as
8 of right in M zones, and these would include some
9 big-box retail, as an example of IKEA,
10 entertainment uses, and hotels.

11 Many communities already see and
12 welcome the job potential our waterfront areas.
13 For example, the Sunset Park 197-A plan calls for
14 zoning to protect its industrial district along
15 the water and to invest in green industries. The
16 New York City EDC is currently engaged in a study
17 of this area for an eco-industrial park.
18 Similarly, the Working Waterfront Committee of the
19 Metropolitan Waterfronts Alliance, who you heard
20 about from Roland Lewis, is developing policy
21 recommendations which include revising waterfront
22 zoning, prioritizing transportation and
23 infrastructure investments, and creative
24 incentives to support green industry development
25 on the waterfront.

1
2 Finally, any plan created on the
3 City Planning Commission should take into account
4 the resources and needs identified by the EDC and
5 other agencies, as well as the city's waterfront
6 assets and existing infrastructure. For example,
7 the EDC maritime study includes valuable
8 information about active barging and necessary
9 infrastructure, such as dry docks.

10 In conclusion, we urge the City
11 Council Committee on Waterfronts to require a
12 waterfront plan that considers strategies for a
13 sustainable city, retains well-paying industrial
14 jobs, and maintains the existing infrastructure.

15 Any comprehensive waterfront plan
16 should allow for development of residential and
17 recreational uses in areas that are least
18 appropriate for industrial and maritime
19 activities.

20 Thank you very much.

21 CHAIRPERSON NELSON: Thank you, Ms.
22 Barrett, I appreciate your testimony.

23 I guess, is it Michael or...

24 MR. MICHAEL DEMMA: [Off mic] he's
25 older than me.

1
2 CHAIRPERSON NELSON: Oh David, okay,
3 Dave is older.

4 MR. DAVID SCHNAKENBERG: Right, good
5 afternoon and thank you for the opportunity to
6 testify today. I am David Schnakenberg, and I
7 represent the Municipal Art Society of New York,
8 MAS. MAS is a private, nonprofit membership
9 organization that fights for intelligent urban
10 planning, design and preservation through
11 education, dialogue, and advocacy. MAS strongly
12 supports Intro Number 809, which would require the
13 City Planning Commission to create a comprehensive
14 waterfront plan every 10 years and we submit the
15 following comments.

16 New York City's 578 miles of
17 shoreline provide a great opportunity to improve
18 our open spaces, sustain our maritime industry,
19 and reduce our carbon footprint through decreasing
20 our dependence on automobiles and trucks. For
21 decades, the city's waterfront was all but
22 forgotten. Over the last 10 years, a booming real
23 estate market and improved water quality have made
24 the waterfront a target for redevelopment, making
25 it possible for a terrific new public realm on the

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city's edge to emerge.

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At the same time, the port of New York has experienced a resurgence in waterborne transportation, and increasingly plays a vital role in the region's development, providing thousands of jobs and generating billions of dollars in economic activity. Balancing this diversity of uses on the city's waterfront in waterways requires comprehensive planning.

The City's 1992 Comprehensive Waterfront Plan is one of the most successful examples of comprehensive planning in the city's recent history. The plan allowed New York to organize land-use priorities as they related to the waterfront, leading the policies, such as the creation of wildlife habitats and the establishment of waterfront industrial business zones. Future of comprehensive waterfront plans provide opportunities to better link upland areas to plans for water uses.

Critical to the success of future plans is ensuring the active engagement of the many community and advocacy stakeholders whose waterfront knowledge and expertise can inform

1
2 those plans. In preparation of future plans, we
3 encourage the adopted bill to require the City
4 Planning Commission to seek the advice of those
5 active in the waterfront community, including
6 maritime businesses, environmental advocates,
7 recreational groups and others. It is also an
8 opportunity to determine whether citywide targets
9 for the water established more than 10 years ago
10 have actually been met, whether the 197-A plan
11 recommendations of waterfront communities have
12 been met, and whether changing conditions require
13 the plan to be amended.

14 MAS also believes that Intro 809's
15 call for the incorporation of an assessment of
16 waterfront resources invites a closer study of
17 environmental impacts on our city's waterfront.
18 Rising sea levels and the threats posed by
19 heightened storm surge are significant
20 environmental and municipal concerns, and factors
21 contributing to those environmental threats must
22 be incorporated into the SEQRA process. Renewing
23 the waterfront plan to continue to reflect
24 changing environmental impacts will serve to
25 fortify the awareness of and strengthen advocacy

1
2 to prevent long-term and irreversible
3 environmental harms. Moreover, the required
4 statement of the planning policy, with attention
5 paid to future development, will serve to inform a
6 discussion of efficient water-based transportation
7 of persons and resources throughout New York City.

8 We support Intro 809 because unless
9 we plan for our waterfront, we may squander the
10 city's greatest natural resource. As we plan for
11 our shoreline, it is critical to remember that New
12 York City has a limited amount of waterfront. We
13 must treat it as a nonrenewable natural resource,
14 and be careful not to site anything on the
15 waterfront, such as big-box stores--they can go
16 elsewhere in the city.

17 Finally, a comprehensive waterfront
18 plan of the scope and quality of the 1992 plan
19 could be a model for the city to begin preparing a
20 comprehensive planning framework for the entire
21 city, something that MAS advocates.

22 Thank you.

23 CHAIRPERSON NELSON: Thank you.

24 Mr. Demma?

25 [Pause]

1
2 MR. DEMMA: Great, hello. My name
3 is Michael Demma [phonetic], I'm a resident of
4 Rockaways and anything to help out the waterfronts
5 in any fashion would be best and so I commend this
6 and I agree with you, every five years would be
7 best as well, too.

8 The Rockaways have been overlooked
9 for decades and it's been noted as such
10 unfortunately. And unfortunately it's been noted
11 here that it wasn't noted at all, the Rockaways,
12 it's been ignored even here today. It wasn't
13 mentioned at all, nor parts of Coney Island, as
14 well, the beachfront where public access and
15 bathing and all recreation is at its peak in the
16 Rockaways.

17 CHAIRPERSON NELSON: I presume it's
18 part of the plan, though, isn't it? Overall, all
19 of the mileage?

20 FEMALE VOICE: Yeah.

21 CHAIRPERSON NELSON: It was my
22 assumption, I hope--

23 MR. DEMMA: [Interposing] Well and
24 I'm not saying you, Mr. Nelson, I'm saying--

25 CHAIRPERSON NELSON: --yeah, that

1

2 wasn't discussed, yeah.

3

4

5

MR. DEMMA: --I'm talking about the City Planning Commission didn't mention it at all as well, nor anyone else on this panel.

6

CHAIRPERSON NELSON: Got you, yeah.

7

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MR. DEMMA: Okay? I read what you're doing here, so it isn't including your side, but not on this side. Strangely how they...

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So the point is this, we just went through a six-month process of rezoning the Rockaways, it's been ignored for so long. Everything was downsized except for one particular part, 116th Street--they're allowing eight-story condos to go up on three square blocks there. This seems so strange how we're trying to protect the waterfront, at this time that somehow this managed to get through for eight-story condos to go up and around. So my suggestion would be this, if I can, the governor needs to step in and the Mayor to appoint a particular director to oversee all kinds of development, there's building permits and anything, especially residential or commercial development and along the Rockaways.

It seems that the developers are

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2 just allowing themselves to do what they want
3 until it's too late and then it manages somehow to
4 get through. So that needs to be looked into more
5 carefully. I'm very heartbroken that over the
6 years the Rockaways were allowed to have been
7 neglected. And we, myself, my neighbors, we did
8 everything in our power to try to stop this
9 rezoning on the upside. Unfortunately, again, it
10 was allowed to go through.

11 CHAIRPERSON NELSON: Yeah, 'cause
12 it's one of the four parts of the redeveloping, is
13 the redeveloping--

14 MR. DEMMA: Right, it was 116th
15 Street--

16 CHAIRPERSON NELSON: --but it's one
17 of the four parts, yeah.

18 MR. DEMMA: --it's the most narrow
19 part of the peninsula, someone feels like some
20 condos would be helpful to the community, which
21 myself and my neighbors know it probably would
22 have a negative effect. Its against CPC's basic
23 needs as far as keeping everything low profile, it
24 was against the borough presidents office as well.
25 So I just hope that maybe we can knock on the

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governor's door to put a special appointee for the Rockaways there, and possibly even the Mayor as well too, I think that could be looked into if it's possible.

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CHAIRPERSON NELSON: So the borough president was against that particular plan--

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MR. DEMMA: Absolutely, yes.

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CHAIRPERSON NELSON: And the local Councilman or--

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MR. DEMMA: And the local residents-- I believe that he wanted it and... But there is an environmental impact study, it's too fragile to say if it would work or wouldn't, okay? So why chance that? Why have that potential there for long-term damage? We know what high-rises do to anywhere basically. We do like our open spaces.

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CHAIRPERSON NELSON: Not block the viewing.

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MR. DEMMA: Not blocking the view, we want sunshine, we want fresh air, we want those type of things, so for this idea to go through, is a little bit--but the point is this, I have some papers here, here was a letter to my Mayor trying to salvage something the last minute; Mr. Avella

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2 was totally opposed to this as well, strongly
3 opposed to it; some headlines in the newspapers
4 from Amanda Burden and her office; and my letter
5 to the borough president and her reply
6 appreciating my work and suggesting that 116
7 shouldn't be up zoned. So this is some things
8 here and, again, if it's possible maybe the
9 governor or the Mayor can look into a special
10 appointee for any residential or commercial
11 development on the Rockaways.

12 CHAIRPERSON NELSON: [Crosstalk]

13 MR. DEMMA: I think it would be very
14 important, because what I see going on there is
15 just, it's a crime, it's sad, there's so much
16 variation of style of homes, it's like South Beach
17 Florida with high-rises where everybody wants to
18 be on the water, okay.

19 So maybe we can look into that, I'd
20 be more than happy to work with your office as
21 well. And it's very serious. Everybody's trying
22 to say how important our waterfronts are, but at
23 the same time, this is like a small--

24 CHAIRPERSON NELSON: Yeah, city
25 planning and the Mayor rules in that respect, I

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know it took me four [phonetic] years at least to
down zone--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --two community
districts in my area--

MR. DEMMA: Right, right.

CHAIRPERSON NELSON: --community
boards and I'm working on a third one now--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --and it's a
long and painful process.

MR. DEMMA: Yes, so we found it so
strange that the whole of the Rockaways from that
side to that site was down zoned, except for one
particular area and who knows what it's going to
look like 15 years from now, if nothing is Charter
reversed at this point.

CHAIRPERSON NELSON: Yeah

[crosstalk]

MR. DEMMA: It would be very sad.
But also, Mr. Nelson, being a Brooklyn boy all my
life too as well, and I drive to and from the Belt
Parkway, I've noticed the Plum Beach area of the
Belt Parkway, there's only about 15 feet of

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2 bicycle path between the Belt Parkway and the high
3 waterline.

4 CHAIRPERSON NELSON: Yeah, erosion.

5 MR. DEMMA: So I asked around, been
6 looking in the papers for anything about this, and
7 trying to find out if anybody's interested in
8 that, because it's not going to take too many more
9 winter storms for that to come down and we're
10 going to have serious problems on the Belt
11 Parkway.

12 CHAIRPERSON NELSON: Yeah,
13 transportation is going to be--come to a halt.

14 MR. DEMMA: Are you aware of this?

15 CHAIRPERSON NELSON: Yeah, yeah,
16 it's not exactly my district, doesn't mean that I
17 can't get involved, I have.

18 MR. DEMMA: [Crosstalk] Manhattan
19 Beach, though--

20 CHAIRPERSON NELSON: You're right
21 across the way--

22 MR. DEMMA: Right, so.

23 CHAIRPERSON NELSON: --that's one of
24 my colleagues, who has also been on top of it--

25 MR. DEMMA: Right.

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CHAIRPERSON NELSON: --Council

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Member Fidler, that's part of the, besides

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dredging--

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MR. DEMMA: Right, right.

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CHAIRPERSON NELSON: --this is the

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erosionary process--

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MR. DEMMA: Right.

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CHAIRPERSON NELSON: --it's

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extremely--

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MR. DEMMA: Right.

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CHAIRPERSON NELSON: --

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problematical--

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MR. DEMMA: Right.

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CHAIRPERSON NELSON: --and we really

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need to deal with that, but we do lose--

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MR. DEMMA: You know what happens is

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like [crosstalk]--

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CHAIRPERSON NELSON: --U.S.

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coastline.

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MR. DEMMA: There's nothing there,

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there's the Belt Parkway, here's the Belt Parkway-

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CHAIRPERSON NELSON: Yeah.

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MR. DEMMA: --and then the bicycle

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2 path and a couple--the grass was actually ripped
3 out this winter, I said, you know, hey, it looks
4 more open, what happened?

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CHAIRPERSON NELSON: Sure.

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MR. DEMMA: The grass was--

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CHAIRPERSON NELSON: I remember many
years ago, I was going over there.

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MR. DEMMA: Right.

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CHAIRPERSON NELSON: Used to call it
the Shark Fights you go there for.

12

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MR. DEMMA: Right, right, right,
right.

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CHAIRPERSON NELSON: And there was
like the beach was way out there.

16

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MR. DEMMA: Right, right, right, so
maybe [crosstalk]--

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CHAIRPERSON NELSON: Yeah.

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MR. DEMMA: --it needs judging and
everything, but I believe--

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CHAIRPERSON NELSON: [Crosstalk]

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MR. DEMMA: --Domenic--

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CHAIRPERSON NELSON: Recchia.

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MR. DEMMA: --was secured \$8 million
for jetties along Coney Island recently too, not

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too long ago.

CHAIRPERSON NELSON: Well, Fed's right, NADLER [phonetic] primarily. Yeah.

MR. DEMMA: I know, I feel, I believe that the natural process of sands and ebbs and flow and everything, the jetties are doing more damage long-term than they are--

CHAIRPERSON NELSON: Yeah, part of the irony is some area needs sand--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --is losing the sand--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --and areas that don't want--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --sand, unfortunately--

MR. DEMMA: Right.

CHAIRPERSON NELSON: --it's drifting to them.

MR. DEMMA: Right, like Breezy Point.

CHAIRPERSON NELSON: Silt silting

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MR. DEMMA: Breezy Point is a man-made structure, so all the currents are rerouted and who's getting sand where it doesn't belong and vice versa. So, you know, being on Long Island for so many years, it's saying the Belt Parkway is going to be a surfboard pretty soon. Okay?

CHAIRPERSON NELSON: Right, so somebody's purpose.

MR. DEMMA: So here's some papers here, here's my letter to the Mayor from Mr. Avella, some newspaper articles about Amanda Burden, her responsibilities about managing the Rockaways which wasn't mentioned at all, except for commercial waterfronts.

And if I could be helpful with anything in the future, my phone number is there, my address is there as well.

CHAIRPERSON NELSON: Thank you, Mr. Demma. And thank you, again, you're all to be congratulated for being such an integral part of us working and helping the waterfront for all the citizenry of New York City. I thank you.

And if there's no one else to

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2 testify, we will--okay, we--oh, I just want to
3 mention too, the International Longshoremen's
4 Association wanted to be here today, but they
5 could not be, they submitted testimony via fax.

6 And we'll commence this committee
7 on the waterfronts. Thank you very much for
8 attending.

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C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature_____

Date January 23, 2009_____