

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS & CONCESSIONS

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July 27, 2009  
Start: 1:25 pm  
Recess: 4:00 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
DANIEL R. GARODNICK  
Chairperson

COUNCIL MEMBERS:  
Council Member Tony Avella  
Council Member Maria Baez  
Council Member Gale A. Brewer  
Council Member Inez Dickens  
Council Member Sara M. Gonzalez  
Council Member Vincent Ignizio  
Council Member Rosie Mendez

## A P P E A R A N C E S [CONTINUED]

Carol Clark  
Assistant Commissioner  
Housing Preservation and Development

Terry Arroyo  
Director of Land Use  
Housing Preservation and Development

Andy Reicher  
Executive Director  
UHAB

Jennifer Kaminsky  
Project Manager  
UHAB

Rosie Mendez  
New York City Council Member

Joseph Lynch  
On the matter of LU 1090

Carol Rosenthal  
On the matter of LU 1144 and 1145  
Counsel  
Merchandise Mart Properties

Myron Mauer  
Vice President  
Merchandise Mart Properties

Ernie Padrone  
New York City Economic Development Corporation

David Grider  
Associate  
Dattner Architects

Seth Wright  
Phillip Habib and Associates

## A P P E A R A N C E S [CONTINUED]

Albert Budsell  
Clinton Cove Park Conservancy  
Hell's Kitchen Neighborhood Association

Committee Clerk

Committee Staff

A. J. Pietrantone  
Friends of Hudson River Park

Donna J. Keren  
Senior Vice President for Research and Analytics  
NYC & Company

John Doswell  
Co-Chair  
Waterfront and Parks Committee  
Manhattan Community Board 4

Paul Morris  
Vice President  
MMPI Art Shows and Events

Maura McCarthy  
Queens Borough Commissioner  
New York City Department of Transportation

Michael Givonarro  
Executive Director  
Citywide Street and Arterial Maintenance  
New York City Department of Transportation

Carol Clark on other Land Use items

Inez Dickens  
In support of Land Use 1093  
New York City Council Member

Darryl Sap  
In support of Land Use 1093

## A P P E A R A N C E S [CONTINUED]

**Mrs. Sap**

**In support of Land Use 1093**

**Mr. and Mrs. Cunningham**

**In support of Land Use 1093**

**Vincent Ignizio**

**New York City Council Member**

**Committee Counsel**

**Tom McKnight**

**Economic Development Corporation**

**Jonathan Gubay**

**Economic Development Corporation**

**Carlos Canal**

**Owner**

**Flushing Towing**

**Nola Canal**

**Flushing Towing**

**Angela Sambucci**

**Sambucci Brothers Auto Salvage**

**Danny Sambucci, Jr.**

**Sambucci Brothers Auto Salvage**

**Ross Holland**

**Cofire Paving Company**

**Vincent Vaccaro**

**Met Metals**

**Gene Kelty**

**Chairman**

**Community Board 7**

**Howard Feinstein**

**Feinstein Iron Works**

## A P P E A R A N C E S [CONTINUED]

**Robert LoScalzo**  
**Resident**  
**Community Board 7**







1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 9  
2 CONCESSIONS

3 MS. TERRY ARROYO: Yes.

4 CHAIRPERSON GARODNICK: Come on up.  
5 Welcome. Just have a seat and identify yourself  
6 for the record and welcome, nice to see you.

7 MR. ANDY REICHER: Sorry. I'm Andy  
8 Reicher, Executive Director of UHAB.

9 MS. JENNIFER KAMINSKY: I'm  
10 Jennifer--[mic goes out]

11 CHAIRPERSON GARODNICK: Okay. If  
12 you could just hit the button on the microphone,  
13 do it one more time.

14 MS. KAMINSKY: Jennifer Kaminsky  
15 [phonetic], Project Manager at UHAB.

16 CHAIRPERSON GARODNICK: Thank you.  
17 So the answer to that question is--the question  
18 again was, it sounds to me that there was the  
19 partial exemption and now there's an application  
20 for the full exemption. Were benefits received  
21 under the partial exemption during the past seven  
22 years or what exactly was happening for the last  
23 period?

24 MS. KAMINSKY: Some benefits have  
25 been received but it hasn't been a full--

CHAIRPERSON GARODNICK:













1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 16  
2 CONCESSIONS

3 60% of the area median income.

4 CHAIRPERSON GARODNICK: And that's  
5 for a defined period?

6 MS. CLARK: It's a period of 40  
7 years.

8 CHAIRPERSON GARODNICK: Okay.  
9 Thank you. Seeing no other questions or members  
10 of the public wishing to testify on this item,  
11 we'll close the hearing on Land Use 1090, the  
12 Albany Crossings Apartments, 2009-5467, before we  
13 close the hearing, let's see, is Joseph Lynch?

14 MR. JOSEPH LYNCH: Yes I'm here  
15 Sir.

16 CHAIRPERSON GARODNICK: Okay.  
17 Good, just wanted to make sure that was you. As  
18 you're the only one we got.

19 MR. LYNCH: Yep.

20 CHAIRPERSON GARODNICK: And we will  
21 close the hearing on 1090 and open the hearing on  
22 Land Use 1091, Kingston Heights Apartments,  
23 20095468 HAK, in Brooklyn Community Board 3. Ms.  
24 Clark.

25 MS. CLARK: Yes this is a similar  
project, LU 1091 known as Kingston Heights









1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 21  
2                   CONCESSIONS

3                   In response to this study and as a  
4 part of the Master Plan for the Manhattan Cruise  
5 Terminal, EDC issued an RFP calling for the  
6 redevelopment of Piers 92 and 94. In  
7 collaboration with local stakeholders, EDC set  
8 forth specific goals in the RFP for the  
9 redevelopment project.

10                  In addition, in creating more space  
11 for trade shows as a state of the art facility,  
12 the goals included retaining flexibility for  
13 cruise ship operations and improving public access  
14 to the waterfront and enhancing the experience of  
15 Clinton Cove Park users.

16                  EDC designated Merchandise Mart  
17 Properties as the developer for the Pier 92-94  
18 project because of their excellent reputation in  
19 the industry and their vision for the piers.  
20 MMPI's proposal promises to make the piers a world  
21 class trade show facility while also providing  
22 significant amenities to the local community.  
23 These amenities include a public esplanade along  
24 the perimeter of Pier 94, a public waterfront  
25 plaza next to the Head House, and a public amenity  
space that includes a restroom and seating.











1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 27  
2                   CONCESSIONS

3                   those offsite. So there are four round trips  
4                   required by trucks at a typical trade show. We  
5                   are going to reduce that in half by eliminating  
6                   the removal of the empties. We're going to store  
7                   those empties onsite in the lower level of Pier  
8                   92. That will greatly reduce the traffic issues  
9                   that deal with the truck movements around the  
10                  facility.

11                  Today the facility also borders on  
12                  the greenway pedestrian bike path of the Hudson  
13                  River Trust. Today's truck movements or vehicle  
14                  movements, there are 14 conflicts between vehicles  
15                  and pedestrians. And this graphic tries to  
16                  highlight those. Most of those are caused by the  
17                  circular fashion where inbound vehicles off the  
18                  Westside Highway have to come in, do a loop  
19                  around, and then cross back over the entry area to  
20                  get out. And so we're eliminating that entirely  
21                  by having all the traffic go south out a new exit  
22                  out onto 52<sup>nd</sup>--across from 52<sup>nd</sup> Street. And that  
23                  reduces the 14 conflicts to a total of 5  
24                  conflicts.

25                  This is a bird's eye view of our  
                  development showing a new 2-story Head House and



1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 29  
2                   CONCESSIONS

3 pavilion is a combination private venue and also  
4 we're making that available for public use 30 days  
5 of the year. We're setting back this structure 40  
6 feet from the river in order to create a plaza  
7 area for public use. And then it's from this  
8 plaza area that you proceed further south and then  
9 go along Pier 94 to the end of the viewing area.

10                   This is a view of the proposed  
11 development looking from the northeast and the  
12 southwesterly direction. This orange structure  
13 here is the public amenity with the entry drive on  
14 the left. This view is from the north, looking  
15 northeast, excuse me, looking southeast from the  
16 north side. This shows the plaza area here on the  
17 right and once again the public amenity. You take  
18 this plaza area down and can access the end of  
19 Pier 94. This is the plaza area in front of the  
20 pavilion is on the north side. This is the public  
21 amenity structures on the left and the Hudson  
22 River beyond.

23                   This is the walkway from the  
24 Clinton Cove Park along the north side of Pier 94  
25 to this viewing area at the end of Pier 94. This  
is a new structure that provides shade and weather







1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 33  
2                   CONCESSIONS

3           into the site, including a speed bump and things  
4           like that all of which we have agreed to be part  
5           of our project.

6                   There was also a request, they  
7           liked--it was important that we have a traffic  
8           plan that we've showed you coming in from the  
9           north and exiting the south. And we made a  
10          commitment that that would also be part of our  
11          project. We would encourage the use of shuttle  
12          busses as another measure to minimize traffic from  
13          the shows. And we've been having conversations  
14          with the MTA about extending bus service over to  
15          12<sup>th</sup> Avenue.

16                   Another item that was important was  
17          should there become funding available for a  
18          pedestrian bridge over 12<sup>th</sup> Avenue, we have  
19          designed our facility so that there is a landing  
20          place for that bridge. And that is something that  
21          we will include in our project.

22                   We will continue to have ship  
23          docking capability for the ships, as Myron  
24          explained. Another issue that the Community Board  
25          asked us to do is to reduce the signage to an  
                amount that's smaller than is permitted under









1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 38  
2 CONCESSIONS

3 MS. ROSENTHAL: We agree with you  
4 that it would be great to have the bus. We've  
5 started discussions. We'd be happy to continue  
6 working with whomever can help us in that  
7 endeavor. And Seth I don't know if you want to  
8 say anything more--

9 COUNCIL MEMBER BREWER:

10 [Interposing] What's been the MTA's response?

11 MS. ROSENTHAL: Seth do you want to  
12 address that?

13 CHAIRPERSON GARODNICK: Come on  
14 over. Have a seat.

15 MS. ROSENTHAL: Okay.

16 CHAIRPERSON GARODNICK: And  
17 introduce yourself.

18 COUNCIL MEMBER BREWER: 'Cause the  
19 bus would be great. I was in the park over the  
20 weekend at the Clinton Cove Festival and you  
21 cannot get there if you can't walk really well.

22 MR. SETH WRIGHT: Yes, I'm Seth  
23 Wright from Phillip Habib and Associates. And--

24 [Off mic]

25 MS. ROSENTHAL: He did. Seth  
Wright.



1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 40  
2 CONCESSIONS

3 don't know.

4 MR. WRIGHT: --yeah. I don't know  
5 when exactly Riverside Boulevard will be through  
6 from the 70s down through to 57<sup>th</sup> Street. But  
7 hopefully it will be there--I mean I don't know.

8 COUNCIL MEMBER BREWER:

9 [Interposing] Okay is there someone

10 MS. ROSENTHAL: [Interposing] We  
11 don't--

12 COUNCIL MEMBER BREWER: --here from  
13 DOT who can answer that question?

14 MS. ROSENTHAL: No I don't think  
15 so. Council Members, you know it's not up to the  
16 private applicant about the busses--

17 COUNCIL MEMBER BREWER:

18 [Interposing] Yeah but EDC is sitting with you.

19 MS. ROSENTHAL: And we can--

20 [Off mic discussion]

21 MR. PADRONE: I continue to  
22 facilitate discussions with MTA. We've--they--

23 COUNCIL MEMBER BREWER:

24 [Interposing] I mean I think it should be a  
25 stipulation that as part of this the MTA should do  
that because just as an example today there must



1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 42  
2 CONCESSIONS

3 COUNCIL MEMBER BREWER: Are they  
4 here?

5 CHAIRPERSON GARODNICK: Would--is  
6 DOT prepared to address that? Okay. All right.  
7 We have DOT speaking, registered in favor of the  
8 item but...

9 COUNCIL MEMBER BREWER: No clue  
10 about the bus.

11 CHAIRPERSON GARODNICK: Okay.

12 COUNCIL MEMBER BREWER: Tell  
13 Jeanette she should know about that bus.

14 [Off mic]

15 COUNCIL MEMBER BREWER: Okay.

16 CHAIRPERSON GARODNICK: Okay. My  
17 apologies--

18 COUNCIL MEMBER BREWER:

19 [Interposing] Number two--

20 CHAIRPERSON GARODNICK: --okay go  
21 ahead.

22 COUNCIL MEMBER BREWER: --so all  
23 right, all I'm saying to the Chair and to everyone  
24 is we have got to get that bus there not just for  
25 you but for the park. And so I think we should  
make it a very high priority and have some





























1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 57  
2   CONCESSIONS

3                   Friends of Hudson River Park is a  
4 nonprofit organization whose mission is to both  
5 advocate and provide support for Hudson River  
6 Park, from The Battery to 59<sup>th</sup> Streets. Since our  
7 founding ten years ago we have worked closely with  
8 the community and The Hudson River Park Trust, in  
9 both the park's construction and programming. The  
10 site in question, while not technically part of  
11 the Park, borders the Park and contains the  
12 bikeway and running path that connect through it  
13 and the remainder of the waterfront and adjacent  
14 parks. As Mr. Budsell indicated the original  
15 Master Plan for Hudson River Park suggested  
16 potential changes to the Pier 94 Head House to  
17 better incorporate the pier with the park and it  
18 was our organization that proposed the Winter  
19 Garden concept for the Head House that became part  
20 of the RFP adopted by EDC.

21                   We believe Merchandise Mart has  
22 made a serious attempt to incorporate the concerns  
23 of and feedback from the community with its need  
24 to achieve certain operating milestones in  
25 providing an economic development opportunity for  
the City in an open, practice and feasible manner.

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 58  
2                   CONCESSIONS

3                   First and foremost we welcome and  
4                   applaud the additional access to Pier 94 and the  
5                   integration with the current design and treatment  
6                   of Hudson River Park. We think this will create  
7                   an opportunity to expand the awareness and use of  
8                   the Park and add value to the experience of the  
9                   visitors to the facility with lasting effect for  
10                   the City.

11                   Secondly, while we recognize the  
12                   problems associated with impacts of increased  
13                   traffic, we are pleased with the effort made to  
14                   minimize those impacts and elimination of many of  
15                   the existing conflicts with the bikeway and  
16                   pedestrian paths as well as the inclusion of an  
17                   option for a future pedestrian bridge which we  
18                   intent to pursue.

19                   We also acknowledge the difficulty  
20                   in incorporating the Winter Garden concept as a  
21                   completely public and passive recreation space  
22                   into an operation with uncertain resources,  
23                   undocumented demand, and competing objectives.  
24                   The creation of the smaller public amenity space  
25                   available on a permanent not only fulfills a large  
                 part of the objective for passive recreation needs





1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 61  
2                   CONCESSIONS

3                   annually, as well as their family members who  
4                   travel with them. Convention delegates account  
5                   for one-third of all business travel and support  
6                   the City's tourism sector in both economic booms  
7                   and slow periods. Delegates generate almost \$3  
8                   billion in direct spending, which translates to an  
9                   economic impact of close to \$5 billion for the  
10                  City annually. Demand for New York as a host city  
11                  however has increased in recent years, despite the  
12                  fact that we are limited in our venue offerings.

13                                 Surveys have show that among trade  
14                                 show event planners and producers the need for a  
15                                 mid-sized trade show space such as is acute.

16                   Unable to meet this demand, New York City  
17                   frequently has to turn away business. According  
18                   to records kept by NYC & Company, lost business  
19                   related to this demand is close to 1 million room  
20                   nights a year in future booking that's close to  
21                   \$20 million in hotel taxes that we are not  
22                   collecting.

23                                 The redevelopment of Pier 92-94 is  
24                                 a state of the art mid-sized trade show and  
25                                 exhibition facility will take a big step towards  
                                  addressing the City's deep need for more trade

















1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 70  
2                   CONCESSIONS

3 they would continue to push that I'm sure.

4                   COUNCIL MEMBER BREWER: Okay. And  
5 is Maria Guzman chair of Harbor View been involved  
6 with anything? In other words could we also put  
7 together a meeting with the Community Board and  
8 her regarding the residents of the Harbor View  
9 NYCHA development?

10                  MR. DOSWELL: We will put that on  
11 our agenda.

12                  COUNCIL MEMBER BREWER: Okay. And  
13 the developer indicated that the pedestrian bridge  
14 which I know we all want very much for all the  
15 reasons that are obvious, is that something that  
16 you feel is incorporated into the design  
17 adequately?

18                  MR. DOSWELL: Yes. It's  
19 incorporated in both an elevator and stairs--

20                  COUNCIL MEMBER BREWER:  
21 [Interposing] Already.

22                  MR. DOSWELL: --they have space in  
23 the side near the front corner where that public  
24 pavilion is that can accept it. And of course  
25 then the Clinton Park's at grade so it actually  
helps the situation considerably in terms of the









1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 75  
2                   CONCESSIONS

3 Facility. Currently the street beds are occupied  
4 by an office trailer, fuel tanks, fuel dispensers,  
5 a driveway and a parking area for the maintenance  
6 units which occupy the lots abutting these street  
7 beds. DOT is moving forward with a proposed  
8 capital project to realign the facility and  
9 demolish a deteriorating building. We will also  
10 be relocating the driveway and parking area for  
11 DOT vehicles to allow more efficient operation and  
12 improved truck maneuverability.

13                   At the same time the School  
14 Construction Authority will be creating a  
15 secondary exit for the Metropolitan Avenue School  
16 campus which is adjacent to our facility. This  
17 campus will have two schools, one for 700 students  
18 and the other for 1,000 students, near the  
19 location at Ursula Place and 70<sup>th</sup> Road. Both of  
20 these schools will be an intermediate and high  
21 school.

22                   SCA's work will include installing  
23 fencing across the portion of the currently mapped  
24 but unbuilt road. Our proposed reconfiguration of  
25 the Glendale Yard will minimize potential  
conflicts arising from trucks entering onto 70<sup>th</sup>

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 76  
2                   CONCESSIONS

3                   Road and the school's secondary exit. The ULURP  
4                   application before this Committee today will demap  
5                   70<sup>th</sup> Avenue between Sebilis Street and Ursula Place  
6                   and also demap a portion of Ursula Place between  
7                   70<sup>th</sup> Avenue and 70<sup>th</sup> Road, both of the segments of  
8                   currently unbuilt roads that will be used by DOT  
9                   and the School Construction Authority for  
10                  improvements to their facilities.

11                  As the City has no intention of  
12                  building streets at these locations this demapping  
13                  will properly reflect the current and future land  
14                  use. We urge the Council to approve this ULURP  
15                  application and thank you for the opportunity to  
16                  be here today. And I'll be happy to answer any of  
17                  your questions.

18                  CHAIRPERSON GARODNICK: Thank you.  
19                  Sounds relatively straightforward. I just want to  
20                  ask you about the Community Board action that was  
21                  approved with conditions on April 7<sup>th</sup>, 2009. Tell  
22                  us about the conditions and how you've addressed  
23                  them.

24                  MS. McCARTHY: Currently also  
25                  adjacent to our facility are two horse stables  
                  that have been in use for many, many years. One

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 77  
2                   CONCESSIONS

3                   of those stables, called Lynn Stable accesses  
4                   their refuse, their manure by going through these  
5                   unbuilt roadways. We've allowed them this use  
6                   unofficially for years and years. When we close  
7                   that portion of the mapped street, they would be  
8                   landlocked. They wouldn't be able to get rid of  
9                   their refuse. So we are giving them a permit to  
10                  come onto our property to dispose of their refuse.

11                  That permit is not yet signed. All  
12                  parties have been agreeable and we expect it to be  
13                  signed any day.

14                  CHAIRPERSON GARODNICK: That was  
15                  the manure permit was what the--

16                  MS. MCCARTHY: [Interposing] Yeah  
17                  that's it.

18                  CHAIRPERSON GARODNICK: --Community  
19                  Board was looking for. Okay and so that's what  
20                  you are working on achieving--

21                  MS. MCCARTHY: [Interposing] Right,  
22                  right.

23                  CHAIRPERSON GARODNICK: Okay.  
24                  Other questions? Seeing none, thank you very much  
25                  for your testimony. And we will close the hearing  
                  on Land Use 1160, the DOT Glendale Maintenance







1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 81  
2                   CONCESSIONS

3 surprised that as new homeowners of their  
4 affordable units, they can now take that sticker  
5 off and claim the unit as their own.

6                   I have every confidence that this  
7 building will be a resounding success and I ask my  
8 colleagues for their support in this action. I  
9 thank the Chair for my time and I want to  
10 acknowledge Mr. and Mrs. Sap here today, that are  
11 here to ask us to support their efforts in  
12 affordable home ownership. Thank you Chair.

13                   CHAIRPERSON GARODNICK: Thank you  
14 Council Member Dickens and thank you for sharing  
15 that story with us and now we'd be delighted to  
16 hear from Mr. and Mrs. Sap if they're so inclined.  
17 Come on up and join us. Have a seat. Welcome.  
18 It's nice to have you and whenever you're ready  
19 just introduce yourself please and then we'll be  
20 ready to hear from you.

21                   MRS. SAP: Thank you Councilman  
22 Garodnick and Council Member Dickens. Thank you  
23 very much for inviting us and giving us this  
24 opportunity to be here. We are very pleased with  
25 the building, with the construction. We had no  
idea that it would be as nice as it is. And we

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 82  
2                   CONCESSIONS

3                   lived in that building for over 27 years and the  
4                   Cunninghams have been there for over close to 40  
5                   years.

6                   And we would like to make sure that  
7                   this building will be affordable for the tenants  
8                   that are coming in or other share holders, as well  
9                   as we'd like to put a gate in front of the stairs  
10                  of the building to keep trespassers and loiterers  
11                  away. We also are very, it's very important to us  
12                  as an association to have members of the Council  
13                  and the other block associations come and join  
14                  with us in celebrating the opening of this  
15                  building.

16                  MR. DARRYL SAP: Yes thank you--

17                  CHAIRPERSON GARODNICK:

18                  [Interposing] If you could just say, state your  
19                  name Sir.

20                  MR. SAP: Yes. My name is Darryl  
21                  Sap. I'm treasurer of the tenant association.  
22                  I'd like to thank Ms. Dickens and you, Council and  
23                  HPD, everyone who helped us to get this far. And  
24                  I'm just shocked and amazed that we succeeded. I  
25                  know it's a dream come true. It's a dream come  
                  true.





1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 85  
2 CONCESSIONS

3 Member Dilan.

4 MS. CLARK: That's right Chairman  
5 Garodnick. This consists of the proposed  
6 disposition of 13 vacant City owned lots that are  
7 located on Van Siclen Avenue, Ashford Street,  
8 Pitkin Avenue, Glenmore Avenue, Lynwood Street and  
9 Jerome Street for development under HPD's New  
10 Foundations program. The proposed developer,  
11 Cypress Homes HDFC, will construct 4 2-family  
12 homes, 4 3-family homes and 7 3-unit condominium  
13 buildings for sale to eligible purchasers.  
14 Council Member Dilan has reviewed the project and  
15 indicated his support.

16 CHAIRPERSON GARODNICK: Thank you.  
17 So, I'm sorry, you said 4 2-family, 3 3-family and  
18 7?

19 MS. CLARK: 4 2-family, 4 3-family  
20 and 7 3-unit condominium buildings.

21 CHAIRPERSON GARODNICK: Okay. And  
22 this is, I'm sorry; you said this is going to be  
23 developed by whom?

24 MS. CLARK: Cypress Homes HDFC.

25 CHAIRPERSON GARODNICK: And how  
were they chosen here?

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 86  
2 CONCESSIONS

3 MS. CLARK: They were chosen  
4 through a competitive process.

5 CHAIRPERSON GARODNICK: Great. And  
6 these are sales you said of these 2 3-family homes  
7 and the condo?

8 MS. CLARK: That's correct. They  
9 will be sales.

10 CHAIRPERSON GARODNICK: And is  
11 there any restrictions on the sales?

12 MS. CLARK: There are estimated  
13 income targets and all 8 homes will be owner-  
14 occupied with incomes at up to 80% of AMI for a  
15 family of 4 as the target.

16 CHAIRPERSON GARODNICK: Okay.  
17 Thank you. With that we have no members of the  
18 public wishing to testify on Land Use 1133, non-  
19 ULURP 20095675 HAK. So we will close the hearing  
20 on that item and move to Land Use Number 1147,  
21 College Point Corporate Park, Queens Community  
22 Board Seven, C 090320 PPQ in the District of  
23 Council Member Tony Avella.

24 Okay before we do that one we're  
25 going to just--we're going to take a vote on the  
items that we've heard today 'cause we're going to





1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 89  
2                   CONCESSIONS

3 Jonathan Gubay [phonetic] also from EDC. We're  
4 here today to speak about an important aspect of  
5 one of the City's largest and most important  
6 projects, Willets Point.

7                   As you know, Willets Point is a 62-  
8 acre brown field in Queens that has been in  
9 desperate need of remediation for generations.  
10 Thanks to the overwhelming support of the Council  
11 which approved a rezoning plan for the area by a  
12 vote of 49 to 2 in November of last year, the area  
13 is now primed for the redevelopment of mixed  
14 income housing as well as retail, office, open  
15 space, convention center and a school.

16                  More importantly when completed  
17 this crucial district which lies at the confluence  
18 of a number of dense residential and commercial  
19 districts will at long last not simply be cleaned  
20 up but become one of the City's first LEED  
21 certified districts, a stunning turnaround. As  
22 you'll recall over the course of the ULURP process  
23 related to Willets Point the Council repeatedly  
24 and I might add correctly emphasized the need to  
25 reach as many negotiated settlements with area  
land owners and businesses as we could to ensure



1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 91  
2                   CONCESSIONS

3 square feet, more than 50% increase. The  
4 businesses will also add value to their  
5 neighborhood by retaining 200 jobs in Queens and  
6 hiring additional workers in the coming months,  
7 exactly the kind of outcome for Willets Point  
8 businesses that the Council wisely demanded.

9                   Separate from the actions that we  
10 are proposing related to the five Willets Point  
11 businesses is another action related to College  
12 Point. This one involves the disposition of about  
13 30,000 square feet in the Corporate Park to  
14 Cofire, an asphalt manufacturing company that has  
15 rented a City owned site in College Point since  
16 1960. The proposed disposition would give Cofire  
17 full ownership of their site and pave the way for  
18 the company to make significant investments in new  
19 technologies that will maximize their operations  
20 and improve air quality.

21                   With respect to both Cofire and the  
22 five established businesses from Willets Point,  
23 it's important to note in each case upon the  
24 completion of the actions being requested of the  
25 Council, the businesses will be required to comply  
with all of the urban design requirements,







1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 95  
2 CONCESSIONS

3 COUNCIL MEMBER AVELLA:

4 [Interposing] For each business?

5 MR. McKNIGHT: Jonathan can just  
6 walk through the applications in a little bit more  
7 detail.

8 MR. GUBAY: Sure. There are five  
9 Willets Points businesses Tom mentioned that we  
10 are proposing to relocate to College Point. In  
11 your package you will see the first, or the second  
12 page rather, with the site plans involves Flushing  
13 Towing and Met Metals. We are proposing that they  
14 will share a site on what is known as the Flag  
15 Lot.

16 And you can see it on the overall  
17 map at 130<sup>th</sup> Street, or 30<sup>th</sup> Street, just adjacent  
18 to the airport. It's a 45,000 square foot site.  
19 And as you can see from the site plan, Flushing  
20 Towing would take approximately 7,000 square feet  
21 and Met Metals would take about 21,000 square  
22 feet.

23 As Tom had mentioned and as the  
24 site plans illustrate, each of the businesses have  
25 committed to comply fully with the requirements  
that are stipulated in the Special District text



1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 97  
2                   CONCESSIONS

3 feet.

4                   And finally the one remaining  
5 disposition involves Cofire which is a  
6 longstanding College Point business. As some of  
7 you may know they currently operate on a roughly  
8 80,000 square foot site. They own a portion and  
9 have been leasing a portion from the City for  
10 several decades. What we have reached agreement  
11 with involves them--it involves a swap,  
12 effectively.

13                   So they are going to purchase a  
14 portion of City owned property on the southern  
15 portion of this site which you can see on your  
16 maps and the yellow and hatched area. And in the  
17 end they will own 40,000 square feet at the bottom  
18 and the City will have a fully remediated 40,000  
19 square foot parcel on the north end of the site  
20 bounded by 28<sup>th</sup> Avenue and 122<sup>nd</sup> Street.

21                   COUNCIL MEMBER AVELLA: Why was  
22 Cofire put with this application because basically  
23 it's the businesses being relocated from Willets  
24 Point? Cofire is already there. So why are they  
25 part of this application?

MR. GUBAY: It was--



1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 99  
                    CONCESSIONS

2           completed as part of the Willets Point EIS.

3                   COUNCIL MEMBER AVELLA:   But there's  
4           a--can I see that?   Can you get me that--

5                   MR. McKNIGHT:   [Interposing] Sure--

6                   COUNCIL MEMBER AVELLA:   --  
7           information--

8                   MR. McKNIGHT:   --by all means.

9                   COUNCIL MEMBER AVELLA:   --and  
10          usually there's more than just a picture of the  
11          site that goes along with the project description.  
12          Where's the rest of the project description here?  
13          What does the business do?   How many trucks are  
14          coming in and out?

15                   MR. McKNIGHT:   For the--there's  
16          detailed descriptions of the projects within the  
17          ULURP applications if--

18                   COUNCIL MEMBER AVELLA:  
19          [Interposing] But--

20                   MR. McKNIGHT:   --you'd like to see  
21          more details--

22                   COUNCIL MEMBER AVELLA:  
23          [Interposing] I think not only I would like to see  
24          it, I think Council Members would like to see  
25          that.







1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §103  
2 CONCESSIONS

3 the last remaining sites, City owned sites within  
4 this Special District with the exception of  
5 Flushing Airport--

6 COUNCIL MEMBER AVELLA:

7 [Interposing] Now, you know, Crystal Windows which  
8 by every business magazine that I have seen is one  
9 of the fastest growing businesses in the country.  
10 And they had lobbied to get that piece of property  
11 for years. And quite frankly I didn't understand  
12 the reluctance on the part of the City. And all  
13 of a sudden that fell through. Did it fall  
14 through because the Mayor and EDC wanted to give  
15 it to the five businesses?

16 MR. McKNIGHT: No.

17 COUNCIL MEMBER AVELLA: Or because  
18 they were--

19 MR. McKNIGHT: [Interposing] They  
20 withdrew. It did not. The agreement didn't work  
21 out with Crystal Windows. We're continuing to  
22 talk to them. Obviously, as you say, they are a  
23 successful business. We want to help them.  
24 Ultimately an agreement for this site did not--

25 COUNCIL MEMBER AVELLA:

[Interposing] Because--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §104  
CONCESSIONS

2 MR. McKNIGHT: --work out.

3 COUNCIL MEMBER AVELLA: I mean they  
4 had indicated to me that there was a possibility  
5 that they were going to have to move out of the  
6 City because they couldn't find room to expand.

7 MR. McKNIGHT: We're in regular  
8 discussions with them. They have not indicated  
9 that to us.

10 COUNCIL MEMBER AVELLA: So you're  
11 saying the two had nothing to do with each other.

12 MR. McKNIGHT: That's correct.

13 COUNCIL MEMBER AVELLA: With regard  
14 to Mets Metals and Flushing Towing, and I think  
15 this point was actually brought out by the  
16 Community Board as well, how do they affect the  
17 extension of Linden Place to 20<sup>th</sup> Avenue? Isn't  
18 that where the extension of the road is supposed  
19 to go?

20 MR. McKNIGHT: No if you're looking  
21 at the site plan on the eastern edge of that  
22 parcel is where the future road would go. So in  
23 the future that parcel on the east would border  
24 the extension of Linden Place.

25 COUNCIL MEMBER AVELLA: Right,

2 right.

3 [Off mic]

4 MR. GUBAY: --adjacent to the site.

5 COUNCIL MEMBER AVELLA: Yeah you've  
6 got to go on the microphone. So the site will not  
7 affect the extension of the road.

8 MR. McKNIGHT: That's correct.

9 COUNCIL MEMBER AVELLA: I mean Mr.  
10 Chairman, I mean obviously I have other questions  
11 and I think my opposition to this has been well  
12 stated but I'll pass it on to other Committee  
13 members.

14 CHAIRPERSON GARODNICK: Thank you  
15 Council Member Avella. Let me just go back to  
16 that, the question I promised to raise here, the  
17 Community Board and Borough President both  
18 approved with conditions here. Can you help us  
19 understand what those conditions were and how you  
20 dealt with them?

21 MR. McKNIGHT: Sure. There were a  
22 bunch of kind of more technical requests that the  
23 Community Board had made relating to the site  
24 plans, side yards, access, which we were able to  
25 accommodate within the project.



1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 107  
2 CONCESSIONS

3 for recreational uses, is that right?

4 MR. McKNIGHT: Those were the key  
5 issues for the Community Board, yes.

6 CHAIRPERSON GARODNICK: Okay. And  
7 the Borough President?

8 MR. McKNIGHT: I believe her  
9 recommendations were in line with the Community  
10 Board's. I guess I would note that the one issue,  
11 there were two issues that we agreed would require  
12 kind of further planning as we went through the  
13 process towards Borough Board review.

14 And one was the appropriate way for  
15 the two businesses on the Flag Lot parcel to  
16 access the roadways, whether to the west, to the  
17 existing street, or to the east when the Linden  
18 Place extension is built. So that will be a  
19 subject for further discussion with the COMMUNITY  
20 BOARD.

21 And then the other issue was the  
22 Board raised concerns about how the adjacency of  
23 Sambucci and Feinstein and they felt that the  
24 Sambucci site was constrained in terms of truck  
25 access. And our response to that was that their  
main concern to address that was agreeing to



1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 109  
2 CONCESSIONS

3 CHAIRPERSON GARODNICK: And when we  
4 say overall, we're not talk about on average and  
5 some may have a significant increase, some a  
6 slight decrease, so we're saying that for each one  
7 of them it's an increase?

8 MR. McKNIGHT: You want to comment  
9 on that one--

10 MR. GUBAY: [Interposing] All  
11 except for Sambucci Brothers. They have a  
12 slightly smaller site in their proposal. They've  
13 got 54,000 square feet in Willets and will have  
14 48,000 under this proposal. All the others are  
15 increasing in size.

16 CHAIRPERSON GARODNICK: Okay what  
17 is the agreement? Have all of the agreements been  
18 worked out between the City and each of these  
19 businesses for their relocation?

20 MR. McKNIGHT: Yes they have.

21 CHAIRPERSON GARODNICK: They've all  
22 been finalized, pending the approval of the  
23 disposition?

24 MR. McKNIGHT: That's correct.

25 CHAIRPERSON GARODNICK: Okay. Is  
there additional compensation for a company like







3 you're saying.

4 MR. McKNIGHT: Yes. And they  
5 you're layering in the cost of relocation. So the  
6 agreements become more complicated than simply  
7 just a swap as you say.

8 CHAIRPERSON GARODNICK: Okay. You  
9 have more? Back to Council Member Avella.

10 COUNCIL MEMBER AVELLA: And Mr.  
11 Chairman, I wanted to just make a comment as to  
12 one of the questions you asked, about one of the  
13 commitments that the CB had obtained in terms of  
14 light recreation for what we commonly refer to as  
15 the old Flushing Airport. I seem to remember a  
16 similar comment that EDC had made to me in the CB  
17 when they issued the first Request For Proposal  
18 for Flushing Airport, that they would go along  
19 with the light recreation suggestion that we had  
20 all made. And then just to show you how you can  
21 take EDC's word, at the 11<sup>th</sup> hour 59<sup>th</sup> minute, the  
22 winning project was something totally out of left  
23 field when the Mayor wanted to put in 180, 180  
24 import-export businesses on that site.

25 So even though, excuse me, EDC had  
committed to supporting our community







1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 17  
2 CONCESSIONS

3 MR. McKNIGHT: [Interposing] Thanks.

4 CHAIRPERSON GARODNICK: --Canal,  
5 Vincent Vaquaro, Daniel Sambucci. Actually, you  
6 know what? I assume that Daniel and Angela  
7 Sambucci are going together, is that right? Okay.  
8 So why don't you come up together. All right.  
9 And bring up Howard Feinstein, Ross Holland and  
10 Robert LoScalzo.

11 [Witnesses getting settled]

12 CHAIRPERSON GARODNICK: Okay. Nice  
13 and crowded up here. Good. Since you have the  
14 microphone right in front of you would you like to  
15 get started? Say your name and go right ahead.

16 MR. CARLOS CANAL: Yeah my name's  
17 Carlos Canal [phonetic] I own Flushing Towing.  
18 And I'm here with my wife, Nola Canal. She wants  
19 to say something about it, all right.

20 CHAIRPERSON GARODNICK: Thank you.

21 MS. NOLA CANAL: Hi my name's Nola.  
22 Okay I believe Flushing Towing is a longest  
23 standing family owned, - - Queens based business.  
24 Flushing Towing is looking forward to moving into  
25 the College Point Corporate Park. Flushing Towing  
will be a good neighbor and the business will

















3 everybody to give part of their property up. And  
4 while they were storing cars for the guy next door  
'cause he had no room.

5 Over in the Corporate Park, Willets  
6 Point, you would understand that. So just to make  
7 sure that didn't happen here, we put, we asked EDC  
8 to put a covenant on their thing saying that on  
9 the C of O it specifically states how many tow  
10 trucks they can have so they can't expand out on  
11 it.

12 Okay.

13 COUNCIL MEMBER DICKENS: Excuse me  
14 I would like to--do you--there's one more person  
15 to give testimony. Is that correct? Two more?  
16 All right. I'd like to--

17 MR. KELTY: [Interposing] Do you  
18 want me to come back? Come back to me or what?

19 COUNCIL MEMBER DICKENS: Come on,  
20 please continue.

21 MR. KELTY: Okay. What happened  
22 was with them, when they presented to us, we were  
23 concerned about a towing and storage concern. And  
24 they said that that was not happening. What  
25 happened was they tow from a particular site right

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS 127  
2                   CONCESSIONS

3                   to somebody else's place. When we got there we  
4                   found storage.

5                   So we did--if the process was going  
6                   to work we had to make sure it worked the right  
7                   way and that's why we put a restriction on it  
8                   saying in the C of O 'cause that was--goes in  
9                   perpetuity with the property. We would make sure  
10                  that that happened. There was no problem with  
11                  that.

12                 We moved onto the next site. We  
13                 came to Met Metals which was not a great site  
14                 either. We understood what it was but I'm not--he  
15                 was very up front with us and if he fits into the  
16                 new envelope that we have with the new district,  
17                 everything's going to be inside.

18                 [Timer tone]

19                 MR. KELTY: Okay. Everything is  
20                 going to be inside so we don't have a problem with  
21                 that. Those people were told about it. They know  
22                 that it has to be in an enclosed building. All  
23                 the compactors have to be inside. They have to  
24                 have noise--so they understood that. It's, there  
25                 again, a product of what was put over in the  
                  Willetts Point. I mean that's the extent that we







1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 31  
2                   CONCESSIONS

3                   the New York City area for over 78 years.

4                   We are primarily involved in the  
5                   manufacture of structural steel for the  
6                   construction of public schools in the New York  
7                   City area. Due to the nature of my business,  
8                   areas are not available in New York City for the  
9                   manufacture of my product and we are very limited  
10                  at best, which has caused an exodus of my size  
11                  facilities outside of New York City.

12                 The College Point facility will let  
13                 me maintain a presence in the New York City for  
14                 years to come, allowing my business to expand with  
15                 the City's growth and protecting hundreds of  
16                 manufacturing jobs, of skilled jobs in the future.  
17                 Thank you.

18                 COUNCIL MEMBER DICKENS: Thank you.  
19                 Next please.

20                 MR. ROBERT LoSCALZO: Good  
21                 afternoon Council Members. I am Robert LoScalzo,  
22                 a resident of the territory of Queens CB 7. I'd  
23                 like to ensure that you're aware that a very  
24                 disturbing condition attached by CB 7 to its  
25                 approval of the application has not been endorsed  
                  by Borough President Marshall and has been

1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS & 32  
2                   CONCESSIONS

3                   rejected already by the City Planning Commission.

4                   I urge you to do the same even  
5                   though the New York City Economic Development  
6                   Corporation has already agreed in writing to  
7                   accept the CB 7 condition, no matter what you do  
8                   with the application. The application before you  
9                   specifically pertains to nine properties within  
10                  the College Point Corporate Park and to six  
11                  specific businesses, five of which presently  
12                  operate at Willets Point.

13                  The application does not pertain in  
14                  any way to the former site of the Flushing Airport  
15                  nor does it pertain to any Willets Point business  
16                  beyond the five that are specified. Nevertheless  
17                  at CB 7's request and prior to its vote on the  
18                  application but after it closed its public  
19                  hearing, EDC provided a letter to Community Board  
20                  7 which has been incorporated in the Community  
21                  Board 7's conditions and which states the  
22                  following policy.

23                  In accordance with CB 7's support  
24                  for Willets Point businesses being relocated to  
25                  the College Point Corporate Park, and then there  
                  is an item number 5, the City will not relocate



3 consideration merely as a bargaining chip.

4 Third and worst of all, if you'll  
5 grant me another 30 seconds, EDC's policy  
6 discriminates directly against Willets Point  
7 businesses by predetermining that they and only  
8 they are ineligible to be located anywhere at the  
9 airport site. An otherwise identical business to  
10 a Willets Point business that is not located in  
11 Willets Point conceivably could move to the  
12 airport site.

13 So let's be clear. Should this  
14 application be approved it relocates a mere 1/50<sup>th</sup>  
15 of the estimated 250 Willets Point businesses.  
16 49/50<sup>th</sup>, remain to be relocated. Please don't sign  
17 onto EDC's premature and discriminatory policy.  
18 Instead follow the lead of Ms. Marshall and the  
19 CPC and don't link your decision to the policy.  
20 Thank you.

21 COUNCIL MEMBER DICKENS: All right.  
22 Thank you very much for your testimony, all of  
23 you. And I'd like you to please stay in place and  
24 I'm going to ask my colleague, the Chair of  
25 Zoning, Council Member Avella.

COUNCIL MEMBER AVELLA: Well





1                   SUBCOMMITTEE ON PLANNING DISPOSITIONS 137  
2                   CONCESSIONS

3                   because they did a backhanded deal and that's what  
4                   got them caught. And I was the one that  
5                   repetitively went in and saw that the violation  
6                   was happening.

7                   If the CB stays with that concept  
8                   and we do have a Civic Association that's there.  
9                   It is come around. It has been very vocal and  
10                  very visible in the area. If we get them, all I  
11                  can say is constant, it's like I tell them about  
12                  the lighthouse in Montauk, we keep chipping away  
13                  at it and it disappeared. There was two. It's  
14                  now down to one. Same thing with the businesses,  
15                  if we keep chipping away at them, they're either  
16                  going to conform or it's going to cost them a lot  
17                  of money to keep going to court for violations.

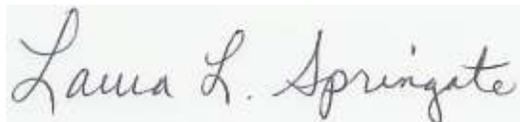
18                  I know it's not the perfect thing  
19                  but that's the only best way I can say is to keep  
20                  going after them. And I have to say in all  
21                  fairness a lot of times, either through your  
22                  office or our office, we call the applicant in.  
23                  We'll call the owner in and say we're not having a  
24                  good relation, what's going on. Sometimes that  
25                  person doesn't even know what he's removed or  
                  she's been removed from the site. All of a sudden





C E R T I F I C A T E

I, Laura L. Springate 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.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature \_\_\_\_\_ Laura L. Springate \_\_\_\_\_

Date \_\_\_\_\_ August 17, 2009 \_\_\_\_\_