

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

January 30, 2020
Start: 10:27 AM
Recess: 1:38 PM

HELD AT: Council Chambers - City Hall

B E F O R E: FRANCISCO P. MOYA
Chairperson

COUNCIL MEMBERS: Barry S. Grodenchik
Rory I. Lancman
Stephen T. Levin
Antonio Reynoso
Donovan J. Richards
Carlina Rivera

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

Richard Lobel, Law Firm of Sheldon Lobel PC

Deauldra Carson, Shareholder at Greenburg Traurig

Rachel Scala, Associate, Greenburg Traurig

Natalia Bartels, Chief Legal Officer, Zara USA

Lee Bankee, Broadway Residents Coalition

Renee Monroe, Resident at 542 Broadway, SOHO,
and Member of the Broadway Residents Coalition

Michelle Choi, Resides at 16 Crosby Street
between Howard and Grand

Nancy Horch, Member of 543 Broadway Co-Op & 25-
year resident

Stuart Appelbaum, President, Retail, Wholesale
and Department Store Union & President of UNI
Global Commerce

Mark Dicus, Executive Director, SoHo Broadway
Initiative

Alvin Ramnarain, President of Local 1102, Retail,
Wholesale and Department Store Union

Frederica Sigel, Co-Chair of Land Use Committee
Community Board 2

David Thall, Condo Board President, 77 Mercer
Street Condominium

Carter Booth, Chair, Manhattan Community Board 2
and member of the Advisory Group of SoHo/NoHo
Planning Study

Frederica Sigel, Co-Chair of CB-2's Land Use
Committee

Ronnie Wolf, Residential Representative on SBIs
Soard and both a Broadway resident and commercial
property owner

Pete Davies, Participated in Advisory Group of
SoHo/NoHo Planning Study

Kim Lippman, Resident of 30 Crosby Street, SoHo

Marna Lawrence, SoHo Resident

Stacy Gurgan, Resident of 76 Crosby Street

Wayne Ho, President & CEO, Chinese-American
Planning Council

Daniel Heuberger, Principal, Dattner Architects

Brian Kelly, Gotham Organization

Alex Fennell, Network Director, Churches United
for Fair Housing,

Philip Simpson, Inwood Legal Action Member

Jerry Culver CEO of Emmy nominated successful New
York based TV Production Company

Jenny Hernandez, 32BJ Member

John Episode, Association for a Better New York

Stephanie Rhodes, Appearing for Holly Kay and reading Holly Kay's letter to Council Member Margaret Chin

Abdullah Younus, Director of Political Engagement, New York Immigration Coalition

Rabbi Mendel Greenbaum, Beth Hamedrash Hagodol

Mark Stine, 70-Year Grand Street Resident and past member of the local Community Board

Barbara Davis, Chief Operating Officer, Actors Fund

Elsa Pereira, Managing Director of Operations, Grand Street Settlement

Emma Rayhack, Senior at R&R Residential High School

Luftus Sarcova, Sophomore at Ona (sic) Resort High School & Youth Facilitator of Project Reach

Katherine Chambers, Member of CPC's Project Reach program

Terry Collins, Project Reach Veteran

Vanita Yogeschwar, New York City Health and Hospitals

Yugwe (sp?) Henna Oaks aka Morris Oaks, Executive Director, American Indian Community House

Maria Free, New York Building Congress

Kevin Moran, CFO, Breaking Ground

Alice Wong, Reading Testimony for Live On New York

Angela Howard, Vice President, Real Estate and Facilities, Covenant House International

Linda McIntyre, New York City Department of Parks and Recreation

Matt Drury, Director of Government Relations, New York City Department of Parks and Recreation.

2 (sound check) (pause) (gavel)

3 CHAIRPERSON MOYA: Good morning and
4 welcome to the meeting of the Subcommittee on Zoning
5 and Franchises. I am Council Member Francisco Moya,
6 the chairperson of the Subcommittee, and today we are
7 joined by Council Members Richards, Rivera and Chin.
8 If you are here to testify, please fill out a speaker
9 slip with the Sergeant-at-Arms indicating your full
10 name, the application name or LU number and whether
11 you are in favor or against the proposal. We will
12 begin this meeting with our hearing starting with a
13 Preconsidered LU Item C 190438 ZMK for the 2513 to
14 2523 Avenue O rezoning proposal relating to the
15 property in Council Member Deutsch's district in
16 Brooklyn. The applicant seeks approval for a zoning
17 map amendment to changes in existing R2 zoning
18 District to an R3-2 district on Avenue O between
19 Bedford Avenue and 26th Street in the Milford section
20 on Brooklyn, which facilitate the legalization of an
21 existing ground floor medical office use as well as
22 the existing semi-detached residences within the
23 zoning area into conformance with zoning. I now open
24 the public hearing on this application, and I will

2 call the first panel. Frank Noriega and Richard
3 Lobel.

4 LEGAL COUNSEL: Please raise your right
5 hands and state your name for the record.

6 Richard Lobel

7 FRANK NORIEGA: Frank Noriega.

8 LEGAL COUNSEL: Do you swear or affirm
9 that the testimony you're about to give will be the
10 truth, the whole truth and nothing but the truth, and
11 you will answer all questions truthfully?

12 RICHARD LOBEL: I do.

13 FRANK NORIEGA: I do.

14 LEGAL COUNSEL: Thank you.

15 RICHARD LOBEL: Chair Moya, Council
16 Members, good morning. Again, my name is Richard
17 Lobel from the Law Firm of Sheldon Lobel, PC. We're
18 happy today to represent the applicant in the 2513 to
19 2523 Avenue O Rezoning. So as you can see from the
20 area in the circle, this is an area which is
21 currently zoned R2. In 2006, the entire areas was
22 subject to a larger rezoning where many of the
23 properties along Avenue O were rezoned to and R7A
24 district from an R6 district. The property in
25 question was at that time in and R6 district, and was

1 subsequently down-zoned to an R2. The rezoning here
2 would seek to change that zoning designation to R3-2.
3 So, the zoning change proposed is similar to several
4 that we've brought in the past couple of years for
5 these minor variation in zoning particularly to
6 permit a doctor's office. The R3-2 and the R2 are
7 large similar with regards to bulk, and with regards
8 to use. However, an R2 does not permit community
9 facility medical offices while an R3-2 does. As you
10 can see from the land use map the zoning in the area
11 is primary R7A along the avenues with R2 and R3-2
12 within the more denser residential side streets. The
13 rezoning here would not be one which additional bulk
14 would result from. So the—the R2 and the R3-2 have
15 the same FAR with regards to residential being a .5.
16 A community facility can go up to a 1 in both zoning
17 districts. The primary difference here, of course, is
18 that the R3-2 would permit the existing doctor's
19 offices at the site continue. Again, the Zoning
20 Change Map is shown before you, and so the area is a
21 100 x 100 foot parcel. It is comprised of four tax
22 lots. The medical office currently exists within two
23 of the semi-detached buildings on the corner of East
24 26th and Avenue O with two additional semi-detached

1 buildings to the west. Again, we attached the zoning
2 calculations, which demonstrate that the zoning
3 districts are largely the same between the R2 and the
4 R3-2. We did add an additional zoning district to
5 the comparison table. That is an R3-1. The reason for
6 that is that the Brooklyn Borough President's Office
7 approved the application, but did so with the
8 condition that the rezoning be changed to an R3-1.
9 The primary difference between those two zoning
10 districts for purposes of this application would be
11 that the doctor's offices could exist on at a maximum
12 of 1,500 square feet. They currently exist at roughly
13 1,420 square feet. So, while the R3-2 application
14 sought for the legalization of an existing doctor's
15 office and the ability to expand, the Brooklyn
16 Borough President's recommendation was to allow the
17 existing doctor's office to remain with little to no
18 opportunity for expansion. And so, you can see from
19 pictures here what is perhaps most telling about the
20 application. The property sits across from New York
21 Community Hospital, and specifically across from the
22 emergency room for New York Community Hospital. The
23 pictures demonstrate rightly so that this is a dense
24 and heavily utilized area of frontage. There are
25

2 ambulances, which are, you know, during both night
3 and day to visit the—visit across from the property
4 to the Emergency Room. It is a very loud area. The
5 use of these properties specifically for a doctor's
6 office is entirely appropriate here. So, in terms of
7 density, we're really not seeking any change with
8 regards to the physical plan to the building. With
9 regards to use, the doctor at this premises sees many
10 indigent patients, many—many immigrants as well, many
11 of whom would probably go to the Emergency Room to
12 seek initial treatment were Dr. Sony in this case not
13 available, but indeed, he serves a very healthy
14 number of community residents. There have been many
15 letters of support issued both to the Community Board
16 and to the Brooklyn Borough President's Office, and
17 we're hoping that the Council can support our
18 application, and approve the application. We would
19 note that the City Planning Commission did approve it
20 as the projected R3-2 Zoning District. So, again
21 that is the bulk of the application, and we're happy
22 to answer any questions.

23 CHAIRPERSON MOYA: Great. Thank you.

24 Just a couple of quick questions. Just how did you
25 decide on the proposed zoning district for the R3-2?

2 RICHARD LOBEL: Sure. So, the original
3 designation at R6 would have not only permitted for
4 the medical office as of right, but it also permitted
5 for a substantial enlargement of the existing homes.
6 Indeed, many of the 6 to 7-story buildings in the
7 area are R6 Districts. The applicant has parcels
8 there. One is his personal home. The other two are
9 attached and serve as the medical office on the
10 ground floor and residential above. The choice for
11 the R3-2 was frankly because the medical office as it
12 exists would need an R3-2 for the minimum square
13 footage, and so the applicant thought that the R3-2
14 was appropriate in being able to convert additional
15 space within the building to potential back office
16 support. The applicant is a sole practitioner. It is
17 a pulmonary and sleep center. He does much work with
18 stem cell-stem cell therapy, and so it's a very low
19 intensity practice, but to the extent that there was
20 even a slight enlargement in terms of office support,
21 et cetera, those accessory uses will be medical, and
22 so he didn't want to be limited to an additional
23 roughly 80 square feet. He was hoping to have an R3-2
24 to allow for the additional square footage. So, the
25 R3-2 would represent the minimum zoning district that

2 would permit the expansion. I would also add that
3 when looking at the surrounding zoning map the R3-2
4 is a district which is prevalent in the area. You
5 can see to the south and southeast large—a large
6 portion of the surrounding residential area is an R3-
7 2. Thus, it's within the context.

8 CHAIRPERSON MOYA: And speaking about
9 this square footage, can you confirm that the medical
10 space is under 1,500 square feet?

11 RICHARD LOBEL: It is.

12 CHAIRPERSON MOYA: Okay, and are there
13 current plans to develop on the site or any other
14 site in the rezoning area?

15 RICHARD LOBEL: There are not. The, um—the
16 applicant controls three of the buildings. The—the
17 building to the building to the west of the
18 development site. I say development site just
19 because it's the project site. It's his—it's his
20 home. The two attached buildings are the medical
21 office, which would remain in their current form,
22 which from all appearances are two family homes,
23 which happen to have medical on the ground floor.
24 So, there's—while there are approvals, which could be
25 south and frankly which may have to be sought if the

2 rezoning does not go through meaning that if the
3 doctor cannot stay here the property potentially
4 could be sold and go to an applicant who may know
5 down these two family homes and put up something
6 institutional. The existing applicant merely wishes
7 to retain the existing development.

8 CHAIRPERSON MOYA: Great. Thank you--

9 RICHARD LOBEL: Thank you, Chair

10 CHAIRPERSON MOYA: --for your testimony
11 today. Are there any other members of the public who
12 wish to testify? Seeing none, I now close the public
13 hearing on this application and it will be laid over.
14 We will now turn to our votes. Today we will vote to
15 approve-(background comments/pause) Sorry. We're
16 going to take up the votes a little bit later. So,
17 we will now go to our next-- We will now hear LU
18 items 609 for the 503 Broadway Special permit
19 relating to property in Council Member Chin's
20 district in Manhattan. The applicant seeks approval
21 of a Zoning Special Permit to allow a large retail
22 establishment in an M1-5B zoning district in the SoHo
23 neighborhood of Manhattan. If approved the requested
24 action would facilitate the legalization of an
25 existing multi-story retail establishment within an

2 existing building. As part of its approval, the City
3 Planning Commission modified the proposal with
4 retards to the loading requirements of the retail
5 operation. I now open the public hearing on this
6 application, and I will be calling up Deadra Carson,
7 Rachael Scowl and Natalia Bartels. I also want to
8 acknowledge that we've been joined by Council Member
9 Levin. (pause)

10 RACHEL SCALA: Is this on? Yeah.

11 LEGAL COUNSEL: Please raise your right
12 hand and state your name for the record.

13 RACHEL SCALA: Rachael Scala.

14 DEADRA CARSON: Deadra Carson.

15 NATALIA BARTELS: Natalia Bartels.

16 LEGAL COUNSEL: Please make sure the
17 button and the red light is on.

18 NATALIA BARTELS: Natalia Bartels.

19 LEGAL COUNSEL: Do you swear or affirm
20 that the testimony you're about to give will be the
21 truth, the whole truth and nothing but the truth, and
22 that you will answer all questions truthfully?

23 RACHEL SCALA: I do.

24 DEADRA CARSON: I do.

25 NATALIA BARTLE: I do.

2 LEGAL COUNSEL: Thank you.

3 DEADRA CARSON: Good morning Chair Moya
4 and members of the subcommittee. My name is Deardra
5 Carson. I'm a shareholder at Greenburg Traurig, and
6 we represent FFS SoHo, which is an affiliate of Zara
7 USA in this application for a special permit the
8 Special Permit if granted would allow Zara to
9 continue to operate the second floor of its store at
10 503 Broadway in conjunction with the portions of its
11 store operating pursuant to a Certificate of
12 Occupancy on the ground floor and cellar of this
13 building. I'm joined today Natalia Bartels, Zara
14 USA's Chief Legal officer, and by my associate Rachel
15 Scala. The building as you see on the map in the
16 lower left hand corner is located between Spring and
17 Broom Streets on the Broadway Corridor of the M1-5B
18 zoning district in the SoHo Cast Iron Historic
19 District. The building is one of the larger
20 structures in SoHo having 125 feet of frontage on
21 each of Broadway and Mercer Streets. This portion of
22 Broad has become one of the city's primary commercial
23 corridors as is recognized in the recently released
24 Envision SoHo, NoHo Report. The regulatory
25 restrictions on retail use in SoHo that bring us here

today were, in fact, never intended to negotiate conflicts between retailers and residences. Enacted in 1974, Section 74-922 was a citywide enactment to protect large tracts of land in outer borough manufacturing districts from shopping malls whose anchor tenants tended to be department stores, variety stores and clothing stores. By contrast, the city's central business district C-4, C-5 and C-6 districts contemplate mixed uses in which large clothing stores on the first and second floors of buildings are permitted. Such districts are, in fact, mapped to the immediate north, east and south of SoHo. We believe these considerations are relevant to the findings of the Special Permit and especially finding F, which requires you to find that a large clothing store would not impair the essential character or future use or development of this area. SoHo is, in fact SoHo a centrally located mixed-use district, and we believe that if large clothing stores are appropriate in other such mixed use districts in Manhattan, they should found to be-be found to be appropriate in SoHo. With respect to findings A through E, which mostly relate to transportation and access issues, the record shows

1 that the store is appropriately located as to
2 transportation and vehicular access. Drop-off for
3 store customer occurs on Broadway a wide street.
4 Public transportation is easily accessible for
5 multiple subway stops nearby, and a bus line that
6 runs in front of the store. As to finding G, which
7 has been the central issue in this proceeding, Zara
8 has demonstrated that it can and will operate the
9 store including its second-second floor without
10 producing adverse effects that interfere with the
11 appropriate use of land. As you'll hear from Ms.
12 Bartels, Zara has been highly proactive in addressing
13 community complaints about quality of life issues
14 when they've been made known to the company. We are
15 aware that members of the Community Board and the
16 Borough President have suggested that the appropriate
17 way to address quality of life issues here is to
18 require Zara to construct two new interior loading
19 berths for the purpose of receiving deliveries, and
20 we believe this position is wrong headed. Such berths
21 are prohibited on Broadway altogether for good
22 reason, and would only be permitted, if at all, on
23 Mercer Street. Constructing them would require the
24 material destruction of the building's historic
25

2 façade, which is visible in this slide with removal
3 of cast iron and fenestration. Due to the grade
4 change between Broadway and Mercer Street, a change
5 of about five feet, it would be necessary to
6 construct a new floor level in the building, and to
7 remove portions of the existing floor level with
8 corresponding changes in the exterior façade. It is
9 to avoid just this sort of destructive intervention
10 that the Zoning Resolution allows the Commissioner of
11 DOB to waive loading berth obligations. Further, any
12 such berths would have to be constructed as head-in,
13 back-out facilities on what is concededly a narrow
14 street. We would be surprised indeed if the community
15 did not find the operation of such facilities far
16 more detrimental to the neighborhood's quality of
17 life than the current modified sidewalk delivery that
18 Ms. Bartels will describe. Because the proposed
19 extension of Zara's retail use to the second floor of
20 Broadway-503 Broadway satisfies the findings, we urge
21 the Council to approve this special permit
22 application, and I'm happy to answer any questions
23 you may have.

24 NATALIA BARTELS: Thank you. Good
25 morning everyone. My name is Natalia Bartels and I

2 am Zara's Chief Legal Officer based here in New York
3 City. Thank you for the opportunity to be here
4 today. Zara's Store at 503 Broadway one of only two
5 locations that we own in the U.S. is very important
6 to our company, and our New York presence. We have
7 made a significant investment in SoHo and because of
8 our desire to have long-term presence in this
9 neighborhood, we have sought to be an engaged part of
10 this thriving and cutting edge community. Our store
11 at 503 Broadway employs almost 200 people most of
12 whom are members of their Local Retail Workers Union.
13 The store also serves as a principal training center
14 for our New York operations. We're also proud of the
15 fact that our SoHo Store. We partner with a SoHo
16 community based organization the Door. Through this
17 partnership we work together to provide employment
18 opportunities to New York City residents who may find
19 it challenging to secure good employment. We believe
20 that owning a store in this thriving (sic)
21 neighborhood means being a good neighbor. To that
22 end we have made a concerted effort to address
23 quality of life issues as soon as they are raised by
24 local residents. We did so in 2017 when in response
25 to a complaint from a Mercer Street neighbor we

1 changed our garbage pickup practices providing for
2 pickup from inside the store daily between 7:00 AM
3 and noon. Our commitment as also demonstrated in our
4 response to complaints we heard during the ULURP
5 process in the fall of 2019 about off-hour delivery
6 noise on Mercer Street. Within one week of hearing
7 these complaints we, myself along with top management
8 instituted new delivery practices with our national
9 vendors that directly addressed them. The new
10 practices include requiring truck engines and radios
11 to remain off during deliveries, requiring that
12 merchandise be hand carried from trucks into the
13 store to eliminate the use of noisy pallets on cobble
14 stones and granite sidewalks. Requiring a supervisor
15 to be present during each delivery and to submit
16 written reports to Zara Transport Management and
17 providing contact information for the store manager
18 and be assigned to the community board, which
19 includes our dedicated email address as well as the
20 phone number to ensure that any complains are handled
21 appropriately. Since these and other solutions were
22 implemented we have not received any new complaints
23 from our residential neighbors. Moreover, as a
24 condition to its approval the City Planning
25

2 Commission further modified our delivery practices
3 requiring that we perform off hour deliveries only
4 through the store's Broadway entrance. We send a
5 truck and bus for that. We now exclusively use
6 Broadway for these deliveries. In addition to this
7 move we have also introduced NYC DOT recommended
8 noise reducing delivery mats on trucks and sidewalks.
9 We remain committed to ensuring that all of our
10 practices are adhered to by those making the
11 deliveries to our SoHo store. Importantly, we have
12 also formed a constructive relationship with the
13 Broadway Corridor that with whom we will continue to
14 cooperate on Broadway Corridor issues. For all these
15 reasons, we believe Zara should be permitted to
16 legalized expansion of its operations to the second
17 floor, and on behalf of the company I respectfully-
18 respectfully ask you to approve Zara's application
19 for a Special Permit. Thank you.

20 CHAIRPERSON MOYA: Just one quick
21 question before I turn it over to Council Member
22 Chin. How is that all-will the CPC modification
23 regarding delivery operations affect the general
24 operation of the store?

2 DEADRA CARSON: That's really your
3 question.

4 NATALIA BARTELS: How will the—I'm sorry
5 the--?

6 DEADRA CARSON: The—the restrictions.

7 NATALIA BARTELS: Well, we've had to
8 modify the way that we've already done. We've
9 already started to do that. We've already changed
10 our practice from Mercer Street into the Broadway
11 Street by—in terms of the—the way that the
12 merchandise is delivered. We've had to make
13 different pathways in order to enter the store.
14 We've had to make sure that our—our vendor has all
15 the people that are necessary to make the—the
16 deliveries through Broadway in the right way. Again,
17 just being very, very mindful to ensure that even
18 though we're not on Mercer Street, we're doing a
19 delivery in a short period of time as possible, and
20 also with the least amount of noise that we can make.

21 DEADRA CARSON: (off mic) Do you go through
22 your store merchandise?

23 NATALIA BARTELS: We do—I mean we do have to
24 go through the front of the store, and we have to
25 create our ramp in order to reach also the—the stock

2 room facilities in order to put all the merchandise
3 away.

4 CHAIRPERSON MOYA: Thank you. I'm going
5 to now turn it over to Council Member Chin.

6 COUNCIL MEMBER CHIN: Thank you, Chair,
7 and thank you for allowing me to ask some questions
8 on this application. You know, there's been a lot of
9 engagement with the community and the Community Board
10 on this, and because of all the problems that large
11 scale retail has created in the community, even
12 though I think from the Deadra you're--Ms. Carson your
13 testimony saying that it's appropriate, but
14 apparently the community disagree with that, and I
15 mean I'm glad that Zara is coming in to get a special
16 permit, and want to be a responsible neighbor. So,
17 some of the things that you have committed is a very
18 good beginning, and some of the questions that I have
19 is that you said that you have two stores in New York
20 City--

21 COUNCIL MEMBER CHIN: Yes.

22 NATALIA BARTELS: --and they all happen
23 to be in my district. (laughs) Now, in the--in the
24 store down here on Ann and Broadway, how many jobs do
25 you provide?

2 NATALIA BARTELS: The one on—the 50—503
3 Broadway?

4 COUNCIL MEMBER CHIN: No, down here.

5 NATALIA BARTELS: Oh the one on 22—oh,
6 222 Broadway?

7 COUNCIL MEMBER CHIN: Yes.

8 NATALIA BARTELS: Um, less than 200,
9 about a 100 or so.

10 COUNCIL MEMBER CHIN: And what's the size
11 of that store? Is it the same size as the on SoHo?

12 NATALIA BARTELS: It's not the same size,
13 and it's at least a base store unlike 503 Broadway,
14 which we own.

15 COUNCIL MEMBER CHIN: Okay. Um, and it's
16 great that it is a union shop. I mean the—the unions
17 are and I met with them, and they are, you know, very
18 concerned about not losing union jobs, but there are
19 issues that the community have raised, and in your
20 testimony you did talk about having a dedicated
21 person that the community can call if there's
22 complaints because in the past, they said that it was
23 every time they have raised a complaint and was told
24 that you have to call the Legal Department.

2 NATALIA BARTELS: Right. No, and—and
3 that's correct. We actually brought Store Manager to
4 our meetings with the Community Board. Sonya Fontan
5 is our store—we call her Store Director. She's based
6 out of the SoHo store on a daily basis, and since the
7 community raised the concern that either their
8 complaints were not being escalated enough or they
9 had a contract person. We created, as I mentioned,
10 both a dedicated line—phone line to which they can
11 call to or text with any issues, and we also have an
12 email address that's dedicated to any issues that may
13 arise out of our SoHo store.

14 COUNCIL MEMBER CHIN: Yes, and I think
15 that the Community Board also requested that regular
16 communication, reporting back to them. I'm glad
17 you're working with SoHo Broadway BID, the SoHo
18 Broadway Initiative, but that's not enough. We want
19 to make sure that the community also have direct
20 access. The other thing is that you raise the issue
21 about not having the voting burden because of
22 historic moving (sic). Have you spoken to the
23 Landmark Preservation--

24 NATALIA BARTELS: Yes.

2 COUNCIL MEMBER CHIN: --to see if it's
3 possible to do it?

4 DEADRA CARSON: Well, without actually
5 going through a public hearing, it would not—you
6 can't say categorically as a lawyer I would say I
7 haven't exhausted my administrative remedies, but we
8 did speak with them about this, and I know that City
9 Planning spoke with them also, and we both got the
10 same answer, which was: This is not something that
11 Landmarks would want to do.

12 COUNCIL MEMBER CHIN: How many—how many
13 times do you get delivery in a week?

14 NATALIA BARTELS: About 12 times a week.

15 COUNCIL MEMBER CHIN: 12 times a week. So
16 there are times where you get delivery more than once
17 a day?

18 NATALIA BARTELS: Right. So, one of the
19 things that happens with the operations is that we
20 have deliveries that are coming straight from the
21 airport, from JFK, and those arrive early in the
22 morning and then we also have deliveries that are
23 coming from our centralized stock rooms, like
24 external stock rooms and warehouses for replenishment
25 purposes.

2 COUNCIL MEMBER CHIN: Is there a way-- I
3 think that since this store in SoHo is pretty big,
4 right? It's over 40,000 square feet?

5 NATALIA BARTELS: A little over 40,000.

6 COUNCIL MEMBER CHIN: Can you—I mean
7 designate storage space.

8 NATALIA BARTELS: There is--

9 COUNCIL MEMBER CHIN: (interposing) I
10 mean is it possible for you to cut down the number of
11 deliveries so that you don't have to have 12
12 deliveries a week?

13 NATALIA BARTELS: There is no lack of
14 storage space. There's 5,000 square feet of storage
15 space in the store. So, there's ample storage space.
16 It's not a question of having a lack of storage
17 space, but it's the turnover of merchandise and
18 sometimes adjustments in the type of merchandise
19 between stores, and the delivery of new merchandise
20 directly from Spain.

21 COUNCIL MEMBER CHIN: Well, I would like
22 you to take a look at how to find a way to cut down
23 on the, um, number of deliveries. That's quite a
24 bit, and then I'm glad you're doing great business,
25 but the community have to deal with 12 deliveries a

2 week. That's a lot. How many times do you get
3 delivery in the--the store down here on 212 Broadway?

4 NATALIA BARTELS: The deliveries at all
5 of our stores are very similar because as Deadra
6 mentioned the merchandise is being moved from within
7 locations around the--the city and then also because
8 of the merchandise that's being received directly
9 from--from overseas.

10 COUNCIL MEMBER CHIN: I really would like
11 you to really look at other possibility to really
12 lessen the deliveries because that's quite a bit in
13 terms of, you know, big trucks coming in--into the
14 neighborhood. Even though you have worked out, you
15 know, all the procedures to make it quieter, and we
16 appreciate that.

17 NATALIA BARTELS: Right and we did--and we
18 did try to use--after we met with the Community Board,
19 we did attempt to use smaller vehicles to make the
20 deliveries, and we found that that actually was more
21 noisy because those vans whenever you put them in
22 reverse they make noise, and we needed more vans than
23 the--the trucks that were being used. So we did try
24 that as well.

2 COUNCIL MEMBER CHIN: Okay, but please
3 think about shortened, you know, less delivery. I was
4 really surprised that it was that many times, but
5 let's see if we can work on cutting that back, and I
6 think you also in regarding to signage and
7 illumination to across the street to residents'
8 window, have you addressed those issues?

9 NATALIA BARTELS: That--that all has been
10 addressed absolutely.

11 COUNCIL MEMBER CHIN: The other concern
12 when you talk about the garbage pickup, and I'm glad
13 that you have designated space inside the store--

14 NATALIA BARTELS: Yes.

15 COUNCIL MEMBER CHIN: --to do that.

16 NATALIA BARTELS: Uh-hm, we do.

17 COUNCIL MEMBER CHIN: Okay. Well, I would
18 like to really hear back from you on the delivery
19 issue and to see how you can help, you know, minimize
20 the negative impact in the community, and to keep the
21 line of communication open so that if there are
22 concerns that they could reach an appropriate person
23 directly, and they're not leaving a message--

24 NATALIA BARTELS: Uh-hm.

2 COUNCIL MEMBER CHIN: --but something
3 that they can really get appropriate response as
4 quickly as possible, and to really continue that
5 dialogue and communication with residents and the
6 with Community Board and also with the-the, uh, the
7 SoHo/Broadway Initiative because we want you to be a
8 good neighbor.

9 NATALIA BARTELS: Absolutely.

10 COUNCIL MEMBER CHIN: The fact that you
11 are doing good things, and we want you to really show
12 the other bad actors that they could also do the
13 right thing, and right now we're in the process of
14 really reviewing what should be happening in SoHo in
15 terms of what future we want to see, and we need
16 people to really set good example.

17 NATALIA BARTELS: Absolutely.

18 COUNCIL MEMBER CHIN: So, we will
19 continue to work with you to make sure that all the
20 commitment that you have put in place are met. Thank
21 you. Thank you, Chair.

22 NATALIA BARTELS: Thank you.

23 CHAIRPERSON MOYA: Thank you.

24 NATALIA BARTELS: Thank you.

2 CHAIRPERSON MOYA: Thank you very much
3 for your testimony today. I'd like to call up the
4 next panel. We have Michelle Choi, Dan Miller, Renee
5 Monroe, and Leah, Anek-

6 MALE SPEAKER: Banking.

7 CHAIRPERSON MOYA: Banking. (background
8 comments/pause) It's taking close to two minutes.
9 (background comments/pause)

10 RENEE MONROSE: Now?

11 CHAIRPERSON MOYA: Renee? Is Renee here.

12 RENEE MONROSE: Well, I think I'm going
13 first. I'm leaving.

14 CHAIRPERSON MOYA: Wait one second, one
15 second. Are you Renee?

16 RENEE MONROSE: No, I'm Renee.

17 CHAIRPERSON MOYA: Renee. Okay.

18 RENEE MONROSE: She can go first.

19 CHAIRPERSON MOYA: Dan Miller. Dan
20 Miller? No? Okay. Michelle, please, and then Nancy
21 Arch-Orch?

22 LEE BANKEE: Yep. It's not me. She's up
23 there.

24 CHAIRPERSON MOYA: Nancy. (pause) Nancy
25 going once.

2 LEE BANKEE: She's coming.

3 CHAIRPERSON MOYA: She's coming? Oh, I'm
4 sorry. I didn't see her. I apologize.

5 LEE BANKEE: Give her a little time.

6 CHAIRPERSON MOYA: I apologize.

7 LEE BANKEE: Give her a little time. She
8 uses a cane.

9 CHAIRPERSON MOYA: Yep, no-no worries.
10 (background comments/pause) You may begin. We have a
11 two-minute clock. So we would like you to please try
12 to keep your testimony to two minutes.

13 LEE BANKEE: Okay, so I'm Lee Bankee and
14 I'm from the Broadway Residents Coalition. I would
15 like to say that we as a neighborhood are really
16 opposed to anything going any bigger with retail.
17 We've been so overwhelmed, and I-I listened to the
18 testimony I just heard. There is no way to get all
19 of those deliveries into our neighborhood without
20 impacting our lives dramatic-dramatically. So, I
21 want you to really look at this like we're—we're
22 happy to have the retail there. We understand its
23 mixed use, but we do not have the infrastructure to
24 allow this to go on, and there's no way because of
25 these historical buildings to change it to make it

2 adaptable so that we can get along. So, I really ask
3 you to take a very strong look at this, and limit
4 them to what's already legally allowed.

5 RENEÉ MONROSE: Hi. My name is Renee
6 Monroe. I live at 542 Broadway, and Member of the
7 Broadway Residents Coalition, and I pretty much want
8 to say the same thing Lee said. I've already submit
9 ted written testimony so I don't want to belabor
10 that, but I do think that Ms. Carson made the perfect
11 argument for us in that there is no way to adapt
12 these buildings to accommodate this kind of oversized
13 retail, and I live next door to Uniglow, which is
14 another example of an illegal oversized retail
15 business, and their deliveries, which are not even as
16 many aa Zara's, create an incredible nightmare for
17 the residents who live nearby. So, I, too, will ask
18 you to please, please take this into consideration.
19 I-I would like you to reject this application
20 wholeheartedly.

21 LEE BANKEE: Yes, absolutely.

22 MICHELLE CHOI: Hi. My name is Michelle
23 Choi. I live at 16 Crosby Street between Howard and
24 Grand. I'm the board president for our co-op, and not
25 a member of any coalitions, but I am in opposition to

2 this as well. I think that this sets a very bad
3 precedent in the neighborhood for other large
4 corporations with a lot of money to come and open
5 illegally overly large retail spaces, and to have
6 very little consequence, and I think that this should
7 be rejected as well.

8 Nancy Horch. I'm part of the 543
9 Broadway Co-Op and I've lived in the neighborhoods
10 for more than 25 years, and the congestion that we
11 have now is the worst that it's ever been, and at
12 times the streets are literally impassable. So, I'm
13 not sure how you could add more retail space and more
14 loading and unloading and deliveries without reaching
15 the point of no return in terms of using the streets
16 for the residents

17 CHAIRPERSON MOYA: Thank you. Thank you
18 all for your testimony today. Thank you very much.
19 I'd like to call up the next panel. Stuart
20 Appelbaum, Mark Dicus, Alvin Ramnarain

21 MALE SPEAKER: Ramnarain. Did I get it
22 right? Please.

23 STUART APPELBAUM: Good morning. I'm
24 Stuart Appelbaum. I'm the President of the Retail,
25 Wholesale and Department Store Union, and I'm also

2 President of UNI Global Commerce, which is a global
3 union federation representing more than 160 trade
4 unions involved in commerce and 4 million commerce
5 workers worldwide, and I'd like to thank the
6 Subcommittee in Zoning and Franchises for holding
7 today's hearing, and to especially the Chair, Council
8 Member Moya. I would also like to recognize the
9 ongoing leadership of Council Member Margaret Chin
10 and Manhattan Borough President Gale Brewer in
11 relation to Zara's application, and I think all of
12 the members, Council Member Rivera as well. I'm here
13 to testify in support of Zara's application for a
14 store permit variation for their flagship SoHo store.
15 I know Zara to be a good corporate citizen on a
16 global scale, and on a more local level and as an
17 employer of more 1,000 unionized workers in New York
18 City. We need more employers like Zara in New York.
19 The requested special use permit provides Zara with
20 the necessary approval to continue operating in the
21 current building footprint and retaining the highly
22 skilled professional workforce that happily serves
23 the customers of the shop. In an era of corporate
24 downsizing, skirting labor protections and shirking
25 corporate responsibility, Zara is trying to do the

1 right thing. The New York City Central Labor Council
2 urges as well the approval of the Special Permit and
3 supports the request of the employer. With the
4 retail industry under constant pressure, providing
5 support for Zara and for scenarios integral to the
6 health and viability of an iconic retail corridor. I
7 have worked with Zara on both the global level, and
8 in New York. In 2013 Zara's parent company Inditex
9 was instrumental in creating the Bangladesh accord, a
10 legally binding agreement to make garment factories
11 in Bangladesh safe following the Rana Plaza tragedy
12 where over a thousand workers were killed in a
13 factory collapse. As a result of Inditex's
14 leadership on this important issue, more than 200
15 global retailers have gone on to sign the Bangladesh
16 Accord. It was a landmark step toward raising
17 workplace health and safety standards. Last October,
18 I participated in a joint press conference in Madrid
19 with the Chairman of Inditex to celebrate the tenth
20 anniversary of the Global Framework Agreement that
21 highlights (bell) the important role of labor unions,
22 and the need for a collaborative labor management
23 relationship. In 2016 when its workers were
24 organizing a union in New York City, Zara agreed to
25

2 remain neutral, something quite unusual. As a
3 result, its managers committed to refrain from using
4 coercive anti-union tactics, something that we see
5 all too often when workers seek representation in the
6 workplace. By taking these steps Zara once again
7 provided an example to other corporations of how to
8 set a higher standard and respect for rights of
9 workers to organize and collectively bargain. In New
10 York City Zara has a strong record for taking the
11 high road and respecting the rights (bell) of workers
12 to have a voice in the workplace. In relation to its
13 store permit application, Zara has demonstrated a
14 commitment to working with the community to resolve
15 issues and address the concerns. For these reasons,
16 I can testify that we know Zara to be a model
17 corporate citizen. We also know they are open to—
18 they are open to continuing to work with the
19 community to address key concerns while continuing to
20 create good jobs for New York City residents.

21 CHAIRPERSON MOYA: Thank you.

22 STUART APPELBAUM: Thank you for your
23 time and consideration.

24 CHAIRPERSON MOYA: Thank you so much.
25 Just push the button so you have the microphone on.

2 Thanks.

3 CHAIRPERSON MOYA: There you go.

4 MARK DICUS: Hi. Good morning. My name
5 is Mark Dicus. I'm the Executive Director the SoHo
6 Broadway Initiative. We're the neighborhood focused
7 Business Improvement District on Broadway from Howell
8 Center Canal. (sic) The initiative represents both
9 commercial and residential interests on SoHo
10 Broadway. In the interest of full disclosure, the
11 applicant is a member. They are also a sponsor of
12 ours. They are helping the—they are joining a number
13 of other businesses to help beautify Broadway, and
14 support the initiative's programming. I'm reading an
15 excerpt of the testimony that I provided in writing.
16 I wanted to talk a little bit about the quality of
17 life issues that we face on Broadway. We've heard
18 complaints about lighting, deliveries and garbage
19 collection that can be found really in any mixed use
20 community. The Initiative asked the Council to
21 include restrictions on those operations that are
22 scalable, and could become models for future policy
23 to regulate these types of activities throughout
24 mixed-use communities including SoHo. Included in
25 the testimony the initiative has provided the

2 committee with a noise policy and accountability
3 recommendation prepared by the architecture and
4 engineering firm HDR, which provides a rational
5 framework to regulate deliver activity from 10:00 PM
6 to 7:00 AM. It includes a noise policy, which is
7 based on New York City code that regulates bars and
8 waste management as well as noise policy from CEQR
9 that would regulate any zoning changes. The current
10 New York City Code does not have specific
11 restrictions for delivery activity. Our policy also
12 included an accountability mechanism, both for the
13 sound policy, but also a sound mitigation measure as
14 well as a noise monitoring program. To address the
15 quality of life concerns on Mercer Street, the City
16 Planning Commission approval prohibits deliveries on
17 Mercer Street, but requires the applicant to use
18 Broadway for deliveries at these times. However,
19 this restriction just pushes (bell) the potentially
20 disruptive activity from Mercer Street to Broadway
21 where residents also live, and you should be able to
22 get a quiet night's sleep. The initiative recommends
23 approval of this application subject to the
24 conditions we just described.

25 CHAIRPERSON MOYA: Thank you.

2 MARK DICUS: Thank you.

3 ALVIN RAMNARAIN: Good morning. My name
4 is Alvin Ramnarain I'm the President of Local 1102 of
5 the Retail, Wholesale and Department Store Union.
6 Local 1102 represents thousands of retail workers in
7 New York, and our union represents over 100,000 men
8 and women employed in a variety of industries across
9 the United States. Local 1102 is committed to the
10 belief that retail jobs in New York should have good
11 pay, safe working conditions, and strong benefits. We
12 fight everyday to set the standard in the retail
13 industry for jobs that support families and help
14 build better communities. To achieve these goals,
15 workers need dignity and respect that comes with
16 union membership. At Zara workers have that
17 essential voice on the job because of their strong
18 union contract. In 2016, over a thousand workers at
19 Zara in New York stores including every Zara location
20 in Manhattan have chosen representation by RWDS Local
21 1102. With the latest employees in stores in West
22 Nyack and Yonkers joining just this past summer.
23 Zara is a high road employer. They saw the value in
24 respecting their workers' rights to join the union,
25 and voluntarily agreed to being neutral in the

2 process. At Zara we didn't see the type of
3 underhanded tactics that all too often companies turn
4 to in the face of a unionizing-union organizing
5 drive. There were no captive audience meeting where
6 management threatened to close a store or demonize
7 the union. There were no workers fired for leading
8 the charge to unionize. There were no union busting
9 law firm hired to frighten workers with lies. It was
10 a level playing field, the way it should be and
11 worker elected to join Local 1102. Zara proves that
12 employers can treat their workforce with respect,
13 value their employees' input and deal harmoniously
14 with unions all while competing effectively in (bell)
15 New York City retail environment. Zara has proven
16 its responsible citizen, and it's shown that it
17 deserves the city's support. Zara SoHo should be
18 allowed to continue to contribute to New Yorkers
19 retail economy, and keep good jobs in the heart of
20 one of the city's most important retail districts,
21 RWDSU 1102 stands fully behind Zara's application for
22 a special permit. Thank you.

23 CHAIRPERSON MOYA: Thank you. Thank you
24 all for your testimony today. Thank you. We've been
25 joined by Council Member Grodenchik. Thank you for

2 being here, and I will call the next panel. Fredrica
3 Sigel, Carter Booth, David Thall (sp?) and Susan
4 Whittenberg. (background comments/pause)

5 FEMALE SPEAKER: You're raising up a
6 hand.

7 CHAIRPERSON MOYA: No, it's okay. Youi
8 can begin.

9 FREDERICA SIGEL: I'm Frederica Sigel,
10 Co-Chair of CB-2's Land Use Committee. We responded
11 to this application with a lengthy disapproval based
12 on quality of life issues, the murkiness of the
13 Certificate of Occupancy, and the size of the store
14 given that the cap in the neighborhoods is 10,000
15 square feet, and there is no record or a special
16 permit. The Borough President's Office also
17 disapproved the application for similar reasons, and
18 with similar conditions. In its decisions, City
19 Planning organized all of the complex issues of this
20 application and addressed only the most superficial,
21 a limitation on delivery hours. Despite its best
22 intentions, the envision SoHo, NoHo Study has raised
23 more questions than it has answered, creating a
24 climate in which it is all too easy to do nothing
25 until we have settled everything. That would be

2 unacceptable. Our committee—our community expects
3 enforcement of existing rules. One such has been
4 mentioned is 4452, which requires stores of this size
5 to have two loading berths. We understand that
6 installing them would entail significant changes, and
7 in her presentation, Ms. Carson made a good argument
8 against that. The building wasn't built to
9 accommodate legally a store of this size. The
10 solution is to reduce the size of the store, dedicate
11 the cellar, for example, to storage. Not disregard a
12 zoning regulation that has been on the books for over
13 50 years. How many thousands of square feet in SoHo
14 have been converted to oversized retail with little
15 transparency, and no community input. How
16 transformed SoHo and NoHo have been by the cumulative
17 effect of countless seemingly innocuous individual
18 applications like this one? Thus far the Community
19 Board and the Borough President's recommendations
20 have been ignored, and we ask you to step up and
21 correct the situation. Thank you.

22 CARTER BOOTH: Good morning Chair Moya,
23 Council Member Chin, and Council Member Rivera, and
24 Council Member Grodenchik. I'm Carter Booth. I'm the
25 Chair of Manhattan Community Board No. 2. I also

1 represented Community 2 as a member of the Advisory
2 Group of the recent SoHo/NoHo Planning Study, which
3 examined the existing conditions in our community.
4 Zara is a huge multi-national brand. It's a valuation
5 of over \$18 billion. They came to our community,
6 bought a condominium unit in this building in 2015,
7 which was created for them, which they knew when they
8 purchased was not legally conforming, and
9 nevertheless built out an illegal non-conforming
10 oversized store where just about every square foot is
11 selling space with limited storage space
12 necessitating a heavy impact on the immediate
13 community from large scale on-demand daily
14 deliveries. They did not seek this permit before you
15 prior to opening. CB2, Council Member Chin and
16 Borough President Brewer all alerted the city
17 contemporaneously that this was illegal. The city
18 dragged their feet and took a number of years, yes,
19 years to issue a violation to Zara. This application
20 is to correct that self-created illegal situation
21 that they were aware was not proper, and nevertheless
22 thumbed their noses at all of us. Make no mistake,
23 CB2 is against this application. Since Zara opened,
24 they have not been a good neighbor. You'll hear this
25

2 from other members of the community, and have taken-
3 and have only begun to take steps to correct the
4 situation since this process began. One of the big
5 issues is noise from deliveries. They are seeing a
6 waiver of Zoning Regulation 4452, which requires a
7 store of this size to have not one but two loading
8 berths. This is—there is no reason to waive this
9 requirement. The—one of the findings in this
10 Envision SoHo/NoHo Report, which has been referred to
11 here by the applicant and also in the CPC report is
12 the Priority 1.1, improve quality of life for
13 residents and workers in SoHo/NoHo missed use
14 environment. That priority specifically addresses
15 why CB2 and other local groups have such a serious
16 issue with this application. Priority 1.1-E a
17 subset on page 52 in the report is to improve
18 enforcement of zoning rules, building codes and other
19 regulations. This is a chance to enforce the rules
20 and should you approve the application, please find
21 an appropriate balance by requiring the applicant to
22 have a loading dock. Thank you.

23 CHAIRPERSON MOYA: Thank you. Okay.

24 DAVID THALL: [off mic] Do I testify?

25 CHAIRPERSON MOYA: Pres the button. Okay.

2 DAVID THALL: There we do. Can you hear
3 me? Okay. Um, okay, my name is David Thall and I am
4 the Condo Board President at 77 Mercer Street
5 Condominium for the past 20 years, and I've lived
6 there for 30. I am probably one of the only people
7 in this room who has first hand experience and
8 empirical evidence of Zara's negative impact on my
9 block because we are located directly across the
10 street from 78 Mercer, which is their back door.
11 That's where all the deliveries go in and all the
12 garbage come out. Now I can tell you in a nutshell
13 that the last four years since they've arrived, the
14 negative impact they've had on our building in terms
15 off quality of life has been substantial. As a
16 consequence of that, it is now affecting our property
17 values, and let me just be very specific. The thing
18 that I can contribute here probably and help you
19 folks the most come to a conclusion is that I can
20 tell you that our property values have been affected
21 negatively. Specifically, we have two commercial
22 units on our ground floors. We have a six-story
23 building. It's a landmark beautiful building. It's
24 one of the finest buildings in SoHo. It's beautifully
25 maintained. The most inexpensive unit in my building

1 is worth about \$3.5 million, just to give you an
2 idea. I know that my real estate taxes have more
3 than quadrupled over the last eight years or so, and
4 a lot of that has to do because as rents go up so do
5 the—so do the real estate taxes. Now, the two units
6 on the ground floor have always been filled, and they
7 recently moved out, and I went down and interviewed
8 them, and I said, Why did you move out? They were
9 high-end clothing stores, Sweaty Betty and Max Mara,
10 and they moved out because they wanted to go to a
11 better neighborhood because across the street from
12 them is this giant box retail store, this gigantic
13 thing that is basically generic clothing, and if you
14 go up and down my block on Mercer—I actually did a
15 walk, and I actually made a bunch of photographs of
16 it. There are empty stores all over and it's because
17 they are moving out because stores like Max Mara are
18 driving them away. I mean the very thing that I
19 think is attractive for SoHo. So let me just say in
20 conclusion that Zara is an illegal oversized
21 retailer. They have destroyed my block's quality of
22 life, negatively impacted our property values, and
23 have seriously upset SoHo's cultural and economic
24

2 ecosystem. And so as you know, I want to make one
3 more point.

4 CHAIRPERSON MOYA: Okay.

5 DAVID THALL: I think it's important no
6 one has brought this up. This is actually very
7 important. As you know, SoHo is currently in the
8 middle of an historic re-examining of its zoning
9 laws. This makes giving mega retail like Zara a
10 waiver for current zoning at this time at the more-
11 more-all the more disastrous for the people who
12 actually live here.

13 CHAIRPERSON MOYA: We got to--got to wrap-
14 wrap it up. Two minutes.

15 DAVID THALL: Okay. I just--I just wanted
16 to say, though, that hasn't been mentioned year.

17 CHAIRPERSON MOYA: Okay.

18 DAVID THALL: Why give them a waiver now
19 when they're about to rezone all SoHo because--

20 CHAIRPERSON MOYA: Yes.

21 DAVID THALL: --it's such a horrible
22 precedent.

23 CHAIRPERSON MOYA: Thank you for your
24 testimony today. Thank you.

25 DAVID THALL: Okay. Thank you.

2 CHAIRPERSON MOYA: I'd like to call up
3 the next panel. Ronnie Wolf, Faith Davis, Darlene
4 Lutz. ((background comments) Lorna Lawrence.
5 Darlene. I'm sorry? Kim Lippman, Pete Faith Davis,
6 Ronnie, Lorna. You have more? Yep. Okay, great.
7 (pause) Ronnie, you're up.

8 RONNIE WOLF: Dear City Council Members.
9 First, I'd like to say how distraught I was to hear
10 about the irreplaceable Chinese artifacts that were
11 destroyed by the fire. My name is Ronnie Wolf. I'm a
12 residential representative on SBIs board and both a
13 Broadway resident and commercial property owner. The
14 residents that I represent do not feel that the BID
15 supports the residents and commercial owners equally
16 especially when it comes to over-size retail in SoHo.
17 Please, I appeal to you not to set a bad precedent
18 and award Zara the expansion and then seeking to an
19 existing oversize space. Zara knowingly violated
20 building codes, zoning regulations and operated an
21 illegally for years all the while ignoring the pleas
22 from its neighboring residents. Zara and the BID
23 claim to have recently improved its delivery system.
24 That doesn't do—make everything all better, and if
25 Zara moves its night time deliveries to Broadway,

2 that just shifts the disruption and does nothing to
3 solve the essential problems. There are 53 second
4 floor residential units on Broadway, and second floor
5 residential units surround Zara in all directions.
6 Certainly Zara's ground and cellar space, which
7 mounts to approximately 29,000 square feet should be
8 able to incorporate its children's clothing line,
9 preserving the quality of life of heavily taxed
10 residents in this unique mixed-use neighborhood
11 should be the priority. Zara and SBI cannot
12 guarantee that nighttime noise will be eliminated and
13 residents shouldn't be tasked with reporting and
14 proving noisy deliveries. We built this thriving
15 neighborhood all prior to and in spite the arrival of
16 big retailers. Please enforce our local zoning as
17 you have bone-boldly done before, and if Zara can't
18 figure out what to do with its second floor, then the
19 residents can think of many positive ways Zara could
20 put it to use. Thank you. (bell)

21 PETE DAVIES: Good morning Chair Moya,
22 Council Member Chin. My name is Pete Davies and I
23 and I offer this testimony in opposition to LU 609.
24 I'm a 40-year resident of Broadway. I am a 45-year
25 union member, and I sit on the Board of the Local

2 Business Improvement District as a volunteer
3 residential tenant representative, and I'm actively
4 involved in the Broadway Residence Coalition, our
5 local voluntary residents advocacy group, and as a
6 representative for that I participated on the
7 Advisory Group of the recent SoHo/NoHo Planning
8 Study. Residents of Broadway and SoHo seek relief. We
9 seek remedy, and we seek accountability to assure the
10 preservation of the quality of life of residents. I
11 need to point out that applicant Zara is not seeking
12 this special permit of its own accord. It is only
13 doing so because it was found to be in violation of
14 our local zoning. By failing to obtain the necessary
15 large special permit before it began operations in
16 2016, and thereby not going through the required
17 public review, Zara has broken the public trust. By
18 its own act Zara robbed the City Council, robbed the
19 Council Member, robbed the borough president, robbed
20 the community board and stole from the local
21 community our right of public review, and instead of
22 following the law, Zara put its own interests first
23 and ignored the wellbeing of the surrounding and long
24 established residents of community. This is all
25 documented in paperwork that going back to 2013,

2 showing that there were meetings with the applicant's
3 representative and Department of City Planning, but
4 then they (bell) skipped on that. I really wish I
5 had more time. I have six points that I have
6 submitted that I think will help to solve the
7 problems that Zara continues to impact the community
8 with.

9 CHAIRPERSON MOYA: Great.

10 PETE DAVIES: Thank you very much.

11 CHAIRPERSON MOYA: Thank you.

12 KIM LIPPMAN: Hi. My name is Kim
13 Lippman. I live at 30 Crosby Street in SoHo. I
14 support all of the other points that has been made in
15 opposition in—in particular, of course, the poor
16 precedent that would be set by allowing this. I think
17 it's unfortunate that, you know, pitted against this
18 large multi-national company with revenues that were
19 quoted before by someone else of \$18 billion that
20 information is available on Wikipedia and, you know,
21 who easily have the means to have, you know, in-
22 house, you know they brought their Chief Legal
23 Officer here. I'm sure they have a legal team in-
24 house and that they were surely aware of the
25 limitations that were—that were entailed by the

purchase of the property that they were purchasing.

They easily have the means to hire well healed and

articulate legal counsel from Greenburg Traurig one

of, you know, surely one of the most elite and

expensive law firms in New York City, and, you know,

so pitted against that you have individual homeowners

who are trying to preserve day by day their

individual investments from an onslaught of over-uses

by Zara, as well as other, you know, commercial

stakeholders who want to go beyond the zoning in

order to maximize—maximize their profits because

they're able to use their ground floor. They're able

to operate within the zoning, but they want more than

that. I find it troubling that the attorneys for Zara

would , you know, (bell) would argue that Zara's use

is appropriate. Based on the current conditions of

the neighborhood, which is again over-uses that are

outside and beyond and not allowed per the current

zoning. And so to rely on that is an argument.. It's

just unfortunate. I think the question really is:

Is there a need for this or does Zara need this or is

this a favor to someone?

CHAIRPERSON MOYA: Thank you.

1 MARNA LAWRENCE: I'm Marna Lawrence. I
2
3 live off Spring Street about two blocks from Broadway
4 and Zara. I ask that our City Council reject the
5 expansion of Zara seeking the special permits for its
6 enormous oversized retail store. As it stand, this
7 store is already operating outside the legal usage.
8 So common sense inspires one to ask the following
9 question: How can the Department of City Planning
10 now declare legal the unpermitted and extremely
11 disruptive flagship store and reward them for their
12 malfeasance? The City Planning Report lays out the
13 Mayor's vision for the future of Lower Broadway and
14 SoHo and NoHo as a huge retail destination area with
15 all night deliveries allowed on Broadway truck route.
16 The SoHo/NoHo studies state that despite restrictions
17 on commercial uses, retail is a strong presence in
18 these neighborhoods and he goes on to declare these
19 neighborhoods are major retail districts with a
20 stellar annual spending. By this, they mean mega
21 retail stores. One must ask them: How did this
22 happen? It wasn't a natural course of events, but
23 was pushed upon these beautiful and vital
24 neighborhoods and communities by a lack of
25 enforcement especially on the part of the New York

1 City DOB. Whether this lack of enforcement has been
2 a result of eptitude or malfeasance or both, this
3 change does not reflect a natural course of civic
4 events. Instead, it has been pushed upon the
5 residents and small business owners who reside within
6 these neighborhoods. It also does not go unnoticed
7 that City Planning is also showing an unwillingness
8 to enforce their own public review processes so it is
9 often too late for the public to provide input in a
10 fair and civically responsible manner. In addition
11 to many of the issues brought up concerning
12 pedestrian density, which is unbelievably bad on
13 Broadway and around the area, the unbelievably-
14 unbelievable influx of construction sites as a result
15 of overdeveloped-of development of the area, has made
16 it unsafe and unhealthy to even maneuver the streets,
17 bad air quality, trucks idling with deliveries and
18 construction materials. (bell) Please reject this
19 expansion of Zara's massive retail store, and stop
20 the insane policies that are creating such poor
21 conditions for all the residents who live on and
22 around Broadway. We plead with you to understand
23 that out of the heart wrenching horrific catastrophe
24 tragedy that was 9/11 came a corporate driven
25

2 Gomorrah for those of us who actually live in and
3 around these communities.

4 CHAIRPERSON MOYA: Thank you. Thank you
5 all for your testimony. Thank you, and our last
6 panelist is Stacey

7 MALE SPEAKER: Groger?.

8 CHAIRPERSON MOYA: Groger.

9 MALE SPEAKER: Gurgen.

10 CHAIRPERSON MOYA: Gurgen. I'm sorry.

11 STACY GURGEN: My name (off mic)

12 CHAIRPERSON MOYA: Just press—One second.

13 STACY GURGEN: My name is Stacy Gurgen
14 and I'm a resident of 76 Crosby Street. I've live on
15 Crosby Street for 20 years, and I agree with much of
16 what has been said before me. So, I'm going to keep
17 this short. From a personal point of view we
18 actually live right next to Uniglo, and it's been a
19 nightmare for us actually. We call 311 regularly
20 about the trash, the garbage, the people smoking
21 outside. It's really—it affects our lives and the
22 lives of our children. You know, it's interesting to
23 hear people talk about Zara being a good neighbor
24 because I don't think of them as being a good
25 neighbor at all. They—they moved into this

1 neighborhood knowing and bought a building and built
2 it out knowing that it was illegal, and surely their,
3 teams of lawyers knew that. Then they continued to
4 operate in spite of the fact that that those of us in
5 the neighborhood who started complaining, you know,
6 wondering how on earth this could be done, how a
7 global corporation could be operating so in the face
8 of the law. So, you know, I think that it's almost
9 astonishing to me that we would think about granting
10 this because it sets a terrible precedent, and I
11 think that it's dangerous to our community and the
12 people who live there. Thank you.

14 CHAIRPERSON MOYA: Thank you. Are there
15 any members of the public who wish to testify? Seeing
16 none, I now close the public hearing on this
17 application, and it will be laid over. We will now
18 hear Prconsidered LU Items C200064 ZMM and N00065 ZRM
19 and C 200061(A) ZSM for the GO Broome Street
20 Development Proposal relating to property in Council
21 Member Chin's district in Manhattan. The applicant
22 seeks approval of a number of related actions
23 including modification of a large scale residential
24 development, a zoning special permit to allow certain
25 bulk modifications within a large scale residential

2 development. (background comments) Can we just have
3 a little quiet please. You can just take your
4 conversations outside. Thank you and a zoning
5 special permit to allow certain bulk modifications
6 within such a large scale residential development, a
7 zoning map amendment to change an existing R8
8 district to and R9-1 district with a C2-5 commercial
9 overlay, and a zoning text amendment to allow
10 application of a (coughs) quality housing project to
11 the site as well as to establish a Mandatory
12 Inclusionary Housing area utilizing Option 1. The
13 requested action will facilitate the development of
14 two new mixed-use buildings in the Lower East Side
15 neighborhood of Manhattan and including approximately
16 488 dwelling units, community facility space and
17 office and ground floor retail. I now open the
18 public hearing on this application, and I will call
19 up the first panel. Wayne Hope, Brian Kelly, Daniel -
20 I can't read your handwriting. I'm sorry.

21 DANIEL HEUBERGER; Heuberger.

22 CHAIRPERSON MOYA: Heuberger. Okay, and
23 Simon.

24 SIMEON MALOUF: Simeon.

25 CHAIRPERSON MOYA: Simeon.

2 SIMEON MALOUF Malouf

3 CHAIRPERSON MOYA: Malouf. Thank you.

4 (background comments/pause)

5 LEGAL COUNSEL: (off mic) And it is Alise
6 Wagner.

7 CHAIRPERSON MOYA: Alise Wagner. I Alise
8 Wagner here. No, and Alison Roddick are you going to
9 testify? No.

10 MALE SPEAKER: If there's questions for
11 them, we can ask when I come up, right?

12 CHAIRPERSON MOYA: You may being.

13 LEGAL COUNSEL: Please raise your right
14 hand and state you name for the record.

15 SIMEON MALOUF: [off mic] Simeon Malouf.
16 (on mic) Simeon Malouf.

17 WAYNE HO: Wayne Ho.

18 BRIAN KELLY: Brian Kelly.

19 DANIEL HEUBERGER: Daniel Heuberger?

20 LEGAL COUNSEL: Do you swear or affirm
21 that the testimony you're about to give will be the
22 truth, the whole truth and nothing but the truth, and
23 that you will answer all questions truthfully?

24 SPEAKERS: (in unison) I do.

25 LEGAL COUNSEL: Thank you.

2 CHAIRPERSON MOYA: You may begin.

3 WAYNE HO: Great. Thank you very much
4 Council Member Moya as well as Council Member Chin.
5 My name is Wayne Ho, and I am the President and CEO
6 of the Chinese-American Planning Council. We were
7 founded in 1965 and we've grown to become the largest
8 Asian-American social services, non-profit in the
9 entire country. Today we are here to present our
10 application to you for consideration. Specifically
11 this is our application to build CPC's new
12 headquarters and community center to bring in
13 affordable housing including senior affordable
14 housing to rehabilitate a historic synagogue as well
15 as bring local retail to the neighborhood. So
16 imagine that you are in charge of this organization
17 that every five to seven years has to change our
18 rental agreement and find new space. Imagine that
19 you are 72% funded by the government for social
20 services, and you're only paid 80 cents on the dollar
21 for those services, and you need to find other monies
22 to support your programming. Imagine that you have a
23 private parking lot that's attached to a senior
24 affordable building, but unfortunately it's regulated
25 so that you cannot utilize that space, but we have no

2 seniors that utilize the space currently to park, and
3 given these conditions what do we do with a space
4 that we've owned for 38 years and have been a good
5 neighbor for 38 years in the Lower East Side? And
6 that's where we've come up with this exciting project
7 where we would once again build a new headquarters
8 for CPC, 40,000 square feet where we bring together
9 our three rental properties. We will have the
10 opportunity to generate ground rent and funding in
11 order to sustain and expand our services to the
12 15,000 plus we serve in Lower Manhattan. We'll have
13 the opportunity to rehabilitate a historic synagogue
14 that unfortunately has been abandoned and suffered a
15 catastrophic fire. We will bring in neighborhood
16 retail in order to generate local jobs, and support
17 local businesses, and we will once again bring in
18 affordable housing, 43% affordable housing, which
19 includes 115 units of senior affordable housing in
20 the Lower East Side. The history of this project is
21 that CPC with everything going on in the neighborhood
22 especially Essex Crossing, we didn't—a lot of
23 developers came to us over the years saying we want
24 to buy this parking lot from you. We want to fill
25 the gap for Essex Crossing. However, we at CPC

2 wanted to control our own destiny. We wanted a
3 project that would meet the needs of not only our
4 organization, but also our residents, and that's why
5 in 2014, in consultation with certain city agencies
6 we released Request for Proposal to find a
7 development partner who would help us meet our goals
8 of having affordable housing, having a community
9 center and headquarters and then supporting the
10 services that we provide. And that's why after
11 having over two dozen firms bid for this project and
12 going through a rigorous process, we're excited to
13 partner with the Gotham Organization. It's a fifth
14 generation family owned developer that has experience
15 in affordable housing throughout New York City, and
16 that's why we are excited about having this
17 opportunity before us to develop on the empty parking
18 lot that's located on Broome Street between Norfolk
19 and Suffolk Streets. Once again, it will allow us to
20 renovate a synagogue, create our community center and
21 affordable housing as well as bring in much needed
22 local retail into the neighborhood. So, with that, I
23 will provide a brief overview of the partners. Once
24 again, CPC we've been providing services for 55 year
25 in New York City, and we've owned this location for

1 38 years. It includes our senior housing known as
2 Honing (sp?) which has 155 units and about 200
3 residents. We will benefit from this project not
4 only in terms of expanding and sustaining our
5 services, we will also be a 50/50 joint venture
6 partner in the senior building as well as we will
7 develop a subsidiary in order manage and oversee the
8 property. Again, we are working with the Gotham
9 Organization, which is a family owned development
10 firm with a history-a long history in affordable
11 housing. They have supports of many of their allies
12 including 32BJ, and then last, but not least, Beth
13 Hamedrash Hagodol Synagogue, and we're represented
14 here today by the Rabbi who oversees the synagogue.
15 Well, once again this is a synagogue that is next
16 door to our senior housing that suffered a fire and
17 has been abandoned for 10 plus years, and we made
18 sure in our RFP process that we wanted to renovate
19 the synagogue and give it a new space and bring back
20 its congregation. In addition to bringing back the
21 congregation they will have a cultural heritage
22 center, which will be open to the entire public. Next
23 slide. So with that we are excited that we have
24 overwhelming support for the project. We also

1 believe in local jobs. So we are working with the
2 Lower East Side Employment Network, LESEN, and we've
3 signed an MOU in order to provide workforce training
4 and support local jobs in the construction industry.
5 We took it upon ourselves to do community outreach
6 and spoke to neighborhood groups, activist
7 associations, civic leaders, and others around the
8 neighborhood in order to get the support and educate
9 the folks about the benefits of this project. Today
10 we are joined in this room if folks can raise their
11 hand by supporters and residents of the Lower
12 Eastside of Chinatown who've all benefitted from CPC
13 our partner with us. I'm also excited that we have
14 brought with us over 3,000 letters and postcards, and
15 petitions signed by almost everyone inside our senior
16 housing as well as Lower Eastside residents and
17 others who support this project. I also want to
18 mention that over 30 some organizations all based in
19 the Lower Eastside and in that neighborhood, from
20 conservancy groups to activists to grassroots
21 organizations, to settlement houses, many of which
22 who have protested other development projects in the
23 neighborhood. All 30 plus of these organizations are
24 standing behind this project because they realize its
25

2 importance and the value of us bringing it together.
3 With that, I'm going to toss it over to Brian Kelly
4 to go over the specifics on the affordable—I'm sorry—
5 to Daniel to go over the design, and then we'll go
6 into the affordability.

7 DANIEL HEUBERGER: Good morning. I'm
8 Daniel Heuberger. I'm a principal with Dattner
9 Architects, and we are responsible for the design and
10 planning of this project. Our proposed project is
11 located in the heart o the Lower Eastside just south
12 of the new neighborhood of the Essex Crossing
13 Development, and indeed our project takes many of its
14 cues from a design point of view from the massing and
15 programmatic organization of the Essex Crossing
16 Design Guidelines, which as you know, were the result
17 of a special permit with a considerable amount of
18 community input. Those buildings are characterized
19 by three main things: It's a mix of high-rise and
20 mid-rise residential buildings located above mixed-
21 use retail and residential bases. There is a
22 consistent contextual street wall at roughly 85 feet
23 throughout the entire project, and lastly and very
24 importantly a very active street experience, which is
25 characterized by a series of open storefronts, within

1 a mix of ground level uses ranging from small scale
2 retail to residential lobbies to cultural
3 institutions. Perhaps the easiest way to think of
4 our project is it's in three parts at three scales
5 located on three streets. The three parts are a high-
6 rise located on Suffolk Street, a mid-rise building
7 located on Norfolk Street, which will also be senior
8 housing, and those two parts are tied together by a
9 contextual base along Broome Street at 85 feet, which
10 is the Essex Crossing datum. On Suffolk Street there
11 is a large open space provided by a brand new public
12 park. There will also be a future public school
13 related directly across from our project, and the
14 base, which is normally at 85 feet steps down on the
15 Suffolk Street side of the building where it responds
16 to the scale of 384 Grand Street located at the
17 corner of Suffolk and Grand, which is the last
18 remaining 19th Century structure on the block. Next
19 slide please. Thank you. On Broome Street, as I
20 said, there will be an 85 foot connecting bar between
21 the two residential buildings. This corresponds
22 directly to the datum of the street wall at the Essex
23 Crossing Development directly opposite. Coming
24 around the corner onto Norfolk Street, we have the
25

1 mid-rise building, the senior housing on Norfolk, and
2 that building is scaled to relate to the Hong Ning
3 (sp?) senior housing project located a little further
4 to the south on the corner of Grand and Norfolk. Both
5 the street walls of the Norfolk and the Suffolk
6 building are located on the property line and as they
7 rise, they step back. The Norfolk building at 125
8 feet, which is the exact height of the Hong Ning
9 Senior Housing, and on Suffolk, it steps back above
10 the base. We are proposing a 10-foot setback instead
11 of the 15-foot setback required by zoning and the
12 reason for this is to push the Suffolk building a
13 little closer to Suffolk Street and to permit to
14 maximize the distance of the interior courtyard
15 between Suffolk and Norfolk buildings. So, three
16 parts, three streets, three scales. We believe that
17 the distribution of the massing of this proposed
18 design responds to the different conditions on each
19 street and creates a very positive relationship to
20 the existing surrounding context. At the street
21 level, all three street frontages on Norfolk, Broome
22 and Suffolk are activated by different program
23 elements. On Norfolk we have the BHH Community
24 facility and entrance, which will be located exactly
25

1 on the former historic footprint of the—of the 19th
2 Century Synagogue, which is now destroyed. Moving
3 towards the north towards Broome Street, immediately
4 next door is the lobby for the senior housing
5 building. Rounding the corner on Broome there will
6 be a series of small scale retail frontages, which
7 extend from the Norfolk corner all the way to the
8 Suffolk corner, and finally, turning the corner on
9 Suffolk will be the residential entrance to the
10 Suffolk building, and right next to it there will be
11 a generous ground floor presence for CPC, their main
12 entrance to their future facility, which will provide
13 a great deal of public visibility, and a series of
14 publicly accessible program spaces, services and
15 events. The new CPC headquarters will be along the
16 entire Suffolk and Broome Street frontages on the
17 second and third floors directly above. The massing
18 and height of our project is derived from two things.
19 The first and probably the most important is that the
20 height of the project is required to achieve the
21 density necessary to realize the social and economic
22 benefits of the project. As you've heard, the
23 permanently affordable housing, new community spaces
24 both for CPC and for BHH and finally the ground rents
25

1 to CPC, which are necessary to ensure its financial
2 sustainability into the future. The second reason is
3 the additional height lets us finesse the massing of
4 the building by stepping it down towards the south,
5 and keeping the base at the relatively low height of
6 the Essex Crossing 85 foot datum. This creates a
7 less bulky profile, and improves the light and air at
8 the street level. The proposed additional height is
9 relatively small, 25 feet, which is equivalent to
10 approximately two residential floors, and two floors
11 above the highest building at the Essex Crossing
12 Development.

14 WAYNE HO: Thanks. So as you see here
15 it's a rendering of our new headquarters. It's 40,000
16 square feet for CPC. This will allow us right now-
17 we're in three disparate locations spread throughout
18 the neighborhood. They're all rental properties.
19 Give us an opportunity to own our own space for us to
20 provide our services as well as bring in our
21 administrative headquarters. We serve right now
22 60,000 individuals citywide. They represent the
23 diversity of New York City so not just Asian-American
24 but other immigrant and low-income communities. We
25 serve 15,000 per year in Lower Manhattan, and these

1 will allow us to bring our services together from
2 adult literacy to college counseling, social
3 services, legal services, health services and others.
4 I would like to point out that at CPC we do run the
5 Chinatown Senior Center, which is located at 70
6 Mulberry Street, which suffered a fire last week, and
7 we're scrambling looking for space right now to where
8 to serve our 400 plus seniors a day. If this
9 headquarters was already built, we would have been
10 able to buss and transport the seniors over to our
11 own headquarters and continue services continuously.

13 BRIAN KELLY: Brian Kelly on behalf of
14 the Gotham Organization to speak about the BHH
15 facility and the Cultural Heritage Center. The
16 purpose of the facility is to memorialize and respect
17 the history of DHH, which dates the occupancy of the
18 facility back to late 1800s. The Congregation and
19 Cultural Heritage Center will be open to the public
20 as a community facility available both as a space of
21 worship for the congregation, and then during the
22 week days and weekends to have teachings whether it
23 be artifacts, history. We really respect the Lower
24 Eastside and its history as well as the impact that
25 the Jewish community has had on the Lower Eastside, a

1 very deep and rich one. As I mentioned, the center
2 will facilitate learning with lectures, delivered
3 events arranged and exhibits displayed, and in
4 coordination with LPC, the new BHH space will include
5 a memorialization of the former historic synagogue
6 through the installation of a number of artifacts and
7 ceremonial objects that we've collected and gathered
8 as the condition of the site has become dysfunctional
9 for use today, and I think it's really important to
10 note in a time where antisemitism is on the rise this
11 really puts a shovel in the ground to say that the
12 Jewish community deserves its space and will continue
13 to worship and encourage the public to participate
14 with them for another hundred years. With respect to
15 housing, we focused on creating a program based on
16 community input, discussion with agencies, and
17 feedback of creating a mixed income into generational
18 community. Seniors will thrive in a community where
19 they have access to the youth, and we say social
20 services, but they really are amenities utilizing and
21 benefitting from participation with CPC as well as
22 BHH and having access to culture and history.
23 Creating permanent affordability being cross
24 subsidized by the inclusion of market rate rentals.
25

1 It will be 115 permanently affordable senior housing
2 units in the Norfolk Building as well as 93 MIH
3 permanently affordable deep skewed low-income homes
4 in the Suffolk high-rise above the base of the CPC
5 home. Important to note is the deep skew level on a
6 private site is unprecedented. The average AMI is
7 53% AMI, which is of the area median income of New
8 York City. Comparatively while a notable and
9 successful and sustainable Community Essex Crossing
10 as it grows, the aver AMI at Essex Crossing is 80
11 AMI. We took an analysis to look at what does that
12 mean in terms of the access for deep skew for
13 proposed residents, both seniors, families and
14 couples, and what do we find? That on a studio
15 apartment our discount is nearly \$500 per month on
16 average up to \$750 on a 3-bedroom. So we appreciate
17 quantity, but we also wanted to look at qualitatively
18 at the level of skew. In terms of the senior
19 building, as I mentioned, the program would be 115
20 permanently affordable senior units comprised of
21 studios and one bedrooms. They would be located above
22 the Cultural Heritage Center with its own front door
23 secure, safe, warm and a place that seniors can call
24 their home. Full-time security available to ensure
25

1 seniors feel safe with a dedicated amenity floor with
2 4,600 square feet of indoor and outdoor space. With
3 CPC as our 50% partner, with programming and services
4 focused on health and wellness, care, the basic
5 things that seniors need to in order to understand
6 how to maximize as well their public benefits. The
7 Suffolk building where the permanently affordable MIH
8 units will be located as well as market rate rentals,
9 will include 93 MIH permanently affordable homes,
10 studios up to two bedrooms. We'll have access to an
11 amazing amenity package also focused on community,
12 indoor and outdoor spaces, and ensuring that the
13 affordable residences have access to that space at a
14 very affordable rate. In consultation with the
15 Community Board we've assured and upfront and put it
16 in writing that access to those amenities would be at
17 a deep discount based on what one can afford, based
18 on their income, and to ensure that the residences
19 are available to AMI levels that are even deeper
20 skewed than on MIH Option 1, which is 10% of 40 AMI,
21 50-10% of 50 AMI, and 5% of 100 AMI, which the
22 Community Board also felt was important to ensure
23 moderate income households are not excluded. The idea
24 here is to create inclusivity intergenerationally. I
25

2 am going to pass it to Simeon Malouf from the Gotham
3 Organization to talk about community of Broome,
4 construction, coordination and how we intent to be
5 collaborative neighbors.

6 SIMEON MALOUF: Right. Good morning.

7 With the anticipated approvals and entitlement, we
8 anticipate construction of the Norfolk Senior
9 building to take 24 months with the Suffolk building
10 over the course of 30 months. Work for both
11 buildings would commence at the same time. As
12 construction begins it is expected that construction
13 will be concluding at the other Essex Crossing
14 buildings in the immediate area, 180 Broome and 202
15 Broome. Gotham and CPC are committed to meeting
16 regularly with New York City DOT, NYPD and the
17 Community Board to ensure safety, traffic management
18 staging and parking concerns are addressed during the
19 construction and operational period of the projects.
20 The published FEIS studied both operational and
21 construction traffic impacts at a number of
22 intersections. While the proposed project did not
23 exceed the threshold for analysis beyond initial
24 screening, existing unmitigated traffic impacts as a
25 result prior approved development, and changes to

Delancey Street by the DOT to improve pedestrian safety as well as bicycle-bicyclist safety resulted in two of the three operational intersections to remain unmitigated. In an effort to further improve traffic conditions, Gotham and CPC in conversations with the Community Board committed to equitably contributing to an independent traffic study to determine the cumulative traffic impacts by recently completed and projected development in the immediate area. Allison Ruddick from DHB, our Environmental Consultant is on hand if there's any questions regarding the environmental study. With respects to the requested land use actions we are here as part of the ULURP process. The Suffolk building and the current under-utilized CPC parking lot is situated on an existing LSRD, requires a special permit for development. The Norfolk building on the site of the BHH, the former BHH Synagogue as part of the ULURP application we brought into the existing LSRD as a whole the application requests an upzone to an R9-1 in order to provide the community benefits proposed as well as a series of actions that provides for a project that we feel best responds to the existing context. Kramen Levin Land Use Attorney is also on

2 hand to answer any questions relative to the land use
3 actions. So to wrap

4 WAYNE HO: So, to wrap up our
5 presentation, I just want to give you schedule of
6 where we've been. So, while starting the process in
7 2014, as you noticed that we release the RFP in 2016
8 and have continuously engaged with city agencies,
9 local officials as well as the neighborhood. We took
10 it upon ourselves to always continuing being a good
11 neighbor as we have been for 38 year and engaging the
12 community. That includes voluntarily going to the
13 Community Board 3 and their Land Use Committees as
14 well as engaging with the public at their public
15 hearings. We're excited that because of the benefits
16 of this project we got unanimous support from
17 Community Bard 3. There were no nays in the vote,
18 and there were a couple abstentions. We are also
19 approved by Manhattan Borough President Gale Brewer,
20 as well as unanimous support from the City Planning
21 Commission a few weeks ago. Once again, we have
22 overwhelming community support, over 3,000
23 individuals including the residents who do live at
24 the senior housing next door, and recognizing that
25 they will have construction going on. They

1 overwhelmingly support the project. 193 of the 200
2 residents signed a petition in support. The seven
3 who did not have health issues and we did not want to
4 bother them. Recipients of the neighborhoods,
5 neighbor—other residents from 32BJ who live in the
6 neighborhood and others in the Council district as
7 well as the Community Board, and once again, here's a
8 list of all the organizations that have signed on.
9 Once again, many of them protest other projects. They
10 all stand behind this project because of all the
11 benefits. CPC, we've been around for 55 years.
12 We've had this site for 38 years. Have always been
13 providing services and been mission driven and values
14 driven as an organization, and we're excited that at
15 the end of the ULURP process we hope to have your
16 support so that we're able to one, get the funding
17 that we need to sustain and expand our services that
18 are critical and life-saving. Two, Is bring together
19 all our programs into a 40,000 square foot
20 headquarters and community center where we can serve
21 more folks in the neighborhood and beyond. Third is
22 rehabilitate a synagogue that's historic and
23 important, and they get back their 4,000 square foot
24 space, and then last but not least affordable housing
25

2 is important especially for seniors. So, bringing
3 together 208 permanently affordable units into the
4 neighborhoods. Thank you very much, and we're open
5 for questions.

6 CHAIRPERSON MOYA: Great. Thank you.
7 Just a couple of questions before I turn it over to
8 Council Member Chin. Always glad to hear that there
9 is good paying jobs coming to this project, but just
10 to go back to the massing question, could you
11 elaborate a bit further on the rationale or the
12 precedent for the proposed heights for these
13 buildings and in particular the bulk waiver along
14 Suffolk Street, which is the narrower street there.

15 DANIEL HEUBERGER: (off mic) So under R9-
16 -

17 CHAIRPERSON MOYA: If you can just turn
18 the mic on.

19 DANIEL HEUBERGER: Excuse me. So under R9
20 zoning, the maximum building height is 285 feet.
21 That happens to be the tallest building Essex
22 Crossing. We are asking for 25 feet above the, two
23 additional floors. What that lets us do is put
24 additional mass at the top of the building rather
25 than somewhere else in the project. So, for example

2 that mass if it had to go somewhere else would either
3 go into the base, which means that the 85-foot base
4 would have to go up in height or the steps that we
5 have at the south side of the building, which make
6 the profile of the building more slender, those steps
7 would have to be filled in by additional area. So,
8 it's really about the location of the area, and the
9 sensitivity of the massing towards the context.

10 CHAIRPERSON MOYA: That—that was going to
11 my next question. Okay. Just how that might impact
12 the form of the building if you went from 310 back to
13 285 feet.

14 DANIEL HEUBERGER: It would make the
15 building a little lower and much squatter
16 essentially.

17 CHAIRPERSON MOYA: But-but would you—
18 would that—would you be able to make that work at
19 that height is what I'm asking?

20 DANIEL HEUBERGER: At 285 feet?

21 CHAIRPERSON MOYA: Yeah.

22 DANIEL HEUBERGER: Yes, but the building
23 would have to obviously change shape. It would
24 become a bulkier, slightly lower building.

2 CHAIRPERSON MOYA: Got it. Thank you
3 very much.

4 DANIEL HEUBERGER: Okay.

5 CHAIRPERSON MOYA: I'm going to now turn
6 it over to Council Member Chin.

7 COUNCIL MEMBER CHIN: Thank you, Chair
8 Moya and thank you to everyone for being here today,
9 and especially Ms. Virginia Kee who was the founder
10 of CPC. Welcome. It's great to see seniors and youth
11 here, and this project has been going on for quite a
12 few years, right, Wayne. (laughs) Before you even
13 came to CPC, and one of the critical part is finding
14 a permanent home for the Chinese-American Planning
15 Council, fifty-five years of service in the Lower
16 Eastside, Chinatown, Lower Manhattan in this Council
17 District, and I think that the other part about
18 creating more affordable housing especially for
19 seniors is so critical because I remember Essex
20 Crossing the first thing you're building that was
21 built with 99 units. Over 65,000 senior apply and
22 there are over 200,000 seniors on waiting lists for
23 senior housing. So, we know that this is such a
24 critical need, and I'm glad that in the project we
25 were able to increase the number of senior housing

2 units because in the beginning when I first saw the
3 project I remember saying can you maximize it and
4 give the community more, and I'm glad that did happen
5 here, and really bringing all the services when you
6 talk about intergenerational and also more green
7 space in that area, I think it's—it's really critical
8 to the neighborhoods and to the surrounding
9 neighborhood. The couple of questions that I have is
10 that in that area as you mentioned yourself there's
11 so much construction going on, and there's a lot of
12 coordination that needs to be met, and I'm glad to
13 hear that you are committed to working with the city
14 agency and with Essex Crossing to make sure that we
15 minimize all these traffic congestion negative impact
16 to the community, and that's what we have heard from
17 some of the neighbors. So, can you just reiterate
18 again what will you commit to in terms of working
19 with the Community Board with city agencies and with
20 neighbors to minimize the negative impact of
21 congestions?

22 WAYNE HO: We're fully committed to
23 engaging with the Community Board and city agencies
24 as need be to improve the traffic conditions both
25 during construction as well operation of the building

2 as we're going to be residents ourselves of this
3 property Gotham in Dansville (sic) the long-term
4 holder as well as property manager in collaboration
5 with CPC for both the Suffolk and Norfolk Building.
6 As it pertains to the FEIS Study it's important that
7 the DOT accepted the mitigation measures that were
8 proposed within the FEIS as well as I had I
9 mentioned—as I mentioned we are committed to
10 equitably contributing to an independent traffic
11 study outside of analysis that was done in the
12 environment study to determine whether or not any
13 improvement can be made at any of the intersections
14 in the immediate context. I think that we—we'll have
15 to continue the conversation. As the construction in
16 the area evolves hopefully there should be
17 improvement in some locations given the completion of
18 construction to the Essex Crossing buildings, but
19 that doesn't preclude our commitment to ongoing
20 communication with all parties involved.

21 COUNCIL MEMBER CHIN: Okay, thanks. The
22 other question I have is that, you know there are—we
23 have so many homeless families and homeless seniors
24 in our city, and I know that we've been asking for
25 new development that's going on especially one with

2 also subsidies from the city to set aside at least
3 30% of the units. Are you willing to work with us a
4 HPD to set aside like 30% of the senior and the
5 affordable housing units for family to homeless
6 seniors and homeless families?

7 WAYNE HO: Council Member, we would be
8 happy to collaborate and coordinate with HPD whom
9 we're in discussion with about both buildings. The
10 Gotham organization as an example, David Pickett is on
11 the board of Breaking Ground. So, we really truly
12 understand the complexities of homelessness of the
13 causes of it and—and the challenges to get out of it,
14 and how to thrive within it. We've worked with city
15 agencies including HPD on public/private developments
16 to have formerly homeless set-asides. We would
17 welcome in the senior building seniors who may have
18 been formerly homeless who could fit within the 30 or
19 40 AMI bands or likely because they are formerly
20 homeless they may have mobile voucher assistance in
21 some form or—of another from rental assistance, and
22 they could qualify for even the 60 to 70 AMI units.
23 So, from a fair housing affirmative marketing in
24 coordination with the agencies, we would welcome
25 that.

2 COUNCIL MEMBER CHIN: Good. The other
3 thing is I know from the Community Board that this
4 site was also the former Seward Park Urban Renewal
5 Site, and we are also asking you to make an effort
6 working with HPD to reach out to former site tenants.
7 We were able to—got a lot of homeless site—quite a
8 lot of homeless site tenants back at Essex Crossing.
9 So, we want to make sure that we continue to outreach
10 to them, and to hopefully we'll have the opportunity
11 to bring them back to the neighborhood that they are
12 originally from.

13 WAYNE HO: I think it's a great
14 intention. We—it was also raised by CD-3 and Gotham
15 responded in writing that we would love to do that.
16 We would work with HPD in our marketing plan, which
17 usually gets submitted about six months before the
18 first Certificate of Occupancy. It would be when we
19 start the lottery process that we would be encouraged
20 to do that. So, to the extent HPD allows us legally
21 to do it, we are on board 110%.

22 COUNCIL MEMBER CHIN: Thank you. I know
23 in your presentation you talk about that in the
24 senior building that security will be provided.

2 WAYNE HO: Yeah, we would—we would have
3 the senior building monitored 24/7 and design the
4 lobby such that there would be security to ensure
5 seniors feel safe. It would have the same in the
6 high-rise building as well.

7 COUNCIL MEMBER CHIN: Well, I assume the
8 high-rise building is a mixed-use building that you
9 would have that because in some of the other projects
10 that we have in the Lower Eastside where we have an
11 affordable housing building right next to the luxury
12 condo high-rise building, and they do not provide
13 security or supportive service. So, I just want to
14 make sure that our seniors do get the safety measures
15 and the security that they deserve.

16 BRIAN KELLY: The emphasis has been on
17 the greater good and how the two buildings together
18 function as a cohesive whole, and the idea is that
19 some of the parts work together to create senior
20 housing, family housing, small format retail and two
21 important community facility uses, we would want to
22 ensure that both buildings are operated, and treated
23 in a first class manner.

24 COUNCIL MEMBER CHIN: Yeah.

2 WAYNE HO: And just to quickly add to
3 safe and health of the seniors in the new building as
4 well as the seniors next door who have been in Hong
5 Ning for 38 years. We always make sure there is
6 security and that's one of the requirements of what
7 CPC expected through this project, and then secondly
8 to connect it back to construction. We have 200
9 seniors that live in Hong Ning right now, and the
10 construction will happen next door, and CPC feels
11 that it's our responsibility to keep them safe and
12 healthy, and that's why we'll continuously
13 communicate with them during the construction period
14 and make sure we're doing all the mitigation measures
15 that are needed to keep them safe and healthy, and
16 for them to stay in their home at Hong Ning, and then
17 afterwards when the new buildings are built.

18 COUNCIL MEMBER CHIN: Also, will CPC
19 provide supportive services to the senior building
20 and also to the families that are—will be housed in
21 the affordable unit in the mixed-use building?

22 WAYNE HO: Yes, CPC has always opened our
23 doors to every individual and family who needs any
24 services. So, we will commit to bringing in services
25 into the senior building. Those who are in the MIH

2 building, and we will open our doors to anyone in the
3 neighborhood that we're currently serving or others
4 who want to come to us now that we'll have a better
5 storefront and a better presence in our headquarters
6 and Community Center

7 COUNCIL MEMBER CHIN: And finally, I am
8 really glad that part of the project will be
9 rebuilding the historic synagogue. We were all
10 devastated by the fire that happened that night years
11 ago, and to be able to see that they are part of this
12 project, will be able to—your congregation will be
13 able to come back to the community, and it's such a
14 great celebration, and so I think that—we look
15 forward to seeing that all the commitment that's
16 going to be made, and hopefully the project will be
17 done as quickly as possible. (laughs)

18 WAYNE HO: Yes.

19 COUNCIL MEMBER CHIN: Thank you.

20 WAYNE HO: We're definitely in agreement.
21 I think during these times with so much anti-Semitism
22 and anti-immigrant sentiment that to provide as much
23 solidarity as possible, and I think that's why it's
24 exciting that two communities, the Chinese-American
25 community, the Jewish community that have such deep

2 roots that we can join together on this project, and
3 once again, CPC serves not just Chinese-Americans and
4 Asians, we serve Latinx, Black and other immigrant
5 and low-income communities, and we look forward to
6 doing that through this new space.

7 CHAIRPERSON MOYA: Thank you very much
8 for your testimony today--

9 WAYNE HO: Thank you.

10 CHAIRPERSON MOYA: --and I'm going to
11 call up the next panel. Alex Fennell, Philip
12 Simpson, Jerry Colber, and Judith Pregel. (sic).
13 (background comments/pause) Hi. State your name and
14 you can begin.

15 ALEX FENNELL: Hi. My name is Alex
16 Fennell and I'm the Network Director at Churches
17 United for Fair Housing. We are often in this
18 chamber in opposition to projects, and signed up in
19 opposition to this project, but we're definitely not.
20 It's very rare that we get to hear about a project
21 that would have so much community support and
22 community benefit. So, I just want to start off by
23 saying that. Um, sorry. It's rare to--to hear about a
24 project that sounds really just outstanding. So, we
25 are very excited about that and for this community,

1 but I do want to remind this committee that the city
2 still does not study racial impacts of zoning changes
3 for any zoning change regardless of scale. We as an
4 organization that is also a member of a coalition of
5 other organizations do oppose rezonings move forward
6 without performing a Racial Impact Study. In this
7 case, though, the Racial Impact Study would likely
8 support this type of development and demonstrate an
9 enhanced community benefit, and a positive effect on
10 a community of color, but the Racial Impact Study
11 would also identify projects that don't meet
12 community needs. Race must be studied within the
13 environmental review process immediately, and beyond
14 that the city must work to apply an equity lens for
15 all actions regardless of magnitude to produce more
16 projects like this one. I'd like to recognize that a
17 number of members of this committee are already
18 sponsors of racial impact legislation as well as
19 Council Member Margaret Chin, and we ask the
20 remainder of this committee to support this vital
21 legislation and our demand for a public hearing on
22 Intro 1572, which would require the city to perform a
23 racial analysis within the environmental-
24 environmental impact statements and would provide
25

2 more transparency, information and guidance about the
3 potential impacts of zoning changes coming before
4 members of this committee. (bell) Thank you.

5 CHAIRPERSON MOYA: Thank you.

6 PHILIP SIMPSON: Good afternoon, Chair
7 Moya and members of the committee. My name is Philip
8 Simpson. I'm a member of Inwood Legal Action, and you
9 may say why am I here with the word Inwood, right?
10 Like my colleague Alexander Fennell, I agree the
11 project that you just heard about sounds like a
12 wonderful project, and yet based on the experience
13 that we've seen and the unfortunate history that the
14 city has had over the last 18 years of rezonings that
15 have ignored racial impacts that there were, the
16 Administration has refused to study the impact of
17 race. I'm here also to emphasize the need for racial
18 impact analysis of every land use action. I was one
19 of the architects of the lawsuit the recently
20 overturned the Inwood Rezoning, and one of the
21 primary reasons that the court annulled the Inwood
22 Rezoning was the failure of the Administration to
23 provide any racial impact analysis whether it was on
24 residents or businesses with the FEIS. I'm here to
25 urge that this committee insists on getting that

2 analysis on every application that comes before you.
3 You can do it on an ad hoc basis or you can do it by
4 supporting the racial impact legislation that has
5 been introduced to the Council, and I hope that you
6 do. Thank you.

7 CHAIRPERSON MOYA: Thank you. (pause)
8 Yeah, go.

9 JERRY COLBER: Sorry. I haven't been
10 here before.

11 CHAIRPERSON MOYA: It's okay.

12 JERRY COLBER: Okay.

13 CHAIRPERSON MOYA: You're fine.

14 JERRY COLBER: Good. My name is Jerry
15 Culver. I am an Emmy nominated CEO of the successful
16 New York based TV Production Company. Journalists
17 including New York Times are looking into the—some
18 questions around this particular ULURP, and we are
19 trying to figure out why the Department of City
20 Planning fully supported R9 for this particular
21 developer, which is more than double the square
22 footage of the R8. Despite this building providing a
23 lower percentage and square footage of affordable
24 housing than the surrounding R8 Essex Crossing
25 buildings. The 285-foot buildings that this

1 developer refers to abut very wide streets. All of
2 the other buildings in Essex Crossing that are on
3 narrow streets and Grand Street like this one are 200
4 feet or under. Our FOIL requests have already begun
5 to reveal that over \$500,000 has been spent lobbying
6 elected and city employees to let this building be
7 even larger than buildings on big streets like
8 Delancey. Some of the other questions are: Why was
9 this entire city block given to the Chinese-American
10 Planning Council by New York City? We have the deed
11 but we don't have the story. Rather than going wider
12 and higher, why is this developer not using the land
13 under 384 Grand Street on the same block, which is a
14 building that is affiliated with the Chinese American
15 Planning Council? Why are elected officials
16 accepting that the office space provided here is non-
17 revenue producing when this organization spends
18 millions annually on rent? We're going to get to the
19 bottom of all of this. This all goes away if we tell
20 this developer to respect the well established R8
21 zoning appropriate for this block. Finally, Council
22 Member Chin, you are a huge advocate for affordable
23 housing, and this is an organization that has free
24 land and serves the community. Why are you not
25

2 demanding (bell) that this be a 100% affordable
3 building? Thank you.

4 CHAIRPERSON MOYA: Thank you.

5 JUDITH PREGEL: (off mic) Members of the
6 Council--

7 CHAIRPERSON MOYA: If you can just press
8 the button. Yep, there you go.

9 JUDITH PREGEL: Is that okay.

10 MALE SPEAKER: (off mic) You're good.

11 JUDITH PREGEL: (on mic) To members of
12 the City Council and particularly to my Council
13 Member Margaret Chin, I am here to oppose a change in
14 zoning from R8 to R9-1. Let the developer build
15 what they can and all their amenities, but keep it
16 within R8. There were too many changes in special
17 permits to this development for height, setbacks and
18 a minimum distance between building. On a fairly
19 restrained footprint it would abut three narrow
20 streets, one of which carries traffic continuously to
21 the Williamsburg Bridge, no outdoor spaces planned.
22 The totality of all of these requests just emphasizes
23 that this is too much for this site. But aside from
24 viewing this project and its deficiencies by itself,
25 consider that it is also just across from the new

Essex Street development, which was planned with much community input and fits comfortably into the neighborhood. The new Suffolk building at 310 feet would be 25 taller than the highest Essex Crossing-Crossing building and 2-1/2 times higher than presently allowed, and possibly even 30 feet higher with proposed mechanicals. I would also like to emphasize here that Community Board 3, my Community Board when approving this project with nine extensions recommended certain conditions as part of this approval. They wanted the developer to consider lowering the overall building height and bulk and locating mechanicals elsewhere on the site. They also asked for a commitment to enhance trees and open space. These recommendations are from our own Community Board. Has the developer ever answered on any of these conditions? The applicant knows that zoning changes are necessary for the viability of the project so it can accommodate affordable housing. Yes, that's desirable, but our neighborhood already has a large share of affordable housing in two dedicated buildings. There are many sites in our neighborhood that are right for development. Should we easily give variances to those who come here and

2 promise affordable housing in exchange for a zoning
3 variance? Will this set a precedence? What is
4 zoning for if you for something like this. I am
5 hoping that this Council can see the failings of this
6 proposal, and not approve something now that will be
7 here for 100 years, and will always be a reminder
8 that I didn't have to be. I am asking you to keep
9 the R8 zoning for these valid and compelling reasons.
10 Otherwise a high, dense bulky building on a narrow
11 corner not in harmony with its surroundings would
12 result. Thank you very much.

13 CHAIRPERSON MOYA: Thank you, thank you
14 very much, and just to say that I think we all agree
15 on the Racial Impact Study being part of what we do
16 in a lot of the neighborhoods rezonings here. It's
17 something that I have been pushing for, for a long
18 time—and—and we do understand that, and so thank you
19 for that as well.

20 JUDITH PREGEL: Thank you.

21 JERRY COLBER: Thank you, Council Member.

22 (background comments/pause)

23 CHAIRPERSON MOYA: Before we go to the--
24 (coughs) excuse me—to the next panel, we will now
25 take up our vote to approve Preconsidered LU 603 for

1 the 147-15th Avenue Rezoning Proposal related to
2 property in Council Member Vallone's district in
3 Queens. The application—the application seeks
4 approval for a rezoning map amendment to map a C1-2
5 Commercial Overlay District within an existing R3-A
6 district along the south side of 15th Avenue between
7 147th Street and 149th Street in Whitestone, Queens,
8 and it would bring an existing building with two
9 stories of commercial office use into conformance
10 with zoning. Council Member Vallone is in support of
11 this proposal. We will also vote to approve with
12 modifications Preconsidered LUs 604 and 605 for the
13 22-60 46th Street Rezoning relating to proper in
14 Council Member Constantinides' district in Queens.
15 The application was originally proposed, sought
16 approval of a zoning map amendment to rezone the
17 subject block changing the existing R4 and M1-1
18 districts to R4 and R6-A districts with a C2-3
19 commercial overlay along 45th Street, and a related
20 zoning text amendment to establish a Mandatory
21 Inclusionary Housing area utilizing Options 2 and the
22 Workforce Option. These actions would facilitate the
23 construction of a new mixed-use building with 8-tory
24 portions along 45th Street and 46th Street as well as
25

2 an approximately 250-seat theater space and below-
3 grade parking with approximately 105 spaces. The
4 modification will need to remove the MIH Workforce
5 Option and add option 1. Council Member
6 Constantindes is in support of this proposal as
7 modified, and now I call for a vote approve
8 Preconsidered LU 603 and to approve with
9 modifications, the modifications I have describe,
10 Preconsidred LUs 604, 605. Counsel, please call the
11 roll.

12 LEGAL COUNSEL: Chair Moya.

13 CHAIRPERSON MOYA: I vote aye.

14 LEGAL COUNSEL: Council Member Levin.

15 COUNCIL MEMBER LEVIN: Aye on all.

16 LEGAL COUNSEL: Council Member
17 Grodenchik.

18 COUNCIL MEMBER GRODENCHIK: Aye.

19 LEGAL COUNSEL: Council Member Rivera

20 COUNCIL MEMBER RIVERA: Aye

21 LEGAL COUNSEL: By a vote of 4 in the
22 affirmative, Zero in the negative and no abstentions,
23 the items are approved and referred to the full Land
24 Use committee.

2 CHAIRPERSON MOYA: Thank you and I just
3 want to thank the members of the Subcommittee for
4 being patient, and allowing us to take this vote.
5 Thank you very much. Now, we will go back to t our
6 next panel. I would like to bring up Annie Hernandez,
7 Stephanie Rhodes, John Apiza--

8 JOHN EPISODE: No, Chair, it's Episode

9 CHAIRPERSON MOYA: Apiza? (background
10 comments) Abdullah Younus. (background
11 comments/pause)

12 JENNY HERNANDEZ: Good morning, Chair
13 Moya and member of the committee. My name is Jenny
14 Hernandez. I've been a member of 32BJ for 13 years. I
15 am here on behalf of my union and the more than 5,000
16 32BJ members who live and work in Community District
17 3, to express our strong support of these projects.
18 The Gotham Organization has made a credible
19 commitment to provide prevailing wage jobs to the
20 future building service worker at this site. We
21 estimate that this correct zoning will follow for the
22 creation 16 new property service jobs. These jobs
23 are typically filled by local members of the
24 community and because of this commitment will pay
25 family to standing wage, which have been working

1 families into the middle class. The Gotham
2 organization partnership with the Chinese-American
3 Planning Council on this project, we also will have
4 ensured that these jobs are filled by local community
5 members. The CPC is fully equipped to with job
6 training programs and career centers that help local
7 employers recruit. Hire and retain local workers. It
8 is not often that we see private development bringing
9 people together as this project will. Development
10 team complaints of the Gotham organization, CPC and
11 Beth Hamedrash Hagodol is to deliver (sic)
12 percentages of New York City diversity and we are
13 happy to stand in support. The Gotham organization
14 have a track record of creating good jobs throughout
15 their portfolio, and a long-time partnership with
16 32BJ. We respectfully urge you to approve this
17 project. Thank you. (bell)

19 JOHN EPISODE: Good-good afternoon. My
20 name is John Episode (sic) with the Association for a
21 Better New York. ABNY would like to express support
22 for the proposal to develop and incorporate the
23 remains of the Beth Hamedrash Hagodol Synagogue into
24 a new mixed-use development that can continue to
25 serve as a cultural center for the Lower Eastside

1 community. The redevelopment plans proposed by the
2 partnership between the Chinese American Planning
3 Council and the Gotham organization, which is—which
4 incorporated remains of the structure into a new
5 mixed-use building represents more than the
6 architectural innovation and the respect the city's
7 history. It is also emblematic that the dynamic
8 neighborhoods and communities and creative adaptive
9 re-uses of our community's facilities. We both
10 appreciate—we appreciate both CPC and Gotham's
11 consideration of the exiting structure as well as the
12 incorporation of a new congregation space and
13 Cultural Heritage Center that will be accessible to
14 the public. Additionally, we would—we want to
15 acknowledge the lengths to which both the CPC sought
16 and Gotham sought and—I'm sorry—and Gotham designed a
17 mixed-use structure that is so explicitly intended to
18 maximize affordability. Using this development to
19 address a concern repeatedly expressed by Lower
20 Eastside communities include senior and Asian-
21 American immigrants, communities specifically. We
22 are please that this redevelopment project will
23 enhance the critical organization's ability to serve
24 their more 6,000 individuals and families as well as
25

2 providing resources for the communities across the
3 city, and we fully support—fully support the proposal
4 for Broome, and we appreciate the—to testify today.

5 CHAIRPERSON MOYA: Thank you.

6 STEPHANIE RHODES: Good afternoon. My
7 name is Stephanie Rhodes. I am reading a letter on
8 behalf of Holly Kay. To the honorable Council person
9 Margaret Chin. My name is Holly Kay and it is my
10 honor to submit this testimony in support of the GO
11 Broome application. In 1981, I became a Planning and
12 Development Consultant spending near 40 years
13 assisting community based non-profits in the field of
14 historic preservation, local economic development and
15 affordable housing throughout New York City, and have
16 many clients here on the Lower Eastside. Further,
17 I'm the founding Executive Director of the Lower East
18 Conservancy that began in 1998 and is still in
19 operation formed with the major goal of fundraising
20 for the many Lower Eastside synagogues confronting
21 mounting capital needs and dwindling congregations.
22 I'm very proud that we were able to raise almost \$6
23 million to support these sacred sites in the four
24 years that I ran the organization. In fact, one of
25 the first of the conservancy's formation was the

1 clearly visible need when Beth Hamedrash Hagodol's
2 multi-story main window blew in during a summer
3 storm. With an emergency grant of \$5,000 we assisted
4 in the window's replacement. I've had the privilege
5 and honor over the last two decades to work with the
6 esteemed and iconic Hebrew scholar Rabbi Oshry, and
7 after his passing with the current Rabbi Herman
8 Greenbaum helping those with both preservation and
9 restoration of the beloved and significant Beth
10 Hamedrash Hagodol. Over the years several schemes to
11 repurpose this important structure built in 1850 were
12 developed and partially funded, but due to
13 unfortunate timing either the city had budget crisis
14 and with the severe post-2008 Recession funds were
15 either withdrawn or curtailed. Finally, with the
16 start of Essex Crossing a collaboration between BHH,
17 Chinatown Planning Council, CPC owner of the adjacent
18 lots and the Gotham Organization was arrived at.
19 Whereby the building would be preserved and adapted
20 but reused as a community facility with space
21 reserved for use by DHH as part of the larger overall
22 development. I'm going to skip to the end. In
23 addition to the new market rate housing they will
24 build, Gotham Organization will create more than 100
25

2 (bell) permanent senior affordable apartments on the
3 BHH site with the first floor to be developed for BHH
4 use. I strongly urge you to approve this
5 application.

6 ABDULLAH YOUNUS: Good afternoon. I'd
7 like to thank the Chair and the Committee for giving
8 me an opportunity to speak in support of the Chinese-
9 American Planning Council's Broome Street Project.
10 My name is Adullah Younus, and I am the Director of
11 Political Engagement at the New York Immigration
12 Coalition. We are a statewide coalition of
13 approximately 200 organizations committed to
14 advocating for New York's immigrants. CPC has fought
15 along side us in many of those fights over the years.
16 The Chinese American Planning Council is one of the
17 nation's largest Asian-American social service-
18 services organizations. Their dedication to social
19 and economic empowerment of Lower Eastside and China
20 Town residents has been their hallmark since they
21 founded in 1965. This community center will allow
22 CPC to provide a permanent home to many of those
23 essential programs, and will meet the high demand for
24 culturally responsive services needed in the
25 community. This project has received robust support

2 from the community with over 3,000 signatures on
3 their petitions and letters of support from
4 community-based organizations and residents. Many of
5 these letters expressed overwhelming support from the
6 younger residents of the Lower Eastside community who
7 have benefitted from CPC's services over the years.
8 The NYIC stands in strong support of this project
9 providing CPC with a new headquarters and a community
10 center while simultaneously rehabilitate-
11 rehabilitating the Beth Hamedrash Hagodol Synagogue
12 will be a significant step forward for New York City.
13 Thank you.

14 CHAIRPERSON MOYA: Thank you very much
15 for your testimony today. We now call up the next
16 panelist is Nora Breen (sp?) (background
17 comments/pause)

18 NORA BREEN: Hello. Hi. I changed my
19 comments from the testimony so I'm a little all over
20 the place, but I would like to say why haven't we-
21 hello-why haven't we seen several proposals for a
22 viable development on this publicly gifted land that
23 would support the CPC who we love and is a great
24 organization? Under the R8 zoning we cannot imagine
25 on free land that an organization that receives 80

1 cents on the dollar of taxpayer money cannot make a
2 profitable headquarters for themselves. I would also
3 like to say that I appreciate that the gentleman from
4 the Inwood Case came as we're looking into the judge
5 having overturned an up-zoning project in Inwood for
6 very good reasons. The Council Member's enthusiasm
7 for the project cannot be hidden. Her questions
8 seemed tailor made for the project, and the every
9 organization—we have met with several city
10 organizations, and everybody has expressed concern
11 over the size of this building, yet everybody votes
12 for it. We do not understand why, and lastly I'll
13 say that according to their website, the CPC was
14 afforded 800—funding for 800 senior units for the
15 year 2020. So, on top—that's outside of this project
16 So they are already being funded for—plentiful
17 senior housing, and so the—what seems—and there's no
18 green space by the way. I would like to make that
19 very clear. There are no setbacks and no public
20 green space in this building. The building
21 practically goes to the sidewalk. There is no
22 pedestrian walkway on Clinton—on the north side of
23 Clinton Street presently. Mack trucks are parked on
24 Norfolk Street to service Essex Crossing making it—
25

2 there is no pedestrian walkway, and Suffolk Street is
3 currently closed. Why is this mammoth (bell)
4 building being put on top of a neighborhood already
5 so inundated with construction? Thank you.

6 CHAIRPERSON MOYA: Thank you. I'm going
7 to call up our next panel. Herman Grunbaum (sp?),
8 Mindy Aris (sic), Mark Stein, and Barbara Davis.
9 (pause)

10 Dear Honorable Committee and Chair. My
11 name is Mindy Aris. I was born and brought up on the
12 Lower Eastside, and still live on Grand Street. We
13 grew up on the Lower Eastside as Beth Hamedrash
14 Hagodol on Norfolk Street was the mainstay of our
15 community. A big piece of our history for the whole
16 Jewish community in New York City as it was known for
17 attracting the highest level of Rabbis and their
18 helm. I had the honor and privilege that my bar
19 mitzvah was 52 years ago at the Beth Hamedrash
20 Hagodol. Under the guidance of the late Rob-Rabbi
21 Oshry, he was also the author of many Hellenic (sp?)
22 books surrounding issues that came up during his time
23 and in the Kovno Ghetto. My sons Josh and Jeremy also
24 had the privilege as they had their Bar mitzvah at-
25 with-under the auspices of Rabbi Oshry. For the past

15 years the congregation with Rabbi Greenbaum tried tirelessly to renovate and establish the future of Beth Hamedrash Hagodol to enable it to continue with history and serve our community. The last couple of years Beth Hamedrash Hagodol went through lots of disappointments and sad chapters, but we can here today to ask the Council to help us write a new and shiny chapter for Beth Hamedrash Hagodol so my grandchildren could also have the honor and privilege to celebrate the Bar Mitzvah and Bot Mitzvah at Beth Hamedrash Hagodol. By appointing this app-by approving this application it would just-it would just do that and enable Beth Hamedrash Hagodol to re-re-establish its congregation and create a cultural heritage and history center at its original home on Norfolk Street. Therefor, your honors I would like to ask you to fully support this application and allow our future partners the Gotham Group (bell) to help us achieve this. Thank you for your support.

CHAIRPERSON MOYA: Thank you.

RABBI MENDEL GREENBAUM: Hi, all. Let me first thank the committee for giving the opportunity to say my few words. My name is Rabbi Mendel Greenbaum. I'm involved with Beth Hamedrash Hagodol

1 for over 30 years. Firstly as an assistant to my
2 father-in-law the late Rabbi Oshry. He was Rabbi of
3 BHH for over 50 years since 1952 until his passing.
4 He passed away in 2003. I was then chosen by the
5 congregation to be his successor as Rabbi of BHH. At
6 that time, the old historical landmark BHH building
7 also on Norfolk Street needed major repairs and
8 renovations. We started exploring various options and
9 opportunities until in 2016 we signed an agreement
10 with our neighbors the Chinatown American Planning
11 Council as BHH would sell its air rights and CAPC
12 would select the developer through an open RFP
13 process, which will then develop their unused land
14 including our sold air rights and to renovate our
15 building per LPC guidance. In 2017, Gotham
16 Developers were selected as the developer doing all
17 of this. Later that year in 2017, BHH had a big
18 tragic fire, which wiped out the complete interior
19 and weakened extensively the building's structure.
20 Right then and there Gotham got involved like a
21 partner everyone could only wish with helping BHH
22 planning and engineering of saving the renovating as
23 much as was then possible of the landmarked BHH
24 structure building, but after more projects
25

1 unfortuna te happenings, the plans needed to be and
2 were withdrawn as BHH would be re-established on our
3 historic land (bell) at the street level of a new
4 building at 6th and Norfolk with the rest of the
5 building would be used for much needed senior
6 affordable housing. Now, my dear Council Members,
7 approving this application would allow and help this
8 opportunity for us BHH going forward, which will then
9 shine a light for us and our Jewish community through
10 all the darkness we went through the last tens of
11 years, and as a Jewish Rabbi I could say what Wayne
12 and Brian said already: Especially in this troubling
13 time as flares of anti-semitism and racial tension
14 started to show its ugly face in our city this project
15 of inclusiveness from various races living as loving
16 neighbors and partners would be setting a great
17 example for the whole city in general. Thank you
18 very much for your support.

19
20 CHAIRPERSON MOYA: Thank you.

21 MARK STINE: Good afternoon. My name is
22 Mark Stine a resident of Grand Street for more than
23 70 years and a past member of the local Community
24 Board. I am here today to support the new CPC
25 building. This building has three unique parts: A

2 memorial to the Synagogue that stood on the property
3 of the building, consolidation-consolidation of the
4 offices of CPC, a Social Service-a Social Service-
5 Well I can't. Let me put my glasses on so I can
6 read--Social Service organization of the Lower
7 Eastside, and most important affordable housing for
8 senior citizens and others. For these reasons the
9 building should be built as proposed. Thank you.

10 BARBARA DAVIS: Hello and thank you. I'm
11 Barbara Davis. I'm the Chief Operating Officer for
12 the Actors Fund. The Actors Fund is a national human
13 service organization for everyone that works in
14 performing arts. We provide a variety of services
15 including social services, workforce development,
16 healthcare, health insurance and affordable housing.
17 For the last eight years we've had a working
18 relationship with the Gotham Organization, and have
19 participated in various projects with them. We are
20 here to support their application as a strong real
21 estate developer who works hand in hand and well with
22 local non-profits community service organizations.
23 In addition to our Housing Resource Center, the
24 Actors Fund we are ambassadors to HPD's programs as
25 well as we run a special program for artists on the

2 Lower East Side and East Village. The clients that we
3 see through that program their number one concern is
4 affordable housing. These are people who have lived
5 in the community for many, many years, and are being
6 priced out and forced to move. The—many of those
7 that we work with are seniors and as the statistics
8 stated earlier show the incredibly high demand for
9 affordable well constructed senior housing is a top
10 priority for us and the those organizations we work
11 with in New York City. Thank you.

12 CHAIRPERSON MOYA: Thank you. Thank you
13 all for your testimony today. I'm calling up the
14 next panel. Elsa Pareda, Emma Rayhack Litga Sarcova,
15 Aza Perez (pause) Thank you. Let's begin. Are you
16 ready? Thank you.

17 ELSA PEREIRA: Hello and thank you for the
18 opportunity to speak in support of the Chinese
19 American Planning Council's Broome Street Development
20 Project. My name is Elsa Pereira and I'm the
21 Managing Director of Operations for Grand Street
22 Settlement We are an historic settlement house that
23 has been serving the Lower Eastside since 1916. Like
24 our sister settlement house partners at CPC we are
25 committed to providing high quality affordable

1 housing and social services, and like our partners at
2 CPC we have an established history of advocating for
3 our Lower Eastside neighbors. We believe the Broome
4 Street project will benefit our neighborhood
5 particularly our lowest income residents. CPC's
6 propose Broome Street project will enable mission
7 driven institutions with deep roots in our
8 neighborhood like Grand Street Settlement like CPC
9 and like Beth Hamedrash Hagodol Synagogue to stay
10 here and continue serving our neighbors. Grand
11 Street Settlement's own experience with rapid growth
12 in the neighborhood most recently culminated in our
13 status as the community partner at Essex Crossing.
14 Like Essex Crossing we know that the Broome Street
15 Development project is the result of a thorough
16 planning process that sought to maximize the number
17 of affordable housing units. We recognize that there
18 was a lot of effort put into engaging a diverse group
19 of neighborhood stakeholders. In our experience the
20 long-term benefits of this type of project far out-
21 weight the short term inconveniences. As many of the
22 low-income seniors in our residential building as
23 well as the dozens of you people who have graduated
24 from our job training program at the GrandLo Café
25

2 down the street at 168 Broome can attest, this
3 project is a welcomed addition to the neighborhood
4 and has enriched and, in fact, completely changed the
5 trajectory of their lives for the better. Grand
6 Street Settlement knows there's strength in alliances
7 and we're excited to work together to better serve
8 out communities. Thank you for your time.

9 EMMA RAYHACK: Oh, thank you. I thought I
10 had three minutes, so apologies in advance. My name
11 is Emma Rayhack. I am 18 years old and I'm currently
12 a senior at R&R Resident High School. I am testifying
13 today on behalf of CPC and Project Reach. Over the
14 past three years I've been able to develop a very
15 close relationship with Project Reach in both a
16 personal and professional capacity. A full
17 description of the things I've learned and support
18 I've received from Project Reach cannot be translated
19 into a three-minute testimony. I am Asian, but my
20 first words were in Dutch. I live in a majority
21 black neighborhood of Central Harlem. As an infant,
22 I was abandoned in a train station in Shanghai,
23 China. For a year I lived in an orphanage where
24 vaccines were distributed without clean needles
25 giving me Hepatitis C. I was adopted and raised by

1 mom a white immigrant single parent who struggles
2 with mental illness and substance abuse. The process
3 of acknowledging my privileges while so uplifting the
4 more under-represented parts of my identity is an
5 experience I struggle with every day. Project Reach
6 has taught me what it means to live an intersectional
7 life. It taught me how to differentiate race from
8 ethnicity or gender from sex. Project Reach has
9 taught me the history of racism and that we don't
10 learn in school, and they have taught me how to be
11 aware of my own unconscious biases. Project Reach
12 has taught me how to turn anger into productive
13 energy, how to both care and take care, and they've
14 taught me how to ask for help. Before working with
15 Project Reach and CPC, I didn't have the tools
16 necessary to articulate my identity or claim my
17 experiences. Had I been exposed to Project Reach and
18 their work earlier or more extensively, my experience
19 moving through this world would have been much more
20 positive and much less strenuous because from Project
21 Reach I have learned that the things that I carry are
22 not burdens but are tools to empower. (bell) It is
23 essential to grant Project Reach and CPC the
24 resources necessary to expand our work as much as
25

2 possible. The work they do introduces support system
3 for many who have never had one. They provide safe
4 spaces that empower rather than protect, and they
5 teach people how to foster that kind of community on
6 their own. But the work they do goes beyond just
7 education or support. It shifts culture, dismantling
8 systems and discrimination one conversation at a
9 time. Thank you.

10 AZA PEREZ: Hello. My name is Asa Perez.
11 I'm 15 years old and I'm a Sophomore at Leaders High
12 School. Being a child immigrant parents both being
13 from Egypt, we have had different views ever since I
14 was child. Being that we have different views, I
15 never felt safe voicing my opinion to them because I
16 was afraid that I would get in trouble or they would
17 just not treat me as-the same as my other siblings. I
18 didn't have a lot of friends in elementary school
19 mostly because I was Egyptian and there weren't many
20 very-there weren't very many Middle Easterners in my
21 school, and if there were they were mostly boys, and
22 they don't want to hang out with me because I was a
23 girl. Going into high school I have come out of my
24 shell and I have become more outspoken, and this year
25 as a Sophomore I've been able to get to Project Reach

2 and learn more about discrimination, and Project
3 Reach has helped me to—sorry—to understand that we
4 are all different and we—there's a lot of that we
5 have to do within ourselves to make sure that we
6 aren't discriminated against—discriminating against
7 each other on accident. It has taken me a lot of
8 time to grow out of a mindset that I was taught by my
9 parents when I was younger, and I'm happy to say that
10 I am still growing, and there is still a lot for me
11 to learn and with Project Reach they have taught me
12 so many things I've never known, and I know that I'm
13 just going to continue to grow as I stay with them,
14 and I continue to grow as a person as I am still a
15 child. (bell) Thank you.

16 CHAIRPERSON MOYA: You can take your
17 time. You can—you can finish.

18 AZA PEREZ: No, it's okay

19 CHAIRPERSON MOYA: You sure?

20 AZA PEREZ: Yeah.

21 CHAIRPERSON MOYA: Okay, thank you.

22 LUFTUS SARCOVA: Hello. My name Luftus
23 Sarcova. I'm a sophomore at Ona (sic) Resort High
24 School and a youth facilitator of Project Reach. I'm
25 15 years old, pansexual and non-binary and I come

2 from a Russian family. So, it wasn't always easy for
3 me to be at home because of the mindset that is
4 culturally engrained. I can't actually come out to
5 my parents for fear of losing a place to live. So
6 Project Reach has been like a home for me away from
7 my actual home. I know that the doors are always
8 open for me, and they have helped stay strong through
9 difficult times, and encouraged me to come out of my
10 shell. Around the people at Project Reach I felt as
11 though I could be myself without judgement or without
12 being endangered. Reach has been my support system. I
13 believe in chosen family because the blood of the
14 covenant is thicker than the water of the we, and I
15 know that Project Reach CPC can get the resources they
16 need to continue being there for others so that
17 others may find it as useful and as impactful for
18 them as it was for me. Thank you.

19 CHAIRPERSON MOYA: Thank you. Thank you
20 very much for—for your testimony and coming here
21 today. We truly appreciate that and this is very'
22 great to see all of you here. Thank you very much.
23 I'd like to call up the next panel. Katherine
24 Chamber, Terry Collins, Vanita Gagaschwa (sp?) and
25 Melissa—

2 MALE SPEAKER: Dakis.

3 CHAIRPERSON MOYA: Is it Dakis, Dallas,
4 Melissa? D-A- I don't know if it's an L or a K-E-S?
5 Melissa? Folks, I'm so sorry that I couldn't the-
6 the handwriting. My apologies for that. (pause)

7 KATHERINE CHAMBERS: For all Council
8 Members thank you for having us. My name is
9 Katherine Chambers. I'm part of CPC's Project reach
10 program. You just heard from a number of our young
11 people, and I previously testified for a number of
12 things as a young person. I've been a part of CPC
13 since I was 17 coming out in an extremely
14 conservative (coughing) Bali Muslim family coming out
15 as trans and being the oldest male in the family for
16 them. It was a lot of trying to find where other
17 people of color were and where other people of color
18 who understood my struggle was. So, um, since
19 finding CPC Project Reach, we began to expand a lot
20 of our curriculum and the work that we do to
21 incorporate multiple different identities and with
22 the expansion of GO Broome it would allow me as
23 Project Reach's--

24 CHAIRPERSON MOYA: Can you just speak a
25 little closer to the microphone? Thank you.

2 KATHERINE CHAMBERS: Sorry. Thank you.

3 Um, me being the new Program Coordinator--well not
4 new any more, it's been a few years--to help empower
5 and create and further expand a lot of CPC's Youth
6 Empowerment programs and begin to hopefully give more
7 opportunities for young people to be involved in all
8 the different things and decisions that impact their
9 lives. So, the support with GO Broome would allow us
10 to expand our services needs and hopefully help
11 expand, and enrich some of the stories that you'll
12 probably hear a bit more and the young people that
13 previously presented. Thank you.

14 TERRY COLLINS: Thank you for having me.

15 My name is Terry Collins. I am a Project Reach
16 veteran. I recently found my old CPC employee ID card
17 from 2003, and it brought back fond memories of my
18 time with CPC and its subsidiary Project Reach. So,
19 I grew up in Brooklyn and I first came to Project
20 Reach after its Director Kal did an anti-
21 discrimination workshop at my high school. Project
22 Reach is a third black, one third Asian and one-third
23 Latinx, and CPC's resources allowed me to get
24 involved with anti-discrimination activism to develop
25 and helped me develop leadership skills and also

2 assisted me with college enrollment so that I was
3 able to obtain a full scholarship to Union College.
4 When my mother died in 2008, CPC actually sent an
5 employee to help me plan her arrangements and assist
6 me with making tough choices on how to move forward
7 with college and my own housing arrangements. So,
8 it's important to support CPC's Building Project to
9 continue to provide the different types of car for
10 the greater community. Thank you.

11 VANITA YOGESCHWAR: Good afternoon. My
12 name is Vanita Yogeschwar. I work the New York City
13 Health and Hospitals, and when my son Max in 2015
14 came out and told me that he was a transgender male,
15 I was devastated as you can imagine. I'm from a very
16 Orthodox Indian background, and that was just not
17 part of my growing up or in my radar ever, and I had
18 two sons already, and she was my favorite daughter.
19 So, when Max came to me and said, Mom, I'm a boy I
20 couldn't understand it. I couldn't wrap my head
21 around it. It was a very traumatic time for me, but I
22 knew I had to do something for him because he was
23 more important than I was, and at that point, you
24 know, we were living in Staten Island and he was
25 going to Staten Island Tech. He was a brilliant

1 student, but his grades had started to fall. I knew
2 I had to do something really quick because I was
3 losing my child, and I reached out our GBT Program at
4 Health and Hospitals, and they directed me to Don Cal
5 at Project Reach, and thank goodness for that. Max
6 and I both went and met with Don Cal and that day we
7 also met with Katherine. It was a very memorable
8 evening. I saw changes in Max that had already in
9 the few years that he has been participating with
10 Project Reach. He is now a sophomore in Syracuse
11 University with a full scholarship of ROTC. He plans
12 to become an Army officer, and he has a long battle
13 ahead of him because, you know, the transgender and
14 the Army and the current Administration the way it
15 is, we are constantly worried about that, but because
16 Max has got such good support from Project Reach, he
17 understands what his challenges are. He has learned
18 how to navigate the systems. He has learned how to
19 be a man, and last year he also got is Taekwondo
20 Black Belt (bell). So, I'm proud to say that as a
21 mother it is very emotional (crying) but they help us
22 a great deal. Thank you.

24 CHAIRPERSON MOYA: Thank—thank you for
25 sharing that, and thank you for your testimony today.

2 YUGWE HENNA OAKS/MORRIS OAKS: (SPEAKING
3 FOREIGN LANGUAGE) My name Yugwe (sp?) Henna Oaks
4 also known as Morris Oaks. I'm the Executive Director
5 of the American Indian Community House. We have been
6 in a partnership with Project Reach for many years
7 now, and our survival is basically due to the support
8 that we receive from CPC and their space and having
9 new fits. In 2017, we were stripped of over 90+
10 percent of our funding from the federal government
11 and we're currently sort of floating around and the
12 only I guess community support that we do get has
13 been with CPC, and that's offering us space. So,
14 any—you know, I'm just here to support them because
15 they support us and I also want to make it clear that
16 we're in New York City and the Native American
17 population is the largest urban population in the
18 United States. There's 120,000 Native Americans
19 here, and we are wholly neglected with the position
20 we're in, and I want to note that CPC is the only
21 organization that has been supporting us. Yeah.
22 Thank you.

23 CHAIRPERSON MOYA: Great. Thank you all
24 for coming here today, and thank you again for the
25 testimony you've given. I'd like to call up the next

2 panel is Maria Free, Kevin Moran, Alice Want-Wang and
3 Angela Howard.

4 MARIA FREE: Hi. My name is Maria Free,
5 and I'm here on behalf of the New York Building
6 Congress in support of the Broome Street Development.
7 This project will provide mixed income,
8 intergenerational housing, community and cultural
9 facilities and local retail space. The New York
10 Building Congress is a membership association made up
11 of over 550 organizations comprising of more than
12 250,000 professionals. For nearly 100 years we have
13 sought to encourage the growth of the construction
14 industry and to promote the economic and social
15 advancement of New York City. Consistent with our
16 organizational mission, Broome Street Development
17 will ensure our city develops in a manner that
18 maintains the stability, and vitality of
19 neighborhoods. The development is a critical step in
20 sustaining the Lower Eastside's diverse community.
21 The project will create a new home for CPC, which
22 runs critical programming for New York's immigrant
23 and low-income communities. It will integrate the
24 BHH Synagogue into the new building structure and
25 establish the Cultural Heritage Center. The

2 development will also bring small format retail space
3 that will expand the Broome Street Corridor and offer
4 amenities for current and future residents. Perhaps
5 most importantly the development is committed to
6 providing permanent affordability in a neighborhood
7 where the median household income is \$31,000 nearly
8 half of New York City's average, and the share of
9 seniors is 10% higher than the city as a whole.

10 Across the proposed buildings over 40% of the 488 new
11 housing units will be set aside for senior—for
12 seniors and residents with low to moderate incomes.

13 The Building Congress would also like to commend
14 Gotham for incorporating 27 additional low-income
15 senior units since last meeting with the Community
16 Board's Land Use Committee. In closing, Broome Street
17 Development is an opportunity to enhance the Lower
18 Eastside's anchor institutions and to build an
19 affordable future. The Building Congress strongly
20 supports this project, and we encourage you to do the
21 same. Thank you.

22 CHAIRPERSON MOYA: Thank you.

23 KEVIN MORAN: Hi, my name is (coughs)
24 Kevin Moran. I'm the CFO for Breaking Ground and
25 Breaking Ground supports this project for several

1 reasons. (coughs) As you may know Breaking Ground is
2 a developer of supportive housing here in New York
3 City and also provides social services to homeless
4 individuals. So, first and foremost we recognize the
5 need that this project fills for affordable housing
6 and how it greatly helps the crisis that we are
7 facing. It's in a great location. It enables CPC to
8 continue to provide the services that they are
9 providing in their community. Second, as CFO as a
10 social service provider I know the fiscal challenges
11 that CPC faces. Our government contracts cover 87%
12 of our costs. We need to raise funds through other
13 sources in order to provide our mission and-and so
14 the rental income and the free rent that CPC will
15 receive on this project will enable them to continue
16 to provide the underfunded mission critical services
17 that they are providing in their community. And
18 finally we support the Gotham Organization and David
19 Picket. We've with Gotham on a number of projects
20 and found them to be an excellent developer. David
21 Picket is also a member of our board, a very valued
22 member who provides assistance to the organization as
23 we go through and try to make our decisions. More
24 importantly, however, year in and year out David is
25

2 one of the largest fundraisers for our organization
3 both personally and through his other resources and
4 that is a great resource for us and our—and providing
5 the services that we provide. Thank you. (coughing)

6 ALICE WONG: Hi. My name is Alice Wong,
7 and I'm here to read Live On New York's Testimony
8 into record. Live On New York is a non-profit
9 membership organization representing 100 community-
10 based organizations serving older New Yorkers. Live
11 On New York is proud to support the GO Broome
12 Development Project and are a Member of the Chinese-
13 American Planning Council and partners in their
14 endeavor to bring more affordable senior housing and
15 community space to the Lower Eastside. In 2016 Live
16 On New York found more than 200,000 older adults—and
17 I know that Council Member Chin mentioned this—to be
18 languishing on waiting lists for affordable senior
19 housing through the HUD 202 Building alone--HUD 202
20 Program alone. The wait a unit under this program
21 averaged a jarring 7 to 10 years. Additionally,
22 there currently is an estimated 2,000 homeless older
23 adults in New York City. A recent study by the
24 University of Pennsylvania found that this number is
25 likely to tripled to roughly 7,000 older adults in

1 the coming years without significant intervention.
2 One of New York Live On New York's members recently
3 completed construction on an affordable senior
4 housing building in Queens. The building received
5 more than 35,000 applications for less than 100 units
6 averaging 522 applications for every one unit
7 available. This example is not unique, and plays out
8 in communities across the five boroughs highlighting
9 the significant housing crisis we are in the midst
10 of. At Live On New York we look forward to one day
11 sharing the opportunity for seniors to apply for this
12 sorely needed affordable senior housing development,
13 and we know that there will be no shortage of older
14 applicants desiring to call the building home. Thank
15 you for the opportunity to speak.

17 CHAIRPERSON MOYA: Thank you.

18 ANGELA HOWARD: Good afternoon. My name
19 is Angela Howard and I'm the Vice President of Real
20 Estate and facilities for Covenant House
21 International. I'm here in support of Gotham
22 organization and the CPC for the GO Broome
23 Development—Street Development. Covenant House
24 itself is the largest private funded organization in
25 the Americas providing shelter, food, immediate

1 crisis care and a host of other services to homeless
2 and runaway youth. I've been one working with Gotham
3 for the past two years on the development of the new
4 Covenant House International Headquarters in Hells
5 Kitchen, a not-for-profit anchor development similar
6 to the GO Broome Street Development. The Gotham team
7 has been instrumental in the development of Covenant
8 House's New 80,000 square foot facility leading a
9 highly complicated design and construction process.
10 Throughout the last two years all the members of the
11 Gotham Team have shown a deep commitment to the
12 development of Covenant House's new facility
13 remaining involved with even the minutest details,
14 and ensuring that Covenant House receives the
15 facility the organization deserves. The end result
16 of this development will be a state of the art turn
17 key community facility that's purpose built where
18 Covenant House will be able to provide expanded
19 shelter housing, medial and mental health services,
20 educational and job training programming amongst
21 other services. In addition to overseeing the
22 design, financing and construction of the new
23 facility, Gotham has worked collaboratively with the
24 community illustrating their role as responsible and
25

2 conscientious community stakeholders. From the
3 perspective of a real estate project management and
4 construction professional with over three decades of
5 experience, I say with confidence that Gotham has
6 gone above and beyond what has been required of them
7 as the developer of Covenant House's new facility.
8 Their dedication to this project is reflective of the
9 firm's overall ethos, which is characterized by deep
10 commitment to development projects with large public
11 benefit. Based on my experience with Gotham I say
12 with confidence that Gotham will work tirelessly to
13 deliver the best in class facility to it's not-for-
14 profit partners on the Broome Street development
15 (bell) and create a best in class overall
16 development. Thank you.

17 CHAIRPERSON MOYA: Thank you. Thank you
18 all for your testimony. We have our last panelist
19 Virginia Key. (pause)

20 VIRGINIA KEY: I am Virginia Key. I am the
21 founding member of CPC. Years ago I was a school
22 teacher on the Lower Eastside with immigrant students
23 Puerto Rican, from the Dominical Republic, from Hong
24 Kong, from China, and I wanted to be sure that we
25 would be able to succeed, and we have here Margaret

1 who is an alumni of that school. So I wrote the first
2 proposal for CPC and it got funded. Who is CPC? CPC
3 is a community organization grassroots. Over 55
4 years we have good work for this community First, we
5 were in 3 Pal Street. Then we moved to 45 East
6 Broadway and then we moved to 13 Elizabeth Street,
7 and then we moved to Lesbianot (sic) Street and
8 then we had to be evicted and we moved to 150
9 Elizabeth Street. We are desperate for our permanent
10 home. We dream about it, and we want it really very
11 much, and we will continue to do good work. We are
12 the first Asian-American organization to bring low-
13 income senior housing to the United States east of
14 the Mississippi. We built Ho Ning's (sic). We
15 sponsored Chung Pot. Please come and visit our low
16 income senior housing. See how beautiful it is. How
17 it is maintained. We care about our people (bell) in
18 this community. Therefore, we have partnered with
19 the synagogue because in these times when people do
20 not remember history and where we see anti-semitism,
21 we have to teach our young people that we have-need
22 respect. We need knowledge and we need
23 understanding. Please approve the project as it is
24 because with the Gotham team and CPC we will see that
25

2 we do a good job for our people. We will continue
3 the legacy of doing good, providing services. You've
4 seen the young people, and we have elderly. We have
5 daycare. We do it because we care, and we know that
6 you do, too as City Council Members. Thank you very
7 much.

8 CHAIRPERSON MOYA: Thank you. Thank you
9 for your testimony. (pause) are there any other
10 members of the public who wish to testify? Seeing
11 none, I note—I now close the public hearing on this
12 application and it will be laid over. We will now
13 hear LU Item 610 for the Bridge Park South Mapping
14 Action relating to property in Council Member
15 Gibson's district in the Bronx. The applicant New
16 York City Department of Parks and Recreation seeks
17 approval of a proposed city map amendment involving
18 the elimination, discontinuance and closing of
19 Excelsior Street on the Bronx side of the Harlem
20 River in the High Bridge neighborhood between the
21 Alexander Hamilton Bridge and the High Bridge and in
22 addition to the former street rights-of-way mapping
23 three vacant city-owned lots as park land all to
24 facilitate the expansion of the existing Bridge Park.
25 I now open the public hearing on this application and

2 I will now call the first panel. (background
3 comments/pause) No, no thank you. I'm good. Thank
4 you so much. Matt Drury and Linda McIntyre, and--and
5 thank you for--thank you for your patience, too.
6 Please--

7 LINDA MCINTYRE: Thanks.

8 LEGAL COUNSEL: Please raise your right
9 hand and state your name for the record.

10 LINDA MCINTYRE: Linda McIntyre.

11 MATT DRURY: Matt Drury

12 LEGAL COUNSEL: Do you swear or affirm
13 that the testimony you're about to give will be the
14 truth, the whole truth and nothing but the truth, and
15 you will answer all questions truthfully?

16 LINDA MCINTYRE: Yes.

17 MATT DRURY: I do.

18 LEGAL COUNSEL: Thank you.

19 LINDA MCINTYRE: Good afternoon. (laughs)

20 CHAIRPERSON MOYA: Good afternoon.

21 LINDA MCINTYRE: Alright. Thank you for
22 this opportunity to testify. My name is Linda
23 McIntyre and my colleague Matt Drury and I are here
24 on behalf of the New York City Department of Parks
25 and Recreation to talk about the Land Use Application

1 for Bridge Park South Mapping. This application
2 would de-map portions of exterior and West 171st
3 Streets between the High Bridge and the Hamilton
4 Bridge and map this right-of-way and three city-owned
5 parcels as parkland, and the application would
6 facilitate a 3.8 acre addition to Bridge Park on the
7 Harlem River Waterfront. Just to fill you in on the
8 history of Parks in this area, here's a short history
9 of the site. Land in this general area was acquired
10 in the late 19th Century as part of the construction
11 project for the GW Bridge, and most of that park land
12 was subsequently demapped during construction of the
13 Major Deegan Expressway in the middle of the 20th
14 Century. After that three more parcels were mapped
15 as parkland and that comprises the existing Bridge
16 Park north of the Hamilton Bridge, and south of the
17 Hamilton Bridge in 2011 the Trust for Public Land
18 donated to the city a half acre of land north of the
19 High Bridge to be used as an addition to Bridge Park,
20 and then in 2012 DCAS transferred jurisdiction of the
21 remaining property on the site to Parks. So, all of
22 that land below the Hamilton Bridge plus the right-
23 of-way that would be de-mapped as part of this
24 application will comprise an addition to Bridge Park
25

1 that we're call Bridge Part South, but it will really
2 just make this a bigger park, and we can show you
3 some of the existing conditions. This is--this photo
4 was taken on Exterior Street. You can see the bed of
5 the street there that will be de-mapped pursuant to
6 this application. If approved, looking north toward
7 the GW Bridge and here is just another shot of the
8 existing conditions. Beyond the fence there you can
9 see that there is MTA right-of-way. They have a rail
10 yard just south of the site that we're talking about.
11 This is West 171st Street along the Hamilton Bridge,
12 and then this photo was taken at the lower boundary
13 of the existing Bridge Park and the current end of
14 the Harlem River Greenway looking toward the site
15 that will become the addition to Bridge Park. So,
16 Parks has been working for quite a long time with the
17 community to improve access to the waterfront and
18 extend the Harlem River Greenway. We worked with the
19 Bronx Council on Environmental Quality and other
20 groups to complete a BOA, Brownfield Opportunity
21 Program Step 1 study and Step 2 Report to the Harlem
22 Riverfront, and the report was finalized in December
23 2015, and this site is pretty much aligned with
24 Strategic Site 3 as described in the report. And so
25

2 Parks has about \$5.6 million in money from the
3 Council. Thank you, the Borough President and some
4 grant money to do some shoreline restoration work and
5 extend the Greenway. So, we're early in the design
6 process, but we'll have a design concept to present
7 to the community within the next couple of months,
8 and when completed, this extension of Bridge Park
9 will result in a 1.3 mile straightaway in the
10 Greenway from Roberto Clemente State Park to the
11 north through Bridge Park, and we're happy to answer
12 any questions. Thank you again.

13 CHAIRPERSON MOYA: Great. Thank you and
14 I just want to say we've been joined by Council
15 Member Gibson. I just got a couple of quick question
16 and that's can--can you speak to the Step Street
17 Project Plan to improve the pedestrian access to the
18 proposed park expansion, and has it been designed
19 yet? When will it be completed especially as it
20 relates to the whole project?

21 LINDA MCINTYRE: Yes, that--that kind--that
22 has been in progress as I'm sure you know for quite
23 some time, and the contract is registered and
24 construction will be starting soon, probably in line
25 with improvement in the weather.

2 CHAIRPERSON MOYA: Okay.

3 LINDA MCINTYRE: But our procurement
4 process is at the end and the contract is registered.
5 So, we're just about ready to start construction.

6 CHAIRPERSON MOYA: Okay, and can you
7 describe some of the shoreline restoration work
8 that's planned for the park on this project?

9 LINDA MCINTYRE: We don't know the
10 specifics of it yet because we don't have a design,
11 but there will—the kind of paving that this sort of
12 crummy like—this will be not like this. It will—it
13 will be greener, and there will be a mixed use
14 greenway path for people on bikes and people on foot
15 to both use comfortably and there—it will be planted
16 with species that are appropriate to this part of the
17 Harlem River, which has quite strong wave energy. So
18 that will affect what is planted there. and there is
19 a combined sewer outfall right there as well. But it
20 will be a kind of a greener what we call a soft edge
21 to the water.

22 CHAIRPERSON MOYA: Okay, and also, what
23 will be done to separate the park addition from the
24 adjacent Metro North Line?

2 LINDA MCINTYRE: Um, it is—there is a
3 fence there now. I would—I don't know at this point
4 whether there will be a different fence, but there
5 will—obviously there will—there will be some kind of
6 separation between the MTA facility just for the
7 protection of park users.

8 CHAIRPERSON MOYA: Okay, and we kind of
9 touched upon this, but could you speak to the
10 expected timeline of the project?

11 LINDA MCINTYRE: Yeah, we are in design
12 now because we have state year key money that kind of
13 those approvals are a little bit slower than are
14 typical for Parks projects. So, we are going through
15 the design process now, and that will take probably
16 most of this year. Procurement will take probably
17 most of next year, and we expect to start
18 construction currently around the end of 2021. That
19 might slip a little bit because of these state
20 approvals that are involved.

21 CHAIRPERSON MOYA: So started in 2021 or
22 completed?

23 LINDA MCINTYRE: As start of
24 construction.

2 CHAIRPERSON MOYA: Okay, do you have an
3 expected completion date or it would be open to the
4 public?

5 LINDA MCINTYRE: Um, yeah. Construction
6 usually takes like nine months to a year.

7 MATT DRURY: Nine months to a year.

8 CHAIRPERSON MOYA: Yeah, nine months to a
9 year. So, um, hopefully in late 2021 it will be open
10 to the public.

11 LINDA MCINTYRE: This--this part. The
12 other- the existing part of Bridge Park will remain
13 open throughout this process.

14 CHAIRPERSON MOYA: And just the last
15 question before I hand it over to Council Member
16 Gibson is has the funding for the Park addition been
17 approved already?

18 LINDA MCINTYRE: Yes, we have. We can't
19 start our capital projects until we have full
20 funding.

21 CHAIRPERSON MOYA: Great. Thank you very
22 much. I'll now turn it over to Council Member
23 Gibson.

24 COUNCIL MEMBER GIBSON: Thank you so much
25 Chair Moya. I know you've been here all morning. So,

1 I'll try to be as brief as I can, but thank you so
2 much to the Parks Department for being her and
3 obviously your patience. I know we had a long agenda
4 on today's meeting, but I wanted to ask a couple of
5 questions and you know Bridge Park has been extremely
6 important to me. Serving in the Council for seven
7 years not only do I represent that area but I live in
8 that area as well. So, I am all too familiar with
9 what is happening. It's extremely important as we
10 continue to move this project forward as you continue
11 to work with the Bronx Borough President's Office who
12 I know made a series of recommendations, which I
13 would like to understand as well as Bronx Community
14 Board 4. There's a multitude of existing and upcoming
15 capital projects that are happen so I wanted to
16 understand a couple of things . The Chair asked
17 about the Metro North Station, and in terms of making
18 sure that there's a delineation between the Metro
19 North Rail Yards and our property, but you have
20 Roberto Clemente State Park. You have River Park
21 Towers, the residential development and then as you
22 get further south you go into Depot Place. State DOT
23 has a \$200 million Capital Project that you're aware
24 of—of doing some waterline work with the water pipe,
25

2 but most importantly they're going to add a brand new
3 northbound entrance on the Major Deegan near the
4 Alexander Hamilton Bridge. And so I want to
5 understand our timeline and how that coincides with
6 State DOT because it's a lot of work happening.
7 There's a lot of disruption on the ground in terms of
8 parking and traffic. There's a new apartment building
9 that's being constructed on 167, and Sedgewick. So,
10 I just want to make sure that we're talking to State
11 DOT and other agencies as it relates to ongoing
12 projects in that area.

13 LINDA MCINTYRE: Yeah, I think Matt might
14 be able to speak to this as well, but I will say that
15 have been working with State and City DOT--

16 COUNCIL MEMBER GIBSON: Okay.

17 LINDA MCINTYRE: --as their capital
18 projects are advancing just because Depot Place is
19 the access to part of the site.

20 COUNCIL MEMBER GIBSON: Correct.

21 LINDA MCINTYRE: And so I think that the
22 difference in grade means that it would be a huge
23 difference in grade. I means that the construction of
24 each project won't impinge on the other, but we are
25 trying to coordinate to just kind of use these

2 projects to improve access and safety for all of—for
3 the entire community park users, for people who live
4 there, people who go to school near there. They, um,
5 the police staff who park thee for their Special
6 Operations Unit. So, there—there is a lot going on
7 there and we are all trying to work together to kind
8 of leverage our projects and solve as many of these
9 issues as we can.

10 MATT DRURY: Yeah, I'd only add that the
11 agency has, you know, a strong dedication to working
12 with, you know, sort of interagency and inter entity
13 projects of this nature. Obviously, you know,
14 property jurisdiction is very—can be very convoluted
15 at times. Many of our properties, you know about
16 properties under other jurisdictions and so I think
17 we have a strong practice of working in close
18 coordination on projects of this nature.

19 COUNCIL MEMBER GIBSON: Okay, is there an
20 actual working group that's been formulated or do you
21 think that would be necessary?

22 LINDA MCINTYRE: I wouldn't call a formal
23 working group, but we have—we have met with—in
24 Senator Serrano's Office with his staff and some of
25 their colleagues and staff of State Serrano and, um--

2 COUNCIL MEMBER GIBSON: Your Senator was
3 right? (sic)

4 LINDA MCINTYRE: Yeah and some of the
5 various community groups. So, there's -people know
6 who to get in touch with (laughs) at each, at all of
7 the respective agencies and, you know, as much as we
8 are in regular coordination with City DOT and State
9 DOT. So we--because we work in so many different
10 contexts we kind of know who to call and are in touch
11 on a regular basis generally.

12 COUNCIL MEMBER GIBSON: Okay, in addition
13 the existing Bridge Park that's there I remember when
14 we opened that, and the challenge that we continue to
15 face is access. If you are driving or using your
16 bike you can access it through Depot Place and go
17 down the ramp, but a number of schools in the area
18 and others that try to access it very challenging for
19 small children. In the plan the chair talked about
20 the High Bridge step streets that are on University,
21 Sedgewick that connect you to the bridge, Bridge
22 Park. Is there any other access opportunities that
23 we're looking for, and how can we provide great
24 access maybe working with the State park or Roberto
25 Clemente because I just feel like it's right for

2 development and opportunity, but it's so hard to get
3 to. For those of us that live on the west side it's
4 very isolated. We have a new set of step streets
5 we're opening in a few months on West Tremont Seda
6 that leads directly to Roberto Clemente and there
7 will be a bike path there going down Tremont Avenue.
8 So I just want to understand. A lot of that work DOT
9 is doing, but are we talking with other agencies and
10 what is Parks looking to do to see if we can provide
11 more access? I believe it's going to be a game
12 changer, and I'm excited about it but I'm also
13 concerned because I just feel like people can't
14 access it.

15 LINDA MCINTYRE: Yeah I mean access is
16 definitely a challenge here. We do feel that
17 extending Bridge Park will activate the space and
18 kind of invite people in, and having that-the shared
19 Greenway Path from the State Park will be really
20 important. With the funding we have we don't have in
21 the scope of this project enough funds to build out
22 kind of steps down from Depot Place to the park,
23 which, you know, is something that, you know, people
24 have talked about a little bit, but, you know, in
25 going forward, you know, I think that the more we

2 kind of build this constituency of park users and
3 bring more people here then that will I think focus
4 both attention and resources on this--this part of the
5 waterfront.

6 COUNCIL MEMBER GIBSON: Okay, and what
7 were some of the recommendations made by the Bronx
8 Borough President? I know he's been very supportive
9 not just verbally, but he's also put money towards
10 the park project, which I'm grateful for but did he
11 make any recommendations that we are considering?

12 LINDA MCINTYRE: Um, yeah we talked at
13 the public hearing at the Borough President's Office.
14 We talked a lot about just kind of activation along
15 the waterfront, safety, access, pretty much the same
16 topics that we have talked about today. I think they
17 support the project, but just as you and your
18 colleagues are they're taking an expansive view of
19 the waterfront area, and everything that's going
20 there and just making sure that different agencies at
21 different levels of government are working together,
22 and, you know, aware of what the other is doing and
23 how we might leverage all of our efforts to get the
24 best possible results for the community.

2 COUNCIL MEMBER GIBSON: Okay. So what I
3 envision and I hope that's not the case, I know we're
4 fully funded, but as we go through the design if
5 there are any changes, I hope we don't have a
6 conversation—have to have a conversation about more
7 money that's needed, but if that is the case
8 certainly as early as possible I would ask Parks to
9 come to the electeds if there are any potential
10 opportunities to the state or maybe feds. Resiliency
11 is also important for us. After Sandy Roberto
12 Clemente was devastated. The bulk head area was
13 severely damaged. We were lucky to get almost \$90
14 million through the feds as well as the Governor put
15 a significant portion. So, in the design I also want
16 to make sure as we build out Bridge Park we are
17 mindful of resiliency plans and our mitigation plans
18 that should be put in place so that we can protect
19 this park for decades to come well beyond our tenure.
20 I want to make sure that we don't have to have, you
21 know, when a Sandy does hit us again that area has
22 mitigation that's already been implemented so we can
23 avoid that for the future as best we can.

24 LINDA MCINTYRE: Yes our Natural
25 Resources Group is taking the lead and designing this

2 project and that soft edge that we were talking about
3 a few minutes ago is specifically will be designed in
4 response to the—the shoreline conditions and it will
5 withstand both kind of regular strong currents in the
6 Harlem River and a storm surge.

7 COUNCIL MEMBER GIBSON: Okay, and I guess
8 my last question and final comment a few years ago
9 when we opened up the High Bridge Pedestrian bridge
10 that's the neighbor I noticed and I see it every day
11 pretty much at night it is well lit so you can
12 actually see it. It illuminates the neighborhoods and
13 as we talk about access for pedestrians, for children
14 and schools and our bike riders, I want to be mindful
15 that we need to provide as much lighting as possible
16 just so that we can enhance the area. It only takes
17 one project to make that transformation for an area
18 that has really been isolated for quite some time. I
19 think coupled with State DOT where Parks is doing
20 Roberto Clemente, River Park. I mean everything
21 that's happening on that entire esplanade along
22 Sedgewick Avenue I feel like this is going to have a
23 real transformative impact. So, I just want to be
24 mindful that whatever we can do, whatever design,
25 mechanics we can put in to enhance the lighting the,

2 illumination I would love to see that incorporated so
3 that it can model what the High Bridge looks like
4 today.

5 LINDA MCINTYRE: Yes, lighting and safety
6 are very important components of-of parks designs,
7 and we will reinforce that with our colleagues
8 designing this project.

9 CHAIRPERSON GIBSON: Okay. Thank you so
10 much. I'll now turn it back to our Chair.

11 CHAIRPERSON MOYA: Thank you so much
12 Council Member. Thank you both for your patience
13 today and thank you again for your testimony. This
14 concludes-oh, I'm sorry. Are there any members of
15 the public that wish to testify? Seeing none, I now
16 close the public hearing on this application and it
17 will be laid over. This concludes today's meeting
18 and I would like to thank the members of the public,
19 my colleagues and, of course, the Council and Land
20 Use staff for attending. This meeting is hereby
21 adjourned. Thank you. (gavel)

22

23

24

25

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

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



Date February 14, 2020