

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUB COMMITTEE ON PLANNING, DISPOSITIONS AND  
CONCESSIONS

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December 15, 2009

Start: 1:40 pm

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HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Inez E. Dickens  
Sara M. Gonzalez

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

Carol Clark  
Assistant Commissioner  
HPD

Derek Roberson  
Ex-Superintendent  
HPD

Jeremy Laufer  
District Manager  
Community Board 7

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CHAIRPERSON GARODNICK: Good afternoon everybody. Welcome to the Sub committee on Planning, Dispositions and Concessions, a sub committee of the Land Use of the New York City Council. My name is Dan Garodnick. I am the chair of this sub committee. I'm joined today by Council Member Sara Gonzalez and Inez Dickens. We have a relatively short agenda today, we're going to get right to it. We're going to open the hearing on pre-considered land use number, well, it has no pre-considered land use number. It's Madison Putnam, Brooklyn Community Board 3, 20105220HAK in the district of Council Member Darlene Mealy. Ms. Clark, go right ahead. Introduce yourself and this item.

CAROL CLARK: Good afternoon Mr. Chairman and members of the committee, I'm Carol Clark, Assistant Commissioner of HPD. We're here to testify in favor of the project, Madison-Putnam. It consists of the proposed disposition of seven vacant city owned lots located at 924 and 928 Madison Street and 1007, 1013, 1023, 1052 and 1054 Putnam Avenue under HPD's Low Income Rental Program.

1  
2 This project was previously  
3 approved by the Council in June of 2008 as a  
4 homeownership project but now we are seeking  
5 approval of a rental rather than a home ownership  
6 project. It consists of the new construction of  
7 seven buildings containing a total of 47 units for  
8 sale to eligible purchasers. Under the amended  
9 project, the developer CPC Resources Inc will  
10 develop 47 rental units plus one supers unit.

11 Council Member Mealy in whose  
12 district the project is located has been briefed  
13 and has indicated her support.

14 CHAIRPERSON GARODNICK: Thank you  
15 very much. This, of course, is not the first item  
16 of this type which has changed from a home  
17 ownership to a rental model in light of the  
18 economic circumstances that we find ourselves in.  
19 I see no members of the public wishing to testify  
20 on this item. So we will close the hearing on the  
21 pre-considered Madison Putnam 20105220HAK and open  
22 the hearing on Land Use 1271, the Allan Affordable  
23 HDFC, Community Board 12 in Queens, 20105209HAQ in  
24 the district of both Council Member Jim Gennaro  
25 and Council Member Tom White.

MS. CLARK: Yes and LU 1271

consists of a previously approved UDAP for which HPD is currently seeking approval of a partial Article 11 tax exemption. Back in March of 2006 the Council approved the disposition of two city owned parcels located at 89-06 138th Street and 107-05 Supthin Boulevard to Allan Affordable HDFC through HPD's Neighborhood Redevelopment Program.

The current project proposes to rehabilitate the two multiple dwellings which were city owned and are now owned by Allan Affordable HDFC. Once the project is completed, if approved, it will provide 24 rental units plus one superintendent's unit. Council Member Gennaro and Council Member White have reviewed the project and indicated their support.

CHAIRPERSON GARODNICK: Sorry, I don't understand this item. Let's take it back for a second. You said this was previously approved by the Council.

MS. CLARK: That's correct.

CHAIRPERSON GARODNICK: And what was the plan that we previously approved?

MS. CLARK: You previously approved

1  
2 the disposition of the property to Allan  
3 Affordable HDFC.

4 CHAIRPERSON GARODNICK: Okay. And  
5 the modification here is what?

6 MS. CLARK: We are back seeking the  
7 partial tax exemption under the Article 11 tax  
8 exemption program, which we previously didn't  
9 seek.

10 CHAIRPERSON GARODNICK: And why had  
11 you not previously sought it?

12 MS. CLARK: We weren't at that  
13 stage of the project and now we are.

14 CHAIRPERSON GARODNICK: Sorry, this  
15 is the ordinary course to start with the UDAP  
16 designation and then follow it up with the Article  
17 11 partial tax exemption.

18 MS. CLARK: That's correct.

19 CHAIRPERSON GARODNICK: Okay, got  
20 it. Thank you. As you noted, Council Member  
21 Gennaro and White are both in favor of this.

22 MS. CLARK: That's correct.

23 CHAIRPERSON GARODNICK: We have a  
24 member of the public that does wish to speak on  
25 this item, Mr. Derek Roberson. Mr. Roberson, if

1  
2 you have a moment and would join us here at the  
3 witness table, we'd love to hear from you.

4 Welcome.

5 DEREK ROBERSON: Hello Councilman.

6 CHAIRPERSON GARODNICK: Hello, just  
7 if you could introduce yourself and state your  
8 position, we'd love to hear it.

9 DEREK ROBERSON: My name is Derek  
10 Roberson, I'm the former superintendent of the  
11 buildings that Allan Affordable is in control of  
12 now. I worked for HPD for approximately 11 years.  
13 The property was transferred to them in 2006.  
14 We've been in court for two to three years.  
15 There's a lot of unresolved issues. I didn't want  
16 to say that I was in opposition to it because I  
17 haven't had a chance to review the proposal nor  
18 did the tenants or the City Planning, the Borough  
19 President, anyone.

20 I was terminated from my job for  
21 protecting the tenants from issues of not having  
22 any heat, which is on the record. But either way,  
23 at this point moving forward, possibly it may be  
24 able to turn out well if Allan can come to the  
25 position where the tenants and all can come

1  
2 together and gain benefits out of the project  
3 according to the way you honorable Council people  
4 have put together this project.

5 My position is that all of the  
6 residents haven't had a chance to review it so the  
7 tenants can't say that they're in opposition to  
8 it. The only reason I stated opposition is  
9 because I haven't had a chance to review it.  
10 Basically, I don't even know what the changes are.  
11 I hope the job opportunities come back to the  
12 people in the community, the contracts for  
13 opportunities come also to the community and we  
14 would like to see unions back in the building  
15 again.

16 Those are the issues but I chose  
17 opposition but I really didn't want to do that.  
18 Okay?

19 CHAIRPERSON GARODNICK: Understood.  
20 Thank you very much. Let me just make sure I  
21 understand one point. You said you haven't had a  
22 chance to review the proposal. This is a proposal  
23 which is coming back to the Council. Are you  
24 talking about the proposal that's before us today  
25 or are you talking about the initial one?

1  
2 DEREK ROBERSON: The amended  
3 proposal.

4 CHAIRPERSON GARODNICK: All right,  
5 good. Thank you very much for your testimony  
6 today. Thank you. We're going to invite HPD back  
7 up. And a follow up question on that for you Ms.  
8 Clark. The changes to the initial proposal are  
9 none except the application for Article 11 tax  
10 exemption. Is that correct?

11 MS. CLARK: That's correct.

12 CHAIRPERSON GARODNICK: Okay, so  
13 otherwise it stays the same.

14 MS. CLARK: Right. There are two  
15 buildings with a total currently of 25 units and 8  
16 of those units are occupied, 17 are vacant. The  
17 plan is to renovate the two formerly city owned  
18 buildings which are now owned by Allan Affordable  
19 HDFC.

20 CHAIRPERSON GARODNICK: And that  
21 was always the plan?

22 MS. CLARK: I can't speak to what  
23 was always the plan.

24 CHAIRPERSON GARODNICK: That was  
25 the plan that was--

1  
2 MS. CLARK: [] That was the plan in  
3 the time that I've been aware of this project.

4 CHAIRPERSON GARODNICK: Sorry, that  
5 was the plan as approved by the Council.

6 MS. CLARK: That's correct.

7 CHAIRPERSON GARODNICK: Okay,  
8 that's what I meant. Thank you. With that,  
9 there's no other members of the public wishing to  
10 testify on Land Use 1271. Council Member Dickens,  
11 however has a comment.

12 COUNCIL MEMBER DICKENS: Thank you  
13 Mr. Chair. Commissioner, as part of this  
14 application, will this extend the tax exemption?

15 MS. CLARK: The tax exemption, the  
16 partial tax exemption Under Article 11 is a 40  
17 year period.

18 COUNCIL MEMBER DICKENS: All right.  
19 And will that help to create affordable or to keep  
20 it affordable housing?

21 MS. CLARK: Yes, ma'am. It will  
22 continue to keep it affordable housing. The  
23 estimated income target is up to a 60% of the area  
24 median income, which as you know is up to \$46,000  
25 in income for a family of four.

1  
2 COUNCIL MEMBER DICKENS: So it's up  
3 to a maximum of 60% AMI.

4 MS. CLARK: That's correct.

5 COUNCIL MEMBER DICKENS: Very  
6 impressive. Is that 100%.

7 MS. CLARK: Yes, both buildings.

8 COUNCIL MEMBER DICKENS: Very good  
9 because we need some affordable housing out there.

10 MS. CLARK: We agree.

11 CHAIRPERSON GARODNICK: Thank you  
12 Council Member Dickens. With that, we will close  
13 the hearing on Land Use 1271, the Allan Affordable  
14 HDFC and open the hearing on Land Use 1285, the  
15 Sunset Park 197-A plan, Brooklyn Community Board 7  
16 and 080396NPK. I'd like to invite Mr. Laufer up  
17 from Community Board 7 in Brooklyn to--go ahead.  
18 The Sergeant come join us here at the witness  
19 table. Soon as you are ready you can go ahead and  
20 introduce this item. We always love having the  
21 197-A plans coming forward. So first of all  
22 congratulations on being here; we look forward to  
23 hearing from you.

24 JEREMY LAUFER: Thank you very  
25 much. And thank you for the opportunity to speak

1  
2 on behalf of Community Board 7 and its 197-A plan,  
3 New Connections, New Opportunities. It's been a  
4 13 year effort to create this plan and I'd like to  
5 publicly thank our past and current chairs,  
6 Beatrice DeSappio, Councilwoman Sara Gonzalez,  
7 Joseph Lombabardi and Randolph Piers as well as my  
8 predecessor as district manager Eugene Moore for a  
9 shared vision and incredible stamina for  
10 developing a plan over so long a period of time.

11 It's important to note that despite  
12 changes in our leadership over the many years, our  
13 board has remained committed to this vision.

14 Almost 10 years ago when I started as district  
15 manager of Community Board 7, when Council Member  
16 Gonzalez was Chairwoman Gonzalez, I listed the  
17 completion of the 197-A as one of my three  
18 personal goals for my tenure. And I'm happy to  
19 note that with the final vote on this plan, it  
20 will force me to set some new goals for my job.

21 I would especially like to thank  
22 Joseph Lombabardi who has also been our 197-A  
23 committee's chairperson for most of its existence  
24 as well as Jocelyn Chayett, our planner for the  
25 time and Herculean effort they put into this with

1  
2 minimal or no compensation. I'm not sure if  
3 Jocelyn was even paid minimum wage for all the  
4 hours she put into this study. Betty McIntosh who  
5 is here from Department of City Planning must be  
6 acknowledged as well for holding my hand for this  
7 past year. She guided us through the process and  
8 spent many hours working with us to keep our plan  
9 moving forward. Sometimes it felt as if it were  
10 Betty's plan, she seemed to chair so much about  
11 it. I would be remiss if I failed to mention the  
12 many individuals and organizations that donated  
13 money to create this plan.

14 Community Board 7's 197-A plan  
15 focuses on the entire Sunset Park waterfront from  
16 15th to 65th Streets from Third Avenue to the  
17 water. This comprehensive plan seeks to  
18 strengthen the industrial base of our community  
19 and prevent encroachment of housing that may drive  
20 up real estate prices and make the manufacturing  
21 and warehousing core untenable.

22 About 40,000 jobs exist in this  
23 area and as the number two walk to work community  
24 in New York City, the loss or reduction in the  
25 number of jobs would be devastating to our working

1  
2 class community. Thus, our plan seeks to  
3 strengthen and enhance our industrial community.  
4 At the same time, we're a waterfront community  
5 that has not been able to enjoy the benefits of  
6 such.

7           We currently have no recreational  
8 facilities along our waterfront. And our one  
9 point of public access close to our southern  
10 border is a ferry pier that's used mostly for  
11 parking. A major part of this plan seeks to  
12 correct this historic imbalance and create a large  
13 waterfront park along the centerline of our  
14 community and other amenities that are beneficial  
15 to our largely poor and working class community.

16           While our plan seeks to strengthen  
17 our industrial community and recognizes the  
18 importance our waterfront has played and can once  
19 again play for the region's economy, we also  
20 recognize the need for additional local amenities  
21 for the people who live in our community. Which  
22 is less than one-third of the city's standard of  
23 park plans per capita. The plan seeks to balance  
24 these seemingly opposite needs and focuses on the  
25 need for water borne activities, whether economic

1  
2 or recreational, immediately adjacent to the  
3 waterfront.

4 As I mentioned, this has been a 13  
5 year effort and some of our wishes and needs are  
6 already being met as evidenced by the current  
7 construction of the park along the waterfront.  
8 The majority of the 197-A looks at plans and  
9 policies of numerous city agencies and makes  
10 recommendations that we believe will strengthen  
11 our industrial community through smart  
12 development, marshalling of appropriate resources,  
13 repair and improvement of infrastructure and the  
14 need to create a sustainable green economy on the  
15 local and regional levels.

16 The 197-A plan is the community's  
17 voice in the ongoing discussions on the future of  
18 our waterfront. We have met innumerable times  
19 with many city agencies, especially City Planning  
20 and Economic Development Corporation to  
21 coordinate, where possible, and to discuss our  
22 ideas and our vision for our own community. We  
23 believe that our plan shares many of the goals of  
24 this city agencies potentially affected by it  
25 because we've held many discussions with these

1  
2 agencies and work diligently to find common  
3 ground. Frankly, we've had many years to lobby  
4 and convince agencies to see things our way.

5           Earlier this year we were quite  
6 pleased to see EDC's Sunset Park Vision Plan,  
7 which acknowledges the work we did on our 197-A  
8 and shares many of the same goals. Admittedly,  
9 we're not in complete agreement with all city  
10 agencies. The Department of Sanitation does not  
11 share our goal of moving its two sanitation  
12 garages off of our waterfront, as we would like to  
13 see all waterfront property used for water borne  
14 economic activities or recreation, not dead  
15 storage. That is an issue, which we will have to  
16 continue to agree to disagree.

17           When Robert Moses created the  
18 terrible scar in our community of the Gowanus  
19 Expressway he succeeded in not only creating a  
20 physical barrier for our constituents but a mental  
21 barrier as well, as generations of Sunset Park  
22 residents grew up with no connection to their own  
23 waterfront. This plan seeks to bridge this divide  
24 and recreate a working stable waterfront that is  
25 fully integrated into the larger community. And

1  
2 provides our community with resources and  
3 amenities that are available to every other  
4 waterfront community in New York City.

5           While we recognize the importance  
6 our waterfront holds for our regional economy, we  
7 seek a balance of uses so that our community  
8 benefits from its proximity to the water rather  
9 than continually being victimized by our proximity  
10 with negative uses such as power plants and  
11 garbage facilities. Two months ago a politician  
12 from another Brooklyn community, not a Council  
13 person I'd like to report, suggested Sunset Park  
14 as an alternative site for a sanitation facility  
15 proposed for his neighborhood. This has been the  
16 history of Sunset Park. We were a dumping ground  
17 for unpopular facilities for decades.

18           With the creation and ultimately,  
19 hopefully the approval of our 197-A, our residents  
20 have seized control of their own future and have  
21 declared their community no longer is what it had  
22 been. Our people and our businesses must be taken  
23 into account and our interests and concerns must  
24 be addressed. Truly, this is a great day for our  
25 community. Thank you for the opportunity to speak

1  
2 on behalf of Community Board 7 and I'd be happy to  
3 answer any questions that you have.

4 CHAIRPERSON GARODNICK: Thank you  
5 very much for that. And congratulations to you on  
6 being at this point. We know how much work goes  
7 into putting together a certified approved up to  
8 this point, 197-A plan and all the folks who you  
9 recognized as having put in all that time. We  
10 appreciate it and it's important and to recognize  
11 that publicly. I know that Council Member  
12 Gonzalez certainly has something to say here. I  
13 also want to congratulate her for her effort in  
14 trying to revitalize the waterfront and to make it  
15 work for the people of Sunset Park. So Council  
16 Member Gonzalez.

17 COUNCIL MEMBER GONZALEZ: Thank you  
18 Chair Garodnick. I just want to thank also  
19 Council Member Inez Dickens and all the staff that  
20 are here, especially Gale Benjamin. You've been  
21 incredibly wonderful throughout all these  
22 processes. I would like to briefly express my  
23 unequivocal support for Land Use number 1285, the  
24 Sunset Park 197-A plan before this committee  
25 today.

1  
2 I have been working on this project  
3 since my days as Chair of Community Board 7. I  
4 would like to thank all the members of that  
5 community board who are not here present but  
6 nevertheless need to know that their vision has  
7 become a reality. They worked so long and hard on  
8 this matter, particularly the current chair, Randy  
9 Piers who continues to bring that vision forward  
10 and of course our district manager, Jeremy Laufer.  
11 Thank you so much.

12 I especially would like to thank  
13 Joe Lombabardi, community board member for his  
14 timeless and tireless advocacy and dedication to  
15 this endeavor. We used to call him, what was it,  
16 197-A Joe? Well, guess what, Joe? It happened  
17 and I do want to thank him and put that on record.

18 197-A project is a vision of a  
19 vibrant, working waterfront for the Sunset Park  
20 community. It truly deserves and is reflective of  
21 the neighborhood principles signed on to by myself  
22 and other local officials in 2000. Little did  
23 they know that Council Member Gonzalez would be  
24 here today, helping to shepherd this through. I  
25 am incredibly grateful today.

1  
2                   It is about preservation,  
3 revitalization. It is about job creation,  
4 recreation. It is about the future of a community  
5 that is vibrant. A community that has been  
6 affected so harshly by that Gowanus. I grew up  
7 there on Second Avenue and I certainly know that  
8 it was like a monster. We couldn't go past there  
9 when we were little children. So I know that  
10 finally we're seeing the day.

11                   For a community such as ours, that  
12 is a mosaic, that has such an influx of immigrants  
13 that are coming for a better life, I certainly  
14 understand that we have done a heck of a job and I  
15 want to thank the community board and thank  
16 everyone and thank this committee because we  
17 finally are here. We will continue to be vigilant  
18 because I certainly understand. I know about that  
19 elected official who thought that perhaps he'd  
20 like to bring other things to our community but  
21 we're going to stay really vigilant of that. You  
22 have my support and you definitely have a friend.  
23 Thank you.

24                   MR. LAUFER: Thank you  
25 Councilwoman.

1  
2 CHAIRPERSON GARODNICK: Thank you  
3 Council Member Gonzalez. Council Member Dickens.

4 COUNCIL MEMBER DICKENS: Thank you  
5 Mr. Chair. Mr. Laufer I want to commend you on  
6 your dedicated and hard work. I'm not as familiar  
7 with this particular plan although I am familiar  
8 with the problem with the Gowanus and with 197-A  
9 plans having something similar in my district.  
10 But if I was not going to vote for this, I would  
11 simply because you acknowledged my colleague,  
12 Council Member Sara Gonzalez in a positive way.  
13 So frequently we get just the opposite so that  
14 alone would make me support this because you have  
15 recognized the dedicated hard work that my Council  
16 Member, Sara Gonzalez, has put into this before  
17 she got elected and since she has been. So thank  
18 you so much.

19 MR. LAUFER: Thank you for that and  
20 I'd just like to point out. It might surprise  
21 you, I used to work for the City Council myself so  
22 I am familiar with the work that not only  
23 Councilwoman Gonzalez does but the work that all  
24 of you do.

25 CHAIRPERSON GARODNICK: Thank you

1  
2 very much. With that, we are going to close the  
3 hearing on the 197-A plan at Sunset Park Land Use  
4 1285 and 080396. Thank you Mr. Laufer. We're  
5 going to open the hearing on the last Land Use  
6 item today, Land Use 1288, Hopkinson Park Place,  
7 Brooklyn Community Board 16 C100067HAK in the  
8 district of Council Member Mealy. Ms. Clark.

9 MS. CLARK: Thank you Chairman  
10 Garodnick. LU 1288, known as Hopkinson Park Place  
11 consists of the proposed disposition of five  
12 vacant city owned lots. They are located at 1612  
13 Park Place, 404-A, 408, 414 and 416 Hopkinson  
14 Avenue. This project is being conducted under  
15 HPD's New Foundations program. The sponsor is  
16 Latent Productions LLC. They've proposed to  
17 construct three separate buildings containing a  
18 total of 25 home ownership units for sale to  
19 eligible purchasers. Council Member Mealy has  
20 been briefed and has indicated her support.

21 CHAIRPERSON GARODNICK: Thanks.  
22 The two questions here of course, one, how was  
23 Latent Productions chosen and two, who is  
24 eligible.

25 MS. CLARK: There was a competitive

1  
2 process. An RFP was issued and Latent Productions  
3 qualified under that RFP for the New Foundations  
4 program. Two-thirds of the units in this proposed  
5 condominium will be sold to families earning up to  
6 80% of the area median income, which is \$61,000  
7 for a family of four.

8 CHAIRPERSON GARODNICK: Thanks and  
9 the remainder will be market?

10 MS. CLARK: The remainder will be  
11 units that will be sold to those earning up to  
12 \$102,000 for a family of four.

13 CHAIRPERSON GARODNICK: Okay. So  
14 the highest income eligibility is...?

15 MS. CLARK: \$102,000.

16 CHAIRPERSON GARODNICK: \$102,000.

17 MS. CLARK: Yes, for a family of  
18 four.

19 CHAIRPERSON GARODNICK: For a  
20 family of four. Okay, got it. Seeing no members  
21 of the public wishing to testify on Land Use 1288,  
22 Brooklyn Community Board 16 C100067HAK, we will  
23 close the hearing on that item and couple together  
24 all the items that we heard today for the purposes  
25 of voting and lay over the rest at the request of

1  
2 the individuals Council Members in whose districts  
3 the properties sit. The Chair is recommending an  
4 aye vote on all the items we heard today and we'll  
5 ask the counsel to call the roll.

6 COUNSEL: Carol Shine, Counsel to  
7 the sub committee. Chair  
8 Garodnick.

9 CHAIRPERSON GARODNICK: I vote aye.

10 COUNSEL: Council Member Gonzalez.

11 COUNCIL MEMBER GONZALEZ: Aye.

12 COUNSEL: Council Member Dickens.

13 COUNCIL MEMBER DICKENS: Aye.

14 COUNSEL: By a vote of three in the  
15 affirmative, none in the negative and no  
16 abstentions the aforementioned items are approved  
17 and referred to the full committee.

18 CHAIRPERSON GARODNICK: And  
19 congratulations particularly to the folks in  
20 Sunset Park and to Mr. Laufer and Council Member  
21 Gonzalez for all their hard work. With that, we  
22 are adjourned. Thank you.

C E R T I F I C A T E

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

Signature Amber Gibson

Date December 27, 2009