

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

Recess: 2:08 pm

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.

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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

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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

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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?

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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--

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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.

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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

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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

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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.

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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.

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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

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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

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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