

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITINGS AND DISPOSITIONS

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February 18, 2021
Start: 2:07 p.m.
Recess: 2:23 p.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Kevin Riley
CHAIRPERSON

COUNCIL MEMBERS:
Inez Barron
Peter Koo
I. Daneek Miller
Mark Treyger

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

Elizabeth Rolwing, Chief of Staff
New York City Department of Housing
Preservation and Development

Arielle Goldberg, Director of Land Use and
Policy
New York City Department of Housing
Preservation and Development

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2 SERGEANT-AT-ARMS: PC recording has
3 started.

4 SERGEANT-AT-ARMS: Cloud recording is
5 rolling.

6 SERGEANT-AT-ARMS: Thank you.

7 SERGEANT-AT-ARMS: Backup is rolling.

8 SERGEANT-AT-ARMS: Thank you. And take it
9 away, Sergeant Hope.

10 SERGEANT-AT-ARMS: Thank you. Good
11 evening and welcome to the Subcommittee on Landmarks,
12 Public Sitings, and Dispositions. At this time,
13 would all Council members and Council member staff
14 please turn on your videos? Thank you. To minimize
15 disruption, please place all electronic cell phones
16 to vibrate or silent mode. If you wish to submit
17 testimony, you may do so at
18 landusetestimony@Council.NYC.gov. I repeat.
19 Landusetestimony@Council.NYC.gov. Chair, we are
20 ready to begin.

21 CHAIRPERSON RILEY: Good afternoon. I
22 am Council member Kevin Riley, Chair of the
23 Subcommittee on Landmarks, Public Sitings, and
24 Dispositions. I joined remotely today by my Council
25 members and colleagues, Council member Miller,

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2 Council member Barron, and Council member Koo.

3 Today, we will be holding one public hearing on the

4 East New York Partnership Home UDAP. But, first, we

5 will vote on three items we heard at our February 10

6 meeting. We will vote to approve LU 726, an

7 application submitted by the Department of Housing

8 Preservation and development pursuant to this section

9 505 of Article 15 of the General Municipal Law and

10 section 197C of the New York City Charter requesting

11 approval of the 16th amendment to the Harlem East

12 Harlem Urban Renewal Plan. The amendment will extend

13 the duration of the Harlem Urban Renewal Plan for 40

14 years from its expiration date in December 2020 to

15 maintain design control established under the plan

16 that could not be enforced under zoning. The Harlem

17 East Harlem Urban Renewal Area includes property in

18 Council districts represented by Council member Ayala

19 and Perkins. We will vote to approve LU 725, the

20 Everlasting Pines HDFC ground lease amendment.

21 Submitted by the Department of Housing Preservation

22 and Development, this application is for approval of

23 an urban development action area project to

24 rehabilitate and stabilize and 87 unit affordable

25 senior housing development located at 96 Baxter

2 Street in Manhattan. This application was submitted
3 to fulfill a commitment under the Rikers Island
4 Points of Agreement under which HPD stipulated that,
5 as part of the semi-demolition of the Manhattan
6 Detention Complex, adjacent to the project site, the
7 agency would provide financing for the physical
8 protection of the building. This project is located
9 in Council member Chin's district. The third item we
10 will vote on is to approve an LU 724, the Landmark
11 Preservation Commission designation of East 25th
12 Street Historic District. The district consists of
13 an intact group of 56 row house framing East 25th
14 Street between Clarendon Road and Avenue D and the
15 Council District Brooklyn represented by Council
16 member Louis. This will be the first historic
17 district designated in Flatbush neighborhood. All
18 items have the support of the local Council members.
19 Counsel, please call the roll. You're on mute, Jeff.

20 COMMITTEE COUNSEL: Riley?

21 CHAIRPERSON RILEY: Aye.

22 COMMITTEE COUNSEL: Koo?

23 COUNCIL MEMBER KOO: Hello?

24 COMMITTEE COUNSEL: Council member Koo?

25 COUNCIL MEMBER KOO: I'm on mute.

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2 CHAIRPERSON RILEY: No. You're good,
3 Council member Koo.

4 COMMITTEE COUNSEL: You're not muted.

5 COUNCIL MEMBER KOO: Okay. I vote aye.

6 COMMITTEE COUNSEL: Thank you. Barron?

7 COUNCIL MEMBER BARRON: I vote aye on all.

8 COMMITTEE COUNSEL: Miller?

9 COUNCIL MEMBER MILLER: I vote aye.

10 COMMITTEE COUNSEL: By a vote of four
11 in the affirmative, zero in the negative, and with
12 zero abstentions, LUs 724, 725, and 26 are
13 recommended to the full Land Use Committee. We will
14 hold the vote open for Council member Treyger.

15 CHAIRPERSON RILEY: Council member
16 Treyger has just entered.

17 COMMITTEE COUNSEL: Council member
18 Treyger, are you here?

19 COUNCIL MEMBER TREYGER: I am here and,
20 Chairman of the committee, and I thank the Chair for
21 his help and accommodation and I vote aye.

22 CHAIRPERSON RILEY: Thank you, Council
23 member Treyger.

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2 COMMITTEE COUNSEL: Again, the vote is
3 five in the affirmative, zero in the negative, and
4 with zero abstentions.

5 CHAIRPERSON RILEY: Thank you, counsel.
6 We will now move on to our public hearing. I
7 recognize the subcommittee counsel again to review
8 today's hearing procedures.

9 COMMITTEE COUNSEL: Thank you, Chair
10 Riley. I am Jeffrey Campagna, counsel to this
11 subcommittee. Members of the public who wish to
12 testify were asked to register for today's hearing.
13 If you wish to testify and have not registered,
14 please go to www.council.nyc.gov to sign up now. If
15 you are a member of the public who wants to watch
16 this hearing, please watch the hearing on the New
17 York City Council website. All people testifying
18 before the subcommittee will be on mute until they
19 are recognized to testify. When the Chair recognizes
20 you, please confirm that your mic is unmuted before
21 you begin speaking and if you are on a panel, please
22 do not re-mute yourself until you are done
23 testifying. Public testimony will be limited to two
24 minutes per witness. If you have additional
25 testimony you would like the subcommittee to consider

2 or if you have written testimony and would like to
3 submit in lieu of appearing before the subcommittee,
4 landusetestimony@council.nyc.gov. Please indicate
5 the LU number or project name in the subject line of
6 the email. During the hearing, Council members who
7 would like to ask questions should use the zoom raise
8 hand function. The raise hand button should appear
9 at the bottom of the participant panel. I will
10 announce council members who have questions in the
11 order that they raise their hands. Witnesses are
12 reminded to remain in the meeting until they are
13 excused by the Chair. Lastly, there may be extended
14 pause is if we encounter technical problems. We ask
15 that you please be patient as we work through these
16 issues. Chair Riley will now continue with today's
17 agenda items.

18 CHAIRPERSON RILEY: I now open the
19 public hearing on LU 730, the Southern Avenue East
20 New York partnership home application submitted by
21 the Department of Housing Preservation and
22 Development, pursuant to article 16 of the General
23 Municipal Law. The application requests waiver of
24 the designation requirements of section 693 of the
25 General Municipal Law and the requirements of 19C and

2 197D of the New York City Charter and approval of the
3 project as an urban development action area project
4 for the property located at block 4049, part of lot
5 25 in the Brooklyn Council District represented by
6 Council member Barron. And I would like to ask if
7 Council member Barron wants to give any remarks to
8 this project?

9 COUNCIL MEMBER BARRON: Yes. Thank you,
10 Mr. Chair. I just want to say that this really is a
11 technical amendment adjustment that is being made and
12 I do hope that HPD will be able to let me know that
13 they did contact the owner of the adjoining lot so
14 that we can you know how that owner feels about what
15 is being proposed. But, generally, I am in favor. I
16 just want to hear the presentation from the panel.
17 Thank you.

18 CHAIRPERSON RILEY: Thank you.
19 Counsel, please call the applicant panel.

20 COMMITTEE COUNSEL: One moment, please.
21 The applicant panel for HPD is Libby Roling and
22 Arielle Goldberg.

23 CHAIRPERSON RILEY: Counsel, please
24 administer the affirmation.

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2 COMMITTEE COUNSEL: Panelists, please
3 raise your right hand and state your names.

4 ELIZABETH ROLFING: Elizabeth Rolfing.

5 ARIELLE GOLDBERG: Arielle Goldberg.

6 COMMITTEE COUNSEL: Do you affirm to
7 tell the truth, the whole truth, and nothing but the
8 truth in your testimony before the subcommittee and
9 answer to all Council member questions?

10 ELIZABETH ROLFING: I do.

11 ARIELLE GOLDBERG: Yes. We do.

12 CHAIRPERSON RILEY: Thank you. Before
13 you begin, please state your name and affiliation
14 again for the record and then you may begin.

15 ELIZABETH ROLFING: Great. Thank you.
16 I'm Elizabeth Rolfing. I am the Chief of Staff at
17 the New York City Department of Housing Preservation
18 and Development. I don't know if it is possible to
19 put the slide up wall I testify. Is that all right?
20 I just thought it might be helpful. Or we could--
21 Great. Thank you. And just go to the next slide.
22 Great. Thank you. I thought the visual would be
23 helpful. Land use number 730 consists of the
24 proposed disposition of the remaining city-owned lot
25 that makes up a portion of block 4049, lot 25, in

2 Brooklyn Council District 42. This proposed
3 disposition is a technical cleanup of a previous
4 disposition done in the 1990s. No new development is
5 proposed for the area that is proposed to be
6 conveyed. The northern portion of block 4049, lot
7 25, was conveyed along with lots 28 and 29 to the
8 housing partnership in 1997 for construction of
9 affordable to family homes. The homes were
10 constructed on lots 28 and 29, but lot 25 could not
11 be subdivided to allocate portions to the rear of
12 lots 28 and 29 because it would have created an
13 interior lot on the remaining city-owned portion
14 which is located just behind lot 131. Lot 131 was
15 conveyed in 1992 to the East Brooklyn Churches
16 Sponsoring Committee for construction of one family
17 homes as part of a Nehemiah project. The proposed
18 disposition would convey this remaining 424 square-
19 foot portion of lot 25 behind lot 131 that the city
20 still owns to the housing partnership who will then
21 convey it to the owner of Lot 131. There will be no
22 additional development on the portion of lot 25 to be
23 conveyed. It will simply conserve the existing homes
24 and facilitate the subdivision of lot 25 so that the
25 tax map correctly reflects each portion that belongs

2 to each individual home and the Nehemiah homeowner
3 will have ownership of the rear 424 square feet
4 behind their home. Today, the HPD is before the
5 subcommittee requesting approval of this proposed
6 disposition. Thank you. And I just thought the
7 slide would be helpful as a visual so that you could
8 clearly see both the aerial view and the zoning map
9 that shows-- and the little square in red, the 424
10 square foot portion of Lot 425 that we are hoping to
11 convey to the housing partnership for conveyance to
12 the owner of Lot 131. But I don't know if it is
13 helpful to leave it up. Otherwise, if you want to
14 take the slide down. Thank you.

15 COMMITTEE COUNSEL: Thank you. Libby,
16 is that the end of the presentation?

17 ELIZABETH ROLFING: Yes. Thank you.

18 CHAIRPERSON RILEY: Oh.

19 ELIZABETH ROLFING: Sorry.

20 CHAIRPERSON RILEY: No. It's all
21 right. Well, thank you. I don't have any questions.
22 I just wanted to echo Council member Barron just to
23 ensure that we did contact the adjacent property
24 owner to see how they feel about the project and I am
25 pretty sure-- and I am going to yield the floor to

2 the Council member Barron seeing that it is in her
3 district, but I just wanted to echo that sentiment
4 from her. So, counsel, are there any Council members
5 who have any questions?

6 ELIZABETH ROLFING: I just want to
7 answer Council member Barron's question which is that
8 we did confirm the partnership has been in touch with
9 the owner of Lot 131 and they are in favor of this
10 action.

11 CHAIRPERSON RILEY: Okay.

12 COMMITTEE COUNSEL: Council member
13 Barron, of course, has questions.

14 ELIZABETH ROLFING: Of course. Great.

15 COUNCIL MEMBER BARRON: Thank you so much.
16 So, that has been confirmed that the owner--

17 ELIZABETH ROLFING: Yes.

18 COUNCIL MEMBER BARRON: and what-- I
19 didn't hear you talk about making the adjustment on
20 the tax map. So, is the owner clear that there may
21 be some additional tax that would be due and has the
22 owner been given an idea of how much that is and
23 understands that that is going to be an additional
24 tax burden? Has that been conveyed to the owner, as
25 well?

2 ELIZABETH ROLFING: My understanding--

3 COUNCIL MEMBER BARRON: Do we know what
4 that amount-- I guess I should asked first do you
5 know what amount of tax moves will be attached to
6 this parcel?

7 ELIZABETH ROLFING: I do not have
8 specific numbers. My understanding is that it would
9 be a modest increase given the very small size of the
10 lot. The calculation of taxes is a little bit
11 outside of HPD's jurisdiction, so we don't have exact
12 numbers, but I know that is something that we have
13 been talking to the partnership with them to see if
14 there is any way they can get a better estimate. I
15 do understand that they did convey that notion that
16 there would be an increase to the homeowner and they
17 seemed to understand, but I am not seeing numbers on
18 that. I think it is not the easiest thing to
19 calculate with specificity.

20 COUNCIL MEMBER BARRON: Right. That would
21 be my only concern to get a range of how much that
22 would be and that the owner is willing to absorb
23 that. Or if it is beyond that, you know, I would
24 imagine that, again, it is a nominal amount. We are
25 talking about 424 square feet. Although HPD thinks

2 that 350 feet is enough for a studio, so we can think
3 about that, as well. But in any event, I support the
4 project. I just wanted to make sure that the owner
5 has been given some area of [inaudible 00:14:26] that
6 range-- thank you to HPD, as well.

7 ELIZABETH ROLFING: Okay. Thank you.

8 We will look into that.

9 COUNCIL MEMBER BARRON: Thank you.

10 CHAIRPERSON RILEY: Thank you, Council
11 member Barron. There being no more questions for
12 this panel, the panel is excused.

13 ELIZABETH ROLFING: Thank you.

14 CHAIRPERSON RILEY: Thank you so much.
15 Counsel, are there any members of the public who wish
16 to testify on this item?

17 COMMITTEE COUNSEL: There are no
18 members of the public signed up to testify on this
19 item.

20 CHAIRPERSON RILEY: Thank you. There
21 being no more questions for this-- Oh. Sorry. Oh.
22 Sorry. Counsel, there any more additional members of
23 the public who wish to testify? You said no. I'm
24 sorry, Jeff. I think I got mixed up on my pages.
25 Just give me one second.

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2 COMMITTEE COUNSEL: Go to 21.

3 CHAIRPERSON RILEY: Got it. That

4 concludes today's business. I remind you that if you
5 have any written testimony on today's item, you may
6 submit it to land use testimony@council.nyc.gov.

7 Please indicate the LU number or the project name in
8 the subject heading. I would like to thank the
9 applicants, members of the public, and my colleagues
10 and the subcommittee counsel, land use staff--

11 COMMITTEE COUNSEL: Chair Riley, before
12 you close and end the hearing, please close the
13 hearing on 730.

14 CHAIRPERSON RILEY: Okay. Counsel, are
15 we-- I'm sorry, Jeff. I think I'm a little mixed up
16 over here.

17 COMMITTEE COUNSEL: All you have to do
18 is say that the public hearing on LU 730 is now
19 closed.

20 CHAIRPERSON RILEY: The public hearing
21 on LU 730 is now closed. I would like to thank the
22 applicants, members of the public, and my colleagues
23 and the subcommittee counsel, land use staff and the
24 sergeant-at-arms for participating in today's

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2 hearing. The meeting is hereby adjourned. Thank you
3 all for coming out.

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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 26, 2021