

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND
FRANCHISES

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March 4, 2021
Start: 10:05 a.m.
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HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Francisco Moya
CHAIRPERSON

COUNCIL MEMBERS:
Diana Ayala
Joseph Borelli
Barry Grodenchik
Steven Levin
Antonio Reynoso
Carlina Rivera

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

Mark Weprin, Land-Use Counsel
Webster Avenue
Greenberg Traurig

Adam Rothkrug
Webster Avenue
Rothkrug Inspector

Shiva Ghomi, Architect
Webster Avenue
Aufgang Architects

Ron Shulman
Best Development Group

Billy Schur, Property Owner
Webster Avenue
Schur Management

Michael Wadman
Barnett Avenue
Phipps Houses

Sarah Ellmore, Director of Planning
Phipps Houses

Douglas Hanau
Phipps Houses

John McNally
Phillips, Habib and Associates

Herbert Mandel, Project Architect

Jeanette Remak, New York City Resident

Herbert Reynolds, New York City Resident

Brent O'Leary, New York City Resident

Mary Chang, New York City Resident

Mark Espinoza, member
32 BJ

Rosamond Gianutsos, New York City
Resident

Eileen Connelly Goodwin, New York City
Resident

Gerald Perrin, New York City Resident

Margret Perrin, New York City Resident

Elizabeth Reynolds, New York City
Resident

Denise Kian Smith, New York City Resident

Deborah Farley, New York City Resident

Luther Carpenter, New York City Resident

2 SERGEANT-AT-ARMS: We are live. All
3 sergeants, will you please start your recording?

4 SERGEANT-AT-ARMS: PC recording is started.

5 SERGEANT-AT-ARMS: Recording to the cloud
6 has begun.

7 SERGEANT-AT-ARMS: Thank you.

8 SERGEANT-AT-ARMS: Backup is rolling.

9 SERGEANT-AT-ARMS: Thank you. Good morning
10 and welcome to the Subcommittee on Zoning and
11 Franchises. At this time, would all panelists please
12 turn on your videos? I repeat, all panelists please
13 turn on your video. Thank you. To minimize
14 disruption, please place all electronic devices to
15 vibrate or silent mode. If you wish to submit
16 testimony, you may do so at
17 landusetestimony@council.nyc.gov. I repeat.
18 Landusetestimony@council.nyc.gov. Chair, we are
19 ready to begin.

20 CHAIRPERSON MOYA: Thank you. Thank you.
21 Good morning. I am Council member Francisco Moya. I
22 am The chair of the Subcommittee on Zoning and
23 Franchises. I am joined remotely here today by my
24 colleagues, Council member Levin, Rivera, Grodenchik,
25 Borelli, Ayala, and Eugene. Today we will vote on

items heard by the subcommittee at our meeting of January 26th and February 23rd including prey considered LU 718 and 7194 the 1620 Cortelyou Road rezoning in Brooklyn, prey considered LU 735 and 736 for the 9132 63rd Drive rezoning in Queens, and prey considered LU 737 for the 245-01 Jamaica Avenue rezoning in Queens. I also note that the pre-considered LU 733, 734 on today's agenda for the 737 Fourth Avenue rezoning and 738, 739, and 740 for the Arverne East proposal are being laid over. We will also hold public hearings on the 1099 Webster Avenue rezoning relating to property located in the Bronx and the 50 - 25 Barnett Avenue rezoning related to property located in Queens. We will begin with about two approved prey considered LU numbers 735, 736 for the 9132 63rd Drive rezoning relating to property in Council member Koslowitz's district in Queens. The proposal seeks a zoning map amendment to change an existing R4 C22 district to an R7A C23 district and a related zoning text amendment to establish a mandatory inclusionary housing area utilizing options one and two. Together, these actions will facilitate the development of a new nine story mixed-use building with approximately 74 dwelling units, up to

24 of which would be affordable, as well as ground floor commercial use and an added parking garage with 17 spaces accessory to the residential use and 29 spaces accessory to the commercial use. Council member Koslowitz is in support of the proposal. We will also vote to approve previously considered LUs number 737 for the 245 - 01 Jamaica Avenue rezoning related to property in Council member Grodenchik's district in Queens. The proposal seeks a zoning map amendment in an existing R4 district to change a C13 commercial overlay district to a C23. The proposal would enable the applicant to file a special permit application to the Board of Standards and Appeals to legalize a physical cultural culture establishment within an existing commercial building. Council member Grodenchik is in support of the proposal. We will also vote to approve with modifications previously considered LUs number 718, 719 for the 1620 Cortelyou Road rezoning relating to property in Council member Eugene's district in Brooklyn. The application, as proposed, seeks a zoning map amendment and a related zoning text amendment to facilitate the development of a new nine story mixed use building with approximately 85 dwelling units, up to 16 of which

2 would be affordable as well as ground floor
3 commercial use and 44 accessory parking spaces. Our
4 modification will be to remove MIH option two while
5 retaining option one. Council member Eugene is in
6 support of the proposal as modified. And, finally,
7 regarding the 1620 Cortelyou Road rezoning proposal
8 on today's agenda--

9 COMMITTEE COUNSEL: Chair?

10 CHAIRPERSON MOYA: Yes?

11 COMMITTEE COUNSEL: Sorry. This is a
12 para--

13 CHAIRPERSON MOYA: Oh. Yes. Yep. You're
14 correct. My apologies. I now want to take the
15 opportunity to allow Council member Eugene for some
16 remarks.

17 COUNCIL MEMBER EUGENE: Can you hear me?

18 CHAIRPERSON MOYA: We can hear you. Yep.

19 COUNCIL MEMBER EUGENE: Thank you much.

20 Thank you. I want to thank Chair Moya for the
21 opportunity to speak today to express my support for
22 this proposed rezoning. I would also like to
23 especially thank all the members of the community and
24 the public who have been so involved in to support
25 this for this rezoning. Thank you also for all your

1 dedication and making your voice heard on this
2 development proposal that is so important For the
3 future of the neighborhood. After many conversations
4 with the applicant, the community board and members
5 of the community, we have finally reached a place of
6 consensus built on trust and commitment to
7 responsible development. The simple fact is that the
8 as of right scenario here offers no public benefit in
9 terms of affordable housing, of ensuring communities
10 serving [inaudible 00:06:33] and commission corridor.
11 By supporting this application with the modification
12 of removing MIH option two, we are ensuring
13 [inaudible 00:06:45] affordable units are required as
14 part of any new development on this block. We also
15 have a binding commitment from the developer and
16 [inaudible 00:06:59] declaration tied to the
17 commitment that the community worked so hard to
18 ensure including, number one, maintaining the
19 supermarket on the ground floor. Number two,
20 permanently affordable housing under MIH option one.
21 Number three, financial support for the nearby
22 [inaudible 00:07:23]. In addition, after feedback
23 from the community during this public review, the
24 applicant has voluntarily altered the proposal
25

1 massing of the building to reduce the visual impact
2 of the building and adjusted the unit to reduce the
3 number of studios and one bedrooms to create more
4 family units. Let me conclude by saying that have
5 had several meetings with the people in the community
6 and also with the developer, but one other thing that
7 I lack also in this proposal is the opportunity, in
8 addition to the opportunities for affordable housing,
9 but also opportunities for jobs in the community. We
10 are facing a very, very, very tough situation--
11 tragic situation-- in New York with Covid 19. So
12 many people are without jobs. It would take a long
13 time for us to get back on track and to create job
14 opportunities in the city. I think people in my
15 district who would have the opportunity to have a
16 job. And also the businesses that are selling
17 construction supplies, they will have the opportunity
18 also to get a piece of the cake. And I think this is
19 a good project for my district and I am supporting it
20 and I thank you, Chair Moya, for your leadership and
21 I a thank the members of the community, the members
22 of the community board, and also the borough
23 president to worry involved in that. Thank you so
24 much for this opportunity.
25

2 CHAIRPERSON MOYA: Thank you, Council
3 member Eugene. I just want to make a quick
4 correction for the record with prey considered LU
5 number 735 and 736 for 91 32 63rd Drive. It is 28
6 accessory parking spaces, not 29. I would now like
7 to recognize that we have been joined by Council
8 member Reynoso and Council member Gipson. I now call
9 for a vote to approve LUs 735, 736, and 737 and also
10 to approve, with its modifications I have described
11 LU 718 and 719. Counsel, if you could please call
12 the role.

13 COMMITTEE COUNSEL: Chair Moya?

14 CHAIRPERSON MOYA: I vote aye.

15 COMMITTEE COUNSEL: Council member
16 Levin? Council member Reynoso?

17 COUNCIL MEMBER REYNOSO: I vote aye.

18 COMMITTEE COUNSEL: Council member
19 Grodenchik?

20 COUNCIL MEMBER GRODENCHIK: Aye.

21 Congratulations to Council member Eugene.

22 COUNCIL MEMBER EUGENE: Thank you very
23 much, Council member.

24 COMMITTEE COUNSEL: Council member
25 Ayala?

2 COUNCIL MEMBER AYALA: I need a minute.
3 I'm sorry.

4 COMMITTEE COUNSEL: We can come back.
5 Council member Rivera?

6 COUNCIL MEMBER RIVERA: Aye.

7 COMMITTEE COUNSEL: Council member
8 Borelli? We have-- excuse me. Council member
9 Levin? Council member Borelli want to vote on the
10 land use items? We appear to have temporarily lost
11 Council member Borelli. I understand Council member
12 Levin will be rejoining. Council member Ayala?

13 COUNCIL MEMBER AYALA: Yeah. I vote aye
14 on all with the exception of LU number 718, 719, the
15 Cortland Avenue rezoning. And with all due respect.
16 I have, you know, much respect for Council member
17 Eugene and I am sure that, you know, a lot of thought
18 process went into this, but I just feel really
19 strongly about, you know, rezonings being our one and
20 only opportunity to really leverage as much
21 affordable housing and I think that the developer had
22 an opportunity to seek subsidies to allow for more
23 development of affordable housing in this project and
24 decided not to go and 16 units is really not-- it's
25 not a lot of housing and I think, you know, it's just

2 really important for me, as a member of this
3 committee to try to leverage these relationships in a
4 way that really makes sense for the community. And I
5 appreciate, you know, the jobs, the opportunity for
6 jobs and the fact that there will be 16 units, but 16
7 units is simply not enough for me. So, with that, I
8 vote aye on all with the exception of land use number
9 718.

10 COMMITTEE COUNSEL: Thank you. Do we
11 have Council member Levin on a vote of the land use
12 items? Okay. Chair, the vote is currently at five
13 in the affirmative--

14 COUNCIL MEMBER BORELLI: Guy, I'm here.
15 It's Council member Borelli.

16 COMMITTEE COUNSEL: Excuse me. Council
17 member Borelli on a vote of the land use items.

18 COUNCIL MEMBER BORELLI: Yes. I vote
19 aye on all. I'm sorry for the technical issue.

20 COMMITTEE COUNSEL: No problem. Thank
21 you very much. Chair, the vote will remain open for
22 Council member Levin, but the vote is currently six
23 in the affirmative, zero in the negative with no
24 abstentions except for LU 718 and 719 which are
25 adopted five in the affirmative and one in the

2 negative and no abstentions. Once again, the vote
3 will remain open unless we have Council member Levin?

4 COUNCIL MEMBER LEVIN: I would like to
5 vote aye on all, if that is okay. Thank you.

6 COMMITTEE COUNSEL: Thank you, Council
7 member.

8 UNIDENTIFIED: Politics in action.

9 COUNCIL MEMBER LEVIN: Okay.

10 UNIDENTIFIED: [inaudible 00:13:39] in
11 action.

12 COUNCIL MEMBER LEVIN: I voted. I voted.
13 All good.

14 COMMITTEE COUNSEL: Chair, the vote on
15 the land use items is seven in the affirmative, zero
16 in the negative with no abstentions except for LU 718
17 and 719 which are adopted six in the affirmative, one
18 in the negative with no abstentions. These items are
19 approved for recommendation to the full land use
20 committee.

21 SERGEANT-AT-ARMS: Chair, you are on
22 mute.

23 CHAIRPERSON MOYA: Thank you. Sorry about
24 that. I will now turn to our hearings, but I will
25

2 first recognize the subcommittee counsel to review
3 the remote meeting procedures.

4 COMMITTEE COUNSEL: Thank you, Chair
5 Moya. I am Arthur Huh, counsel to this subcommittee.
6 Members of the public wishing to testify were asked
7 to register for today's hearings. If you wish to
8 testify and have not already registered, we ask that
9 you please do so now by visiting the New York City
10 Council website at www.council.nyc.gov to sign up.
11 Members of the public may also view a live stream
12 broadcast of this meeting at the Council's website.
13 As a technical note for the benefit of the viewing
14 public, if you need an accessible version of any of
15 the presentations shown today, please send an email
16 request to landusetestimony@council.nyc.gov. When
17 called to testify, individuals appearing before the
18 subcommittee will remain muted until recognized by
19 the Chair to speak. Applicant teams will be
20 recognized as a group and called first. Members of
21 the public will be called and recognized as panels in
22 groups of up to four names at a time. When the Chair
23 recognizes you, your microphone will be on muted.
24 Please take a moment to check your devices and
25 confirm that the microphone is on before you begin

speaking as there is a slight delay in the process of un-muting. Public testimony will be limited to two minutes per witness. If you have additional testimony you would like the subcommittee to consider or if you have written testimony you would like to submit instead of appearing before the subcommittee today, you may email it to land use testimony@council.nyc.gov. Please indicate the LU number and or the project name in the subject line of your email. During the hearing, Council members with questions should use the zoom raise hand function. The raise hand button should appear at the bottom of your participant panel. Council members with questions will be announced in order as they raise their hands and Chair Moya will recognize members to speak. Witnesses are requested to remain in the meeting until excused by the Chair as Council members may have questions. Finally, there will be pauses over the course of this meeting for various technical reasons as we work through various technical issues and we ask that you please be patient as we work through any and all issues. Chair Moya will now continue with today's agenda items.

2 CHAIRPERSON MOYA: Thank you, Arthur. I
3 now opened the public hearing on the pre-considered
4 LU items for a 1099 Webster Avenue rezoning proposal
5 seeking a zoning map amendment and a zoning text
6 amendment under ULURP numbers C210103XXM and
7 N210104ZRX and relating to property in Council member
8 Gibson's district in the Bronx. And I will turn it
9 over to Council member Gibson for some brief remarks.

10 COUNCIL MEMBER GIBSON: Thank you, Chair
11 Moya. I heard the emphasis on the brief part. Good
12 morning. Good morning, Chair, and good morning to
13 all my colleagues. Thank you so much everyone for
14 joining us today. I am Council member Vanessa
15 Gibson. I will be speaking briefly in favor of land
16 use application number 210103ZMX, 1099 Webster
17 Avenue. This application has been submitted to the
18 Council by 1099 Webster Realty LLC. This development
19 site is located at the intersection of Webster Avenue
20 in my district between 166th and 167th Street and it
21 is about 60,000 square feet. I am excited at this
22 potential opportunity to bring units of affordable
23 housing, truly affordable housing, over two
24 residential buildings in my community. This is Bronx
25 community board four and the applicant has made a

1 great effort to meet with the Housing and Land Use
2 Committee, as well as the full general committee of
3 community board four and we are really excited at the
4 opportunity to achieve both three bedroom apartments,
5 two bedroom, and one bedroom apartments, as well as a
6 small portion of studios. We are recognizing
7 formerly homeless families that really need truly
8 permanent affordable housing. We also have an
9 opportunity on the ground level for commercial retail
10 space. There will be temporary jobs provided in the
11 construction industry working with Hire NYC and that
12 MWBE build up program, about 80 permanent jobs
13 working with the local community for local hiring
14 provisions, as well as MWBE provisions and we are
15 also talking to local 32 BJ, which we recognize as
16 critical partners in this work to make sure that we
17 can also achieve union wage jobs that provide
18 stability for so many of our families. I am very
19 proud to work with this applicant who came to me over
20 a year ago with the idea of transforming this area
21 into more residential community. This area is also
22 surrounded by Webster Houses, Butler Houses, lots of
23 commercial and retail and a real assortment of
24 businesses along the Webster Avenue corridor. I am
25

excited at the opportunity. We have met with community board four, Bronx Borough President's office, and this project as have tremendous support because it really is truly affordable. At a time when we are recovering from Covid 19, when we are recognizing in Bronx County, that one in every four residents has lost their employment and their income, fallen behind in rent, and struggled four basic necessities, we have to do everything possible as a Counsel to provide, to invest in opportunities that create permanent affordable housing. Every New Yorker, every family should have the ability to live in safe, quality, and affordable housing and I believe that this project provides that opportunity for the residents of the Bronx and New York City and certainly local Bronx community board four. So, I am very excited. I am happy to continue to work with this applicant and their partners because I do think this will be a great asset to our community and CB four. Thank you so much, Mr. Chair. I hope that was brief enough for you, and I look forward to working with you and all of our colleagues in the Council. Thank you so much.

2 CHAIRPERSON MOYA: Thank you, Council
3 member Gibson, for your remarks. We really
4 appreciate it. Thank you for being here. And now,
5 Council, if you could please call up the first panel
6 for this item.

7 COMMITTEE COUNSEL: The applicant panel
8 for this item will include Adam Rothkrug, land use
9 Counsel, as well as Ron Shulman and Mark Weprin,
10 consultants appearing on behalf of the applicant.
11 Shiva Ghomi, project architect, and Billy Schur, the.
12 As the property owner. Panelists, if you've not
13 already done so, please accept the unmute request in
14 order to begin to speak.

15 CHAIRPERSON MOYA: But before you begin,
16 counsel, if you could please administer the
17 affirmation?

18 COMMITTEE COUNSEL: Panelists, please
19 raise your right hands. Do you affirm to tell the
20 truth, the whole truth, and nothing but the truth in
21 your testimony before this subcommittee and in answer
22 to all Council member questions?

23 MARK WEPRIN: Yes.

24 UNIDENTIFIED: Yes.

25 COMMITTEE COUNSEL: Thank you.

2 CHAIRPERSON MOYA: Before you begin, Mark--
3 I'm sorry. Just let me quickly go through this.
4 Thank you. We have received your slideshow
5 presentation for this proposal. When you are ready
6 to present it, please say so and it will be displayed
7 on the screen by our staff. Slides will be advanced
8 when you say next. Please note that there may be a
9 slight delay in both the initial loading and the
10 advancing of slides as a technical note for the
11 benefit of the viewing public. If you need an
12 accessible version of this presentation, please send
13 an email request to landusetestimony@Council.NYC.gov.
14 And now, if the panelists would please restate your
15 names and organizations for the record, you may
16 begin.

17 MARK WEPRIN: Great. Thank you very much,
18 Chairman Moya. My name is Mark Weprin I am an
19 attorney with Greenberg Traurig, representing the
20 applicant year today, Billy Schur. It's a pleasure
21 to see you and the distinguished members of the Land
22 Use Committee, as well as Council member Gibson. We
23 are excited, as she was, for this project. It is 238
24 affordable units. As a matter fact, as part of the
25 ELA program, so it is extra low income and

2 affordability. We have had a very good reception
3 from the community. We got approved by the community
4 board, the borough president, and unanimously by city
5 planning and we have had the pleasure, as you can
6 imagine, working with Council member Gibson and her
7 insisting that we accommodate families in this
8 project. So, this is a terrific plan. The developer
9 has a long history in the Bronx and in this community
10 for decades and I am going to call on Adam Rothkrug
11 who is the zoning attorney who is going to be the one
12 to take us through the PowerPoint. Adam?

13 ADAM ROTHKRUG: Thank you, Mark. And
14 you can put up the PowerPoint. First, I would like
15 to absolutely thank councilperson Gibson. I think
16 she gave my presentation, but I will try to go
17 through it again, as well as the staff of the city
18 Council, technical staff in getting us prepared for
19 this. The first slide? My name is Adam Rothkrug. I
20 am here from Rothkrug Rothkrug Inspector on behalf of
21 Webster 1099 Realty LLC. Next slide? In connection
22 with two applications, the zoning map amendment, to
23 permit the affordable housing and a text change to
24 create an MIH district affecting our client's
25 property at 1099 Webster Avenue in the East Concourse

2 section of the Bronx. Next. The actions are
3 designed to permit construction of two new
4 residential buildings, as noted, 100 percent
5 affordable under the ELA program. A total of 238
6 apartment units and the building will also include
7 first floor commercial space and below grade parking.
8 Next. The development site consists of 368 feet
9 frontage along the west side of Webster Avenue
10 between East 166 and the East 167th Streets 100 feet
11 in depth. 36,800 square feet in area. The total
12 area to be rezoned includes two additional lots to
13 the right, indicated as project area here that the
14 applicant does not own or control. Both are 100 by
15 100 sites. They will both be affected by the MIH
16 designation, although none of those owners have
17 indicated any intention of moving forward with any
18 new construction at the present time. Next. The
19 site is currently zoned predominately M11 with a
20 small R71 strip in the rear and developed with a mix
21 of open parking, auto repair shop, and scrap metal
22 facility. The Schur family has owned the subject
23 property for several decades and are longtime
24 residents and property owners and previously
25 manufacturers in the Bronx. Next. To propose to

2 rezone the property to R7X C24 and to map an MIH
3 district over the property. The R7X district--
4 Next. And, actually, I think I'm one behind, so I
5 think you can go to one more. The R7X zoning would
6 permit construction of two residential buildings, a
7 nine story building on the left side of the diagram
8 and an 11 story building on the right side with a
9 total of 221,000 square feet. 191,000 residential
10 and approximately 30,000 square feet of commercial
11 floor area. In addition, underground parking for 73
12 cars is proposed, which is actually more than double
13 the 30 spaces required by the applicable zoning which
14 only applies to the commercial uses because the
15 building is 100 percent affordable and located in a
16 transit district. While a commercial space has not
17 been marketed yet because the building is still a
18 year or two away, or two or three years away, there
19 is enough space to house a mix of local retailers, as
20 well as potentially drug stores, restaurants, medical
21 facilities, as well as daycare or community centers
22 which the community board indicated would be needed
23 at this location. Next. The plans submitted are
24 part of the application reflect the development
25 consisting of two buildings-- I'm sorry. If you

could just go back. I got ahead of myself. The corner building is nine stories and 92 feet in height and the interior building 11 stories and 111 feet in height. Below the 145 foot total height that would be permitted. Combined total of 238 units. 90 units in the corner building, 148 units in the mid-block building. As noted, 100 percent affordable. The unit mix will include a limited number of studios along with primarily one, two, and three bedrooms and our architect, Shiva Ghomi, of Aufgang Architects and housing consultant, Ron Shulman, will speak in a little more detail with regard to those aspects. The buildings include large indoor and outdoor recreation spaces with passive seating areas as well as areas for outdoor exercise and the building will meet in enterprise screen standard 15 percent above the requirements of the energy code. It is anticipated the project will create about 350 temporary construction jobs at prevailing wage because it is being done under the HPD and HUD programs and HPD and HDC, along with approximately 80 permanent jobs for the building operations and the retail space. We did receive strong community support from community board for, from the borough president, and we have worked

1 with the councilperson Gibson over an extended period
2 of time. The community board requested that we focus
3 on providing local jobs and MBWE preferences and we
4 have already been in contact with the Jerome Avenue
5 revitalization collaborative and have opened a
6 dialogue with them to make sure that they are
7 intimately involved at that time that we go to start
8 construction to work with our contractors. We
9 confirmed our commitment to work with HPD to win
10 short preference to local residents for housing and
11 the owner, Bill Schur, is a trustee of the local 32
12 BJ pension fund and advises the formal agreement
13 with them, has been signed where he has signing this
14 this morning. The R7X district was selected after
15 extensive review with the Bronx Office of City
16 Planning, as well as Councilperson Gibson and,
17 actually, she fought hard to try to get is a higher
18 FAR, the higher zoning district because she thought
19 the area could handle it and the more affordable
20 units, the better, but this is where we ended. The
21 buildings and the height, the density, are consistent
22 with Claremont Village to the north of us in which
23 the buildings exceed 20 stories in height and, if you
24 see on this diagram at the left-hand corner, is the
25

2 Volunteers of America building and to the right
3 behind us is the Triborough nursing center, both of
4 which are similar in height and more larger than
5 this, our proposed building. The residential
6 development is consistent with existing development
7 in the area, which is mixed between residential,
8 commercial, and automotive, but includes good access
9 to public transportation including buses along
10 Webster and East 167th. The BND train about a half
11 mile to the west and the nearby Melrose Metro North
12 station. There are several existing open spaces and
13 playgrounds in the area so that the open space will
14 serve the proposed residence. I will now turn the
15 application over to our architect, Shiva Ghomi, of
16 Aufgang Architects who can briefly introduce the
17 plans.

18 SHIVA GHOMI: Thanks, Adam. Good morning,
19 everyone. Thank you very much for having us this
20 morning. Good to the next slide, please. As Adam
21 mentioned, the corner building is nine stories high
22 and it has 90 dwelling units. The middle or the
23 interior lot is 11 story building with 148 dwelling
24 units. We have a setback of 40 feet instead of 30
25 feet [inaudible 00:31:20] yard to create an outdoor

2 area for the residents. Next, please. This is the
3 outdoor rack area and that interior rec room for the
4 residents. You can see we have active and passive
5 exercise area and like sitting area for the residents
6 to have access and, as the interior rec room, we have
7 a laundry and space for the residents to have
8 activities and programs inside the building. Next,
9 please? This is the corner lot outdoor and indoor
10 rack area. Again, we have passive and active space
11 for the residents, sitting and exercise along with
12 the landscape and for the interior we have program
13 room and laundry room. Next, please? As Adam
14 mentioned, we tried to achieve more of two-bedrooms
15 and wands and have fewer studios to accommodate more
16 family residence in this building. Next, please?
17 And that was it. If you have any questions in terms
18 of design, I am available to answer.

19 ADAM ROTHKRUG: And I would like to
20 introduce Ron Schulman, who is our affordable housing
21 consultant.

22 RON SCHULMAN: Thank you, Adam. Good
23 morning, Mr. Chair, Council member Gibson, and all
24 committee members. Everybody said this was an ELA
25 project. I want to point out a couple of facts and

1 figures for the committee members. So, the rents
2 will be between 27 and 77 percent of AMI based on
3 household size and income. There will also be 60
4 permanent MIH units in the building because we are
5 opting for option number one under MIH, so that is 60
6 permanent housing units, although the project will be
7 fully affordable for a long period of time. We will
8 also have housing for formerly homeless families, 36
9 apartments, which is 15 percent of the project and
10 the size of the units, as Council member Gibson
11 pointed out, we're shooting for 10 percent three
12 bedrooms and 30 percent two-bedrooms, so it will be
13 40 percent, 40 percent, two and three bedroom
14 apartments in this building complex. There is only
15 five percent studios and the remainder are one
16 bedroom. Under the ELA program, what we tried to do
17 is try to provide housing for all different incomes
18 and sizes of households and also for people who
19 perhaps want to stay in the community and they make
20 more than the old tax credit rents, they can earn up
21 to 80 percent of the area median income, young
22 families, keeping them in the neighborhood. So, we
23 are very excited to work with the Council, Council
24 member Gibson and everybody here. If there's any
25

2 questions, let us know. The project is an ELA and
3 management just completed another ELA and burning
4 side, which was 114 units. Thank you, Adam.

5 ADAM ROTHKRUG: Thanks. And, finally, I
6 would just like to briefly introduce the owner of the
7 property, Billy Schur.

8 BILLY SCHUR: Good morning,, everyone.
9 Thank you very much for evaluating our proposal and
10 we are hopeful that we can move this along and, in a
11 couple years from now, have a completed building. As
12 was stated, my family has been involved going back to
13 the 40s and 50s. My grandfather was a builder of
14 buildings. This particular property came to was in
15 the 60s. We had a manufacturing facility on Third
16 Avenue in 167th Street. This property was a couple
17 blocks away and is supported that business. That
18 business left the Bronx in early 2000's and the
19 property has been rented out to, you know,
20 commercial-- operators of commercial business in the
21 local neighborhood. You know, we need it through
22 that difficult times of the 70s and the 80s. The
23 area started coming back in the 90s and 2000.
24 Melrose comments was to the south. And we think it
25 is an appropriate sized project and would be great

2 for the neighborhood. As Ron Schulman stated before,
3 we just finished a project about a year and half ago
4 at Creston Avenue in Burnside Avenue. 114
5 apartments, 11,250 square feet of retail, and a below
6 grade parking garage for 40 cars. If so, this would
7 be my second project here in the Bronx and we are
8 hopeful. If you have any questions, I'm certainly
9 happy to answer them.

10 ADAM ROTHKRUG: Thank you. That
11 concludes our formal presentation. Obviously, we are
12 all available to answer any questions the Council
13 has.

14 CHAIRPERSON MOYA: Great. Thank you very
15 much. Just a couple of quick questions for you. You
16 indicated the plans to develop the site under HPD and
17 the ELA program and you were just talking about it a
18 minute ago. Can you just provide one more time that
19 a sense of where this project stands in the
20 predevelopment process and when do you expect to
21 close on HPD financing? And then a couple more
22 questions relating to that, as well. So, let's just
23 start off with those two.

24 RON SCHULMAN: Yeah. I'll take the
25 questions. It's Ron Schulman. So, right now we are

2 finishing the rezoning, as you know. There is a long
3 pipeline of projects at HPD and HDC, so we would be
4 helpful to get to closing in the next year or two
5 because there is such a long line. That is the best
6 we can predict at this time.

7 CHAIRPERSON MOYA: Okay. And that is in
8 the predevelopment process, correct?

9 RON SCHULMAN: That's correct, but
10 plans are being worked on, so the architects are
11 going to start working on, from this phase, into
12 construction documents as we complete our rezoning.

13 CHAIRPERSON MOYA: Okay. And when do you
14 expect to secure all the agency approvals needed to
15 begin construction and how long do you expect the
16 construction to last?

17 RON SCHULMAN: So, the Department of
18 Building approval run concurrent when we go for
19 financing approvals. Shiva, I guess it's fair to say
20 that takes a good nine months or so with DOB? She is
21 trying to unmute.

22 CHAIRPERSON MOYA: Yeah. Hold on.

23 RON SCHULMAN: Um--

24 CHAIRPERSON MOYA: Hold on. One second.
25 There you go.

2 SHIVA GHOMI: Yes. Nine months is
3 accurate.

4 CHAIRPERSON MOYA: Okay. Okay. So, you
5 mentioned this before in your presentation briefly,
6 but the borough president had in his recommendations
7 that he would like to see more of the 23 bedrooms.
8 What were the considerations that were made on this
9 in light of his feedback?

10 RON SCHULMAN: So, actually, the
11 borough president, Rick, wanted us to have 10 percent
12 three bedroom and we were at nine percent. So, it
13 would really involve being able to provide one more
14 three bedroom, so we do not have any issue with being
15 able to modify the plan to meet that goal. And, as
16 Ron noted, the percentage of two and three bedroom is
17 40 percent which is, I think, a pretty good number
18 from the applications, similar applications, that I
19 listen to. So, we were only one unit short on the
20 borough president recommendation.

21 CHAIRPERSON MOYA: Okay. And then, the
22 community board recommendation included a number of
23 conditions for approval, including the request that
24 the contractor or subcontractor of this project work
25 with the community board to provide paid

2 apprenticeships for Bronx residents. What work has
3 been done to develop such a program?

4 RON SCHULMAN: Yeah. So, we don't have
5 a contractor yet, but, obviously, hopefully if this
6 is approved, we will reach that stage. But, as I did
7 say, the owner, Billy Schur, and the community board
8 put us in touch with the Jerome Avenue revitalization
9 collaborative that includes the whole program and
10 Jobs First. And we have already been in touch with
11 them then we will definitely, with regard to
12 potential training, apprenticeship programs, that
13 will be part of the requirement that we pass along to
14 our contractors that we are actively involved with
15 those organizations. So, that dialogue is open and
16 we will have their guidance early on in the process.

17 CHAIRPERSON MOYA: Okay. Great. Thank
18 you. And additionally, the community board indicated
19 an interest in increasing the number of units set
20 aside for homeless families. Is this something that
21 the developer can commit to?

22 RON SCHULMAN: Adam, I'll take it.
23 It's something possible because we are committing to
24 15 percent formerly homeless, but the city does have
25 other programs that we can consider. We will look

2 into that, but we have to get closer to financing to
3 really figure out that answer. But we're committed
4 to 15 percent formerly homeless.

5 ADAM ROTHKRUG: In the communities'
6 other concern was trying to make sure that those
7 formerly homeless all our local community board
8 residents and even some that have been displaced to
9 other areas in the city. So, we have committed to
10 working with HPD to ensure that, again, we can keep
11 people who are either in homeless in this community
12 or were formerly in this community and would like to
13 return, that they can get a preference under, you
14 know, whatever regulations or rules HPD applies.

15 CHAIRPERSON MOYA: Okay. Thank you. Just
16 two more questions before I turn it over to Council
17 member Gibson. What work will be done to engage in
18 contract with MWBE firms on this project?

19 ADAM ROTHKRUG: So, again, Billy, I
20 don't know if you want to answer that, but the answer
21 is, aside from the requirements inherent in some of
22 the programs that we will be involved in, this is,
23 obviously, an issue that the community feels strongly
24 about and I think we share their concern and
25 preference to use local contractors and local

2 suppliers from that MBWE pool. So, I think that is
3 kind of a given in today's world and projects and we
4 certainly have no wish to with, you know, following
5 those guidelines.

6 CHAIRPERSON MOYA: S question. Commitments
7 have been made to relocate the existing commercial
8 tenants at that site?

9 BILLY SCHUR: I guess I can take that. I
10 am familiar with the-- I know these people. One
11 fellow has been there, I don't know, 25 or 30 years.
12 And so, we would assist them in relocating. I'm not
13 sure if the machine shop is going to stay in business
14 in relocate. He may ultimately-- he is an older
15 fellow. A good guy. But we have extended ourselves
16 and we would be willing to work with them and engage,
17 you know, put them in contact with brokers who are
18 familiar with the space in the borough and efforts to
19 try to help them relocate. They all currently are on
20 month-to-month lease is. They haven't had rent
21 increases in a number of years as we have been
22 planning this project. You know, we are trying not
23 to-- We understand they are going to be displaced
24 and certainly we offer the businesses, with what
25 we're doing, to return. Although they're auto

2 related, so I don't know if that would be [inaudible
3 00:43:39]. But we certainly are willing to work with
4 them to help try to relocate and maintain their
5 business.

6 CHAIRPERSON MOYA: Great. Okay. Thank you
7 very much. That is it for me. I want to now turn it
8 over to Council member Gibson for questions.

9 COUNCIL MEMBER GIBSON: Thank you so much.
10 Thank you, Chair Moya. And, again, good morning,
11 gentlemen. I appreciate-- ladies and gentlemen. I
12 appreciate you coming before the subcommittee to talk
13 about this very important project and, you know, just
14 based on Chair Moya's questions around community
15 involvement, community engagement, local hiring, MWBE
16 provisions, the other deep affordability, the set-
17 asides for formerly homeless, will I really think
18 that we have come to a good place and certainly I
19 want to always continue to push because I always want
20 to maximize all the opportunities. So, I just want
21 to confirm that you have been able to achieve the 10
22 percent of three bedroom units in both of these
23 buildings in the total number of buildings?

24 ADAM ROTHKRUG: Yeah. So, we haven't
25 actually filed plans, but the answer is yes. There

2 will not be any issue achieving that 10 percent three
3 bedroom.

4 COUNCIL MEMBER GIBSON: Okay. And then, on
5 the set aside, the minimum, of course, is 15 percent.
6 The possibility of that being increase is likely or
7 not?

8 RON SCHULMAN: Council member Gibson,
9 it could be increased under some reset programs with
10 the city. For example, one of our projects is
11 accepting [inaudible 00:45:11] tenants, you know,
12 under-- because HPD and HDC reached out to us to
13 house more formerly homeless people or homeless
14 people. So, as we get closer to financing, we can
15 consider that.

16 COUNCIL MEMBER GIBSON: Okay. That's good.
17 And I will still continue to work with you, as well.
18 So, you mentioned that Jerome Avenue revitalization
19 collaborative. We just launched the JAR a few weeks
20 ago and I am excited about the work ahead. It is the
21 combination of both community boards four and five
22 and a number of different community organizations
23 like WEDCO and others. So, I'm wondering-- I would
24 like the opportunity for you to continue to work with
25 them in terms of what partnerships we could provide

2 for a lot of their clients and students. So, an
3 organization like WEDCO has youth programs where
4 young people could potentially have an opportunity to
5 get into some of the apprenticeship programs that may
6 be available, so do you see that opportunity
7 presenting itself at some point?

8 ADAM ROTHKRUG: So, again, Billy Schur,
9 the owner, has already had a couple conversations
10 with them and let me say this that it is a given that
11 we will have them involved in this project, but I
12 think that in bringing Billy to these organizations,
13 because of all of his history and connections and
14 various real estate boards in the Bronx, I think that
15 he is going to be a valuable partner way beyond this
16 project for them and, you know, I think they had
17 national conversations have already been productive
18 in, you know, getting them started and getting Billy
19 involved. And I think will get more then, again,
20 just involvement in this project. I think this will
21 be a nice connection.

22 COUNCIL MEMBER GIBSON: Okay. Great. And
23 so, forgive me if this question was already asked,
24 but can you just provide an overview of the breakdown

2 of that AMI's? Are we going as low as 27 percent all
3 the way up to 80 percent AMI?

4 RON SCHULMAN: Yes. It's Ron Schulman,
5 Council member. We are going to be going from those
6 tears, as you mentioned, 27 all the way up to 77
7 percent of AMI. The final mix will be determined as
8 we get closer to financing, but we anticipate having
9 all those rental tears covered in between so that we
10 don't miss people. The city generally likes fewer
11 tears because it's easier for marketing, but we
12 always like to have all those tears covered. 27, 37,
13 47, 57. You know, we want to have everybody to have
14 a chance to live in the building and we will be
15 covering that. So, to answer your question, 15
16 percent homeless and then there will be 10 percent at
17 27, 37, 47, 57. We are anticipating 20 percent at 67
18 and around 25 percent at 77 so, it's a pretty even
19 mix across the board based on size of unit and income
20 and rent. We will fine-tune it as we go and we will
21 be in contact with your office as we get closer to,
22 you know, this real marketing plan.

23 COUNCIL MEMBER GIBSON: Okay. And under
24 the current FAR guidelines, are these the same
25 configurations that the [inaudible 00:48:26] ELA

2 program provide under HP's term sheets today? So
3 that hasn't changed, right?

4 RON SCHULMAN: Are you talking about
5 the size of the units or--

6 COUNCIL MEMBER GIBSON: Yes. I'm talking
7 about unit size. Yes.

8 RON SCHULMAN: Yeah. The unit size,
9 she that can answer that question. Shiva?

10 SHIVA GHOMI: Yes. The unit size, it's
11 within the requirements for ELA.

12 COUNCIL MEMBER GIBSON: Okay.

13 SHIVA GHOMI: Yes.

14 COUNCIL MEMBER GIBSON: Okay. So, in your
15 presentation-- I'm looking at your beautiful
16 pictures from 2028 Creston Avenue. So, is this a
17 similar of what the apartments will look like at
18 1099?

19 BILLY SCHUR: We worked hard to make nice
20 apartments were over there. We would like to
21 duplicate that provided the economics works out and
22 may even upgrade a couple of the things [inaudible
23 00:49:14].

24 COUNCIL MEMBER GIBSON: Okay. Okay. Very
25 good. And in terms of the commercial ground-level

2 retail, just talk to me quickly about some of the
3 amenities that you are going to offer internally for
4 the residents and families for both buildings, but
5 also potential opportunities at bringing more
6 commercial retail diversity along Webster Avenue. I
7 mean, we've talked extensively about some of the
8 existing programs. School-age children programs,
9 UPK, 3-K, day care center, medical facility, etc.
10 So, do you have any ideas and have you started
11 talking to a potential partners?

12 BILLY SCHUR: We're a little premature
13 because we don't even have an approval on our zoning
14 yet. Those are definitely the-- I have a day care
15 operator at the other site and I have no issues with
16 the kinds of businesses you suggest and certainly the
17 goal would be to get businesses that support the
18 local neighborhood so businesses can thrive in people
19 that are moving into the building and work in the
20 surrounding community to get services that there
21 probably not getting as close to where they live now
22 in the new building. And so, we are, whether it is a
23 medical provider for the daycare provider, definitely
24 something that will support the neighborhood.

25 COUNCIL MEMBER GIBSON: Okay. Great.

2 ADAM ROTHKRUG: And I think 30,000
3 square feet is a nice area that provides--

4 COUNCIL MEMBER GIBSON: It's sizable.
5 Right.

6 ADAM ROTHKRUG: an opportunity for
7 multiple uses.

8 COUNCIL MEMBER GIBSON: Okay. My final
9 question just relates to the partnerships with
10 existing hiring programs like Hire NYC. If I
11 remember correct, Hire NYC is the program that's
12 overseen by the Department of Small Business Services
13 and just generally over the years, we've been a
14 little critical of some of the data that's been
15 produced in terms of the ability to really get New
16 Yorkers on a lot of these jobs. So, in addition to
17 that, I'm wondering there are other apprenticeship
18 programs like Pathways to Apprenticeship. We call
19 them P to A, Nontraditional Employment for Women,
20 Hardhats to Helmets. There are number of other
21 partners that I'd like you to begin talking to. I
22 don't want to fully rely on Hire NYC. I have not
23 been shown data that is satisfactory to me to date
24 and I do think that we always have to look for new
25 opportunities and new partners in the MWBE buildup

2 program. So, would you entertain talking to other
3 partners that can help in providing the local hiring
4 opportunities that we desperately need?

5 BILLY SCHUR: Certainly. Certainly would.
6 Once I select the contractor, [inaudible 00:52:01]
7 I'm certainly going to bring up the conditions of,
8 you know, the project going forward and they will
9 have to incorporate that into their hiring and how
10 they staff up the job.

11 COUNCIL MEMBER GIBSON: Okay. Great.
12 Thank you so much. Again, thank you, gentlemen, and
13 ladies. I will continue to work with you during my
14 time here in the Council as this project moves
15 forward and, if there are any changes, certainly
16 reach out to us. And I neglected my opening, but I
17 really want to acknowledge and recognize the land use
18 division, Katie Sullivan and Amy Levitan and Raj
19 Umaan and the entire team for their work for being a
20 part of all the meetings that we've held over the
21 last year and a half and certainly, thank you, Chair
22 Moya, for your leadership and having today's hearing
23 and I look forward to working with all of you as we
24 provide affordable housing in the Bronx and beyond.
25 I will be selfish. I realize I have to share with

2 New York City, but the Bronx has been hit very hard
3 by Covid and I'm being very deliberate about my
4 priorities this year and about making sure that we
5 punish every project that will provide opportunity
6 and access for children and families and formerly
7 homeless families, in particular, which I represent
8 many Avenue. So, to me, this is a project worthy of
9 consideration and support. I think a lot of work has
10 been done to put into this proposal. It does not go
11 unrecognized and, certainly, if we can do more, let's
12 do it. If we can get more three bedrooms, I'm okay
13 with that because three-bedroom apartments are hard
14 to come by these families did not move. They are
15 consistent and they will not leave your building.
16 So, three-bedroom apartments, I think, in this
17 environment, are always great to market and chipper
18 about good to provide and so I thank you all and I
19 look forward to working with you. Thanks, Chair
20 Moya.

21 MARK WEPRIN: Thank you, Council member.

22 ADAM ROTHKRUG: Thank you, again, for
23 all your help.

24 CHAIRPERSON MOYA: Thank you, Council
25 member Gibson.

2 COUNCIL MEMBER GIBSON: Thank you.

3 CHAIRPERSON MOYA: I now want to invite my
4 colleagues to ask questions. If we have any
5 colleagues that have any questions, I'm going to turn
6 it over to Arthur to see if we have any Council
7 members that want to ask questions.

8 COMMITTEE COUNSEL: Yes, Chair.

9 Council member Ayala has a hand raised for questions.

10 CHAIRPERSON MOYA: Yep.

11 COUNCIL MEMBER AYALA: Yeah. I think my
12 question is more along the lines of, you know, what
13 the community-- the borough president's office was
14 concerned about. It's the number of three units.
15 Three bedroom units. So I'm wondering was there some
16 sort of analysis that, you know, I guess expressed
17 that there was a higher demand for smaller units in
18 this area? I mean, we have so many families, low
19 income families that are looking for three bedroom
20 apartments, you know, throughout the city, but more
21 specifically in the Bronx. So I just wonder why
22 there wasn't more effort to develop more three
23 bedrooms in this project.

24 ADAM ROTHKRUG: Well, there was an
25 effort to provide a good mix and, as I said, the

2 borough president had requested that we reach 10
3 percent and we were actually at nine percent. So, we
4 will be able to provide to meet the borough
5 president's goal of 10 percent three-bedroom and we
6 are also at 30 percent two-bedrooms. So, two and
7 three bedroom combined, we are at 40 percent which
8 is, you know, I'm going to say a lot higher than the
9 vast majority of projects that come before the
10 Council on rezonings.

11 COUNCIL MEMBER AYALA: It is. And it's
12 something that is been kind of waiting on my
13 conscience because I'm not understanding where it's
14 coming from. So, I don't understand if it's because
15 it is more financially feasible to develop these
16 projects with smaller units and you get more bang for
17 your buck because you're able to develop more units
18 that way. And I appreciate this project. I
19 appreciate the AMI being, you know, so balanced. I
20 appreciate a lot of things about it. I just wonder--
21 and this is not an issue specific to this particular
22 project, but just overall a lot of developers are
23 coming, you know, before this body with proposals for
24 developments that call for more, you know, studios,
25 one bedrooms, and two-bedrooms. And I know for fact

2 that we have a huge demand for three-bedroom
3 apartments, so long just trying to figure out, you
4 know, what is determining that? Like how are these
5 decisions being made and is it a financing issue or
6 is it just, you know, we made an analysis of this
7 community and we found that there's a larger demand
8 for two bedrooms than there is for three. Or it
9 could be combination of both. You know, I'm just
10 seeking to understand.

11 RON SCHULMAN: Council member, I'll
12 take the question. It's Ron Schulman. Best
13 Development Group. This is a family neighborhood and
14 we feel as Council member Gibson feels that is many
15 to win three bedroom apartments we are providing, we
16 only have five percent studios. So, this is not, in
17 our marketing research, studio neighborhood, but
18 there are people who do need studios. So, there are
19 a few. There's 12 studio apartments. A lot of
20 people would look at this project perhaps differently
21 and try to get more units out of the building. That
22 is a fact. But Billy is committed to family housing.
23 When we built the project over at Creston Avenue, he
24 had the same mix. Very large apartments. He had two
25 and three-bedroom apartments and a lot of the two-

2 bedrooms had two bathrooms. So, he builds quality
3 housing. His family has been in the Bronx for
4 decades and they own and manage their own properties
5 in this is the design that he wants for this project.
6 If somebody else came in, they might propose 250
7 units, but this is where we are now. The 238.

8 MARK WEPRIN: Ron, the Council member, I
9 think-- I don't think she's talking about this
10 project necessarily directly, but maybe with your
11 expertise, you can give her an idea of when people
12 develop in general, not just us, where do they get
13 the numbers from it and are smaller units for
14 marketable?

15 COUNCIL MEMBER AYALA: Thank you.

16 RON SCHULMAN: Yeah. That's a good
17 point. A lot of developers would look at this site
18 and try to increase the number of units. Okay? So,
19 they would use maybe 10 percent studios and they
20 wouldn't have three bedrooms so they would wind up--
21 and then she back and tell me how many maximum units
22 we could get in this project-- it would be more than
23 238. But we feel strongly that this is the right mix
24 for the neighborhood so there won't be a marketing
25 problem. If we put in-- and HPD allows us to put in

2 25 percent studios-- we wouldn't want to do that
3 here. We don't think that would be marketable. It
4 wouldn't be sustainable. And then Billy would have
5 turnover like crazy because those are tough
6 apartments to keep occupied. He wants families. He
7 wants one, two, and three bedroom predominantly to
8 manage what is his bread and butter. That's what he
9 has in his other buildings. So, yes. You can get
10 more bang for the buck with smaller units. It's
11 true. You could increase the number of-- the
12 subsidy that the city gets or gives to the project
13 and, perhaps, more revenue. We've run the numbers
14 and the numbers work at this mix of apartments.

15 COUNCIL MEMBER AYALA: Okay. So just a
16 quick question-- and excuse my ignorance, but I'm
17 also learning as I go. So if the subsidy was higher,
18 would there be a possibility to develop more three
19 bedrooms city wide? [inaudible 00:29:19] projects?

20 RON SCHULMAN: That's an interesting
21 question.

22 COUNCIL MEMBER AYALA: I just wonder
23 because I don't want to put out-- you know, and I
24 think it's a great project and, again, this is like a
25 larger conversation, but I just-- I know for a fact

2 in the Bronx and, you know, communities like mine
3 like East Harlem and South Bronx, there's a huge
4 demand for three bedrooms and we don't really have a
5 lot of real estate, right? We don't have the land to
6 develop right now, so we're kind of at the mercy
7 oftentimes, you know, of property owners that are
8 looking, you know, to maybe sell or redevelop their
9 properties and so I want to really make sure that
10 we're being purposeful here and that we're not, you
11 know, forgetting about, you know, that there is a
12 demand, right? There's a demand that people are
13 being outpriced. Like we have families even in
14 shelter right now that are large families and they
15 need larger units. So I appreciate it and I thank
16 you, Billy, for coming back to the community. Again,
17 I appreciate a lot of, you know, the elements in this
18 particular project. Just curious about the three
19 bedrooms and I think that for, you know, developers
20 coming before the Council, I think, you know, it's
21 something that they should also be aware of, right?
22 It depends on the community. I like to look at what
23 the community looks like. What the makeup is and
24 what the demand is. And some communities doesn't

2 require that much, but the Bronx, specifically, we
3 do. We need it. So, thank you.

4 RON SCHULMAN: You're welcome.

5 CHAIRPERSON MOYA: Thank you, Council
6 member Ayala. Counsel, do we have any other Council
7 members with questions? No?

8 COMMITTEE COUNSEL: No, Chair.

9 CHAIRPERSON MOYA: Okay. There being no
10 further questions, the applicant panel is excused.
11 Thank you very much. Counsel, are there any members
12 of the public who wish to testify on the 1099 Webster
13 Avenue and rezoning application?

14 COMMITTEE COUNSEL: If there are any
15 members of the public who wish to testify on the 1099
16 Webster Avenue rezoning proposal, please press the
17 raise hand button now and the meeting will briefly
18 stand at ease while we check for members of the
19 public. Chair Moya, I see no other members of the
20 public who wish to testify on this item.

21 CHAIRPERSON MOYA: Okay. There being no
22 members of the public who wish to testify on the 1099
23 Webster Avenue rezoning proposal under ULURP number C
24 210103 ZMX and N 210104 ZRX, the public hearing on
25 these preconsidered LU items is now closed and the

2 items laid over. I now open the public hearing on
3 preconsidered LU items for the 50-25 Barnett Avenue
4 rezoning proposal seeking a zoning map amendment and
5 a zoning text amendment under ULURP number C 200243
6 ZMQ and N 200244 ZMQ and relating to property in
7 Council member Van Bramer's district in Queens.
8 Council, if you can, please call the first panel for
9 this items.

10 COMMITTEE COUNSEL: The applicant panel
11 for this item will include Michael Wadman, Sarah
12 Ellmore, Douglas Hanau, all for the Phipps Houses, as
13 well as Herbert Mandel, project architect, and John
14 McNally, project planner. Panelists, if you have not
15 already done so, please accept the unmute request in
16 order to begin to speak.

17 CHAIRPERSON MOYA: Okay. Before you
18 begin-- Thank you. Counsel, if you could please
19 administer the affirmation?

20 COMMITTEE COUNSEL: Panelists, please
21 raise your right hands. Do you affirm to tell the
22 truth, the whole truth, and nothing but the truth in
23 your testimony before this subcommittee and answer to
24 all Council member questions?

25 MICHAEL WADMAN: Yes.

2 UNIDENTIFIED: I do.

3 SARAH ELMORE: Yes.

4 COMMITTEE COUNSEL: Thank you.

5 CHAIRPERSON MOYA: Thank you. Before you
6 begin, I just want to read a quick procedural note
7 here. We are in receipt of your slideshow
8 presentation for this proposal. When you are ready
9 to present the slideshow, please say so and it will
10 be displayed on the screen by our staff. Slides will
11 be advanced when you say next. Please note that
12 there may be a slight delay in both the initial
13 loading and the advancing of slides. Once again,
14 anyone who requires an accessible version of this
15 presentation may send an email request to
16 landusetestimony@citycouncil.nyc.gov. And now, if
17 the panelists would please restate your names and
18 organizations for the record, you may begin.

19 SARAH ELLMORE: Sarah Ellmore, Phipps
20 Houses.

21 MICHAEL WADMAN: Michael Wadman, Phipps
22 Houses.

23 DOUGLAS HANAU: Douglas Hanau, Phipps
24 Houses.

25

2 JOHN MCNALLY: John McNally, Phillip
3 Habib and Associate.

4 CHAIRPERSON MOYA: Did we get everybody?

5 SARAH ELLMORE: I think Herb. Could
6 you--

7 HERBERT MANDEL: I did. Am I unmuted?
8 But I-- If I am unmuted, I believe, but I'm the
9 project architect. My name is Herbert Mandell.

10 CHAIRPERSON MOYA: Thank you. You may
11 begin with your presentations now. Thank you.

12 SARAH ELLMORE: Okay. If you could just
13 bring the presentation slides up, please? Thank you.

14 Okay. As I stated before, my name is Sarah Ellmore
15 and I am the director of planning at Phipps Houses.

16 We are here today to discuss a proposal for a new
17 mixed use development containing affordable housing
18 and community facility space at 5025 Barnett Avenue.

19 Next slide, please. The site is located, as I
20 described, at 5025 Barnett Avenue in that Sunny Site

21 neighborhood in Queens community district two in
22 order to facilitate the proposed development, we are

23 requesting a zoning map amendment to rezone the
24 project site from M11 to R6A and a zoning text

25 amendment to establish a mandatory inclusionary

1 housing area at the project site. All right. We
2 have entered ULURP October 5. Queens community board
3 two voted to approve the project December 3, 2020.
4 Queens Borough President recommended to approval on
5 January 6, 2021 and the city planning commission
6 voted to approve the applications on March 3,
7 yesterday, 2021. Next slide, please. The proposed
8 project site is located within the Sunnyside
9 neighborhood in community District two in Queens on
10 our block that is bounded by the Long Island Railroad
11 read way to the north, the prolongation of 52nd
12 Street to the east, Barnett Avenue to the south, and
13 a prolongation of 50th Street to the west. The site
14 is currently zoned M 11 which permits light
15 industrial uses and community facility uses, but does
16 not permit residential uses. Residential uses are
17 located to the south of the project and range in
18 heights of up to six stories including the site
19 directly to the south which is the Phipps Sunnyside
20 Garden Apartments which is an apartment complex owned
21 by S. Next slide, please. The proposed project site
22 is currently occupied by a surface parking lot with
23 approximately 223 parking spaces. The site is fenced
24 off, has no sidewalk or active uses, and results in
25

1 the streetscape that is uninviting and not pedestrian
2 friendly. Next slide, please. The proposed
3 development will consist of a mixed-use building with
4 approximately 167 affordable housing units,
5 approximately 5300 square feet of community facility
6 space, residential amenities, and a 6000 square-foot
7 outdoor recreation terrace. The building will rise
8 to a height of six stories on the eastern and western
9 most ends and up to an overall maximum height of
10 seven stories. The proposed development will also
11 have 170 accessory parking spaces of which hundred
12 would be made available for public use. A 15 foot
13 sidewalk with plantings and a double corridor of
14 trees would also be provided in connection with the
15 proposed development to make this Street more
16 inviting and pedestrian friendly. Next slide,
17 please. Unit distribution of the proposed
18 development will consist of a mix of one, two, and
19 three bedroom units and the affordability levels will
20 have between ranges of 40 to 80 percent of AMI. So,
21 15 percent of the units would be provided at 40
22 percent of AMI, and another 15 percent at 50 percent,
23 another 15 percent at 60 percent of AMI, another 15
24 percent at 70 percent of AMI, and 40 percent of the
25

1 units are proposed at 80 percent of AMI. Next slide,
2 please. On this slide is a comparison of
3 affordability levels that were initially proposed
4 when we entered ULURP versus the new proposal that
5 provides deeper affordability. In response to
6 comments and concerns from the community, as well as
7 based on our conversations with Council member Van
8 Bramer, we have committed to Being the highest income
9 level at 80 percent of AMI and, as you can see here,
10 we have removed the 110 percent of AMI band, added
11 and 80 percent of AMI band and as well as the 70
12 percent of AMI band. Next slide, please. This is
13 just the ground floor plan where you can see the
14 community facility space as well as the attended
15 parking in the rear of the building. The lobby, as
16 well as a small open space to the west of the
17 community facility space. Next slide, please. This
18 is an image of the second floor plan where you can
19 see the 6000 square-foot outdoor recreation terrace,
20 as well as some of the residential amenities which
21 includes a kid's playroom, community room, lounge,
22 laundry, and fitness room. Next slide, please. This
23 is just a typical floor plan of the upper levels of
24 the building. Next slide, please. This is a
25

1 rendered image of what we are proposing for the
2 outdoor terrace. As you can see, there is an area of
3 four seating, kids play area, and general paths and
4 sitting area, as well as multiple plantings. Next
5 slide, please. Here is an image of the frontage of
6 the proposed development. As you can see, the
7 building articulation helps to create variety and
8 visual interest in the proposal. You can also see on
9 the bottom right-hand side of this image that there
10 OR Masonite units on the ground floor which would
11 have their own private entrance is. You can also see
12 the entrance to the lobby. Next slide, please. Here
13 is a closer up image of the lobby area, as well as
14 some of the Masonette units. Next slide, please.
15 Here is an image of the project site as it sits
16 currently looking east on Barnett. Next slide,
17 please. And here is that same site and manage with
18 the proposed development the picture. Next slide,
19 please. And, based on input we received from the
20 community regarding our 2016 proposal, we have
21 reduced the overall height of the building from a
22 maximum height of 10 stories to seven stories. We
23 have increased the amount of space dedicated for
24 community facility uses, increased the amount of
25

1 parking from 101 parking spaces to 170 parking
2 spaces. We are also committed to using unionized
3 maintenance staff. We do have a signed development
4 agreement with 32 BJ and we have also deepened the
5 levels of affordability. Next slide, please. As you
6 can see on this slide, and that 2016 proposal, 80
7 percent of all units-- we were proposing that 80
8 percent of all units be affordable to households at
9 100 percent of AMI or about with the remaining 20
10 percent of units being affordable to households at 50
11 percent of AMI. Our current proposal has 100 percent
12 of the units now below 80 percent -- at 80 percent
13 of AMI or below. Next slide, please. Okay. And
14 since 2017, Phipps Houses has invested over \$3
15 million for improvements to the Sunnyside Guardian
16 Apartments. These include roof replacements, repairs
17 to [inaudible 01:14:08] repainting and repairing the
18 fire escape, a garden update that includes tree
19 pruning, new planting, and site work to repair the
20 pathways, lobby painting, elevator cab renovations,
21 new historically appropriate signage, new furniture
22 for the social hall, and additional bike storage.
23 And Phipps Houses has also planning to make
24 additional capital repairs in 2021 including asphalt
25

2 replacement, additional landscaping, site work to
3 repair the pathways, tree pruning and planting,
4 hallway planting, painting, and improving the
5 irrigation system. Next slide, please. And then,
6 based on concerns that we heard during the public
7 review process, Phipps Houses also proposes the
8 Sunnyside Guardian Improvement Plan to address
9 maintenance concerns including the hiring of a new
10 border which we have already have a new full-time
11 hired Porter on staff, expanding the extermination
12 services which we have already begun increasing the
13 communications with the tenant's associations from
14 quarterly meetings to monthly meetings which has also
15 already begun. Excuse me. We also plan to, as
16 requested by the community board, complete annual
17 tenant satisfaction surveys by 1/3 party and annual
18 apartment inspections. Next slide, please? And just
19 a final image of the proposed development and we
20 would like to thank you for taking the time to listen
21 to our proposal and we welcome any questions.

22 CHAIRPERSON MOYA: Thank you. Just a
23 couple of questions here. What is the current
24 status of the Sunnyside Gardens Apartments
25 improvement plan?

1 SARAH ELLMORE: We are completely on
2
3 schedule with all of the 30 and 60 day commitments
4 which included the hiring of the new staff, providing
5 out information about our best practices for garbage
6 disposal and with that, we clean the laundry room, we
7 have added that also want to the regular maintenance
8 schedule, as requested. We have begun the
9 extermination services for each of the units. We are
10 on schedule. We have also achieved some of the 90
11 day requirements which were cleaning out the
12 irrigation systems. We will continue to monitor
13 that, however, since the how continued rainfall
14 another precipitation impacts that.

15 CHAIRPERSON MOYA: Okay. So, as of today,
16 all those targets have been met?

17 SARAH ELLMORE: Correct.

18 CHAIRPERSON MOYA: Okay. Thank you. And
19 can you confirm that the applicant plans to meet the
20 community board's condition to restrict incomes to 90
21 percent AMI or below? I know you touched upon that
22 in your presentation. I just want to get it on
23 record.

24

25

2 SARAH ELLMORE: Correct. Yes. We are
3 committed to 80 percent, actually, after discussions
4 with Council member Van Bramer of AMI or below.

5 CHAIRPERSON MOYA: Great. Thank you. What
6 kind of sustainability measures will be included in
7 the project?

8 SARAH ELLMORE: We will meet the
9 building code requirements and, Herb, could you touch
10 on that a little bit more?

11 HERBERT MANDEL: We will meet the
12 requirements of Enterprise Green Communities with all
13 of the systems in the building.

14 MICHAEL WADMAN: One other thing is there
15 will be solar panels, as well, the roof providing
16 some of the electricity.

17 CHAIRPERSON MOYA: Okay. Thank you. How
18 do you respond to the borough president's
19 recommendation that they should be at a 30 percent
20 goal of hiring MWBE local businesses, local labor and
21 small contractors for this project generated after
22 construction? What about his recommendations that
23 the developers should also engage local organizations
24 for job readiness training and capacity building

2 programs to raise opportunities for area residents
3 and businesses?

4 SARAH ELLMORE: We have committed to 30
5 percent of the MWBE for the HPD subsidy costs and we
6 also will be registering the project in Hire NYC. We
7 are also happy to reach out to local organizations
8 for this in the future. We do not yet have a
9 contractor on board, but this is something that we
10 are happy to work with moving forward.

11 CHAIRPERSON MOYA: Okay. And how do you
12 respond to the borough president's recommendation
13 that the community facility space should be provided
14 at a discounted rate to make it affordable for
15 community groups or organizations that are providing
16 services to the neighborhood?

17 MICHAEL WADMAN: we accept that
18 recommendation entirely. The community facility
19 space will be at below market rate and we will work
20 to find a good local group, occupy the space.

21 CHAIRPERSON MOYA: Okay. Thank you.
22 That's it for me. I want to turn to Arthur to see if
23 there are any of my colleagues who have any questions
24 for this panel.

2 COMMITTEE COUNSEL: No, Chair. I see
3 no members with questions for this panel.

4 CHAIRPERSON MOYA: Okay. Thank you. There
5 being no further questions, the applicant panel is
6 excused. Thank you for your testimony today. Now,
7 counsel, are there any members of the public who wish
8 to testify on the 50 - 25 Barnett Avenue rezoning
9 application?

10 COMMITTEE COUNSEL: Yes, Chair. We
11 have a number of public speakers registered to
12 testify for this item. For members of the public
13 here to testify, please note, again, that witnesses
14 will generally be called in panels of four. If you
15 are a member of the public who has signed up to
16 testify on the 50 - 25 Barnett Avenue rezoning
17 proposal, please stand by when you hear your name
18 being called and be prepared to speak when the Chair
19 says that you may begin. Please also note that once
20 all panelists in your group have completed their
21 testimony, you will be removed from the meeting as a
22 group and then next group of speakers will be
23 introduced. Once removed, participants may continue
24 to view the live stream broadcast of this meeting at
25 that Council website. We will now hear from the

2 first panel which will include Jeanette Remak,
3 Herbert Reynolds, Grant O'Leary, and Mary Chang. The
4 first speaker will be Jeanette Remak who will be
5 followed by Herbert Reynolds.

6 SERGEANT-AT-ARMS: Time starts now.

7 JEANNETTE REMAK: Sunny Side resident. I
8 do not agree with this proposal at all. You are
9 blocking Sunnyside in. You are just over stuffing
10 us. You are infringing on and infrastructure in this
11 particular area, in Sunnyside, Woodside that is
12 already strained to the held. We don't have enough
13 buses, transportation. We don't have subway service
14 that is reliable. We don't have parking. We don't
15 have streets that you can get up and down without
16 having to wait for hours on end. We also have a
17 situation where Sunnyside has been built into the
18 point that our here is now being affected because of
19 the stagnation. We no longer get that nice breeze
20 coming in off the river. It just seems that, if you
21 look at Queens Boulevard, you will see numerous new
22 housing coming up everywhere you look. There are
23 little pocket houses coming up all over Queens
24 Boulevard because CB two change the zoning. You have
25 heard our business areas, CB two. We have lost the

2 46th Street due to a fire. And so the fact that we
3 have a rather ugly sex shop that is now on 48th
4 Street in Queens Boulevard came back again. We
5 thought we got rid of it. So, in essence, I don't
6 agree with this. You are bringing more people into
7 an overstuffed area that cannot support it. Thank
8 you.

9 CHAIRPERSON MOYA: Thank you. And just a
10 quick reminder to members of the public, you will be
11 given to minutes to speak and please don't begin
12 until the sergeant-at-arms has started the clock.
13 So, I believe, Herbert, you are up next.

14 SERGEANT-AT-ARMS: Time starts now.

15 HERBERT REYNOLDS: Can you hear me?

16 CHAIRPERSON MOYA: we can hear you,
17 Herbert.

18 HERBERT REYNOLDS: Hi. I am Herbert
19 Reynolds. For the past 35 years, have lived half a
20 block from Phipps Garden Apartments in Sunnyside
21 Gardens and, for 17 years, I have been active on our
22 Sunnyside garden preservation alliance. Within the
23 Sunnyside Gardens Historic District, there are half a
24 dozen ensembles of rental apartment buildings besides
25 the one managed by Phipps Houses. To my knowledge,

2 none has ever been operated by a not-for-profit
3 except for Phipps Houses. Taking all the other
4 rental buildings as a whole, I have to tell you that
5 we have never, at any point in decades, heard
6 anywhere near the level of complaints nor the
7 seriousness of complaints that we hear from our
8 neighbors who are tenants of Phipps Houses. Please
9 see the PDFs that we have submitted into evidence
10 containing photographs and statements that our
11 organization has received. The crux of the matter
12 before you is whether to place more tenants under the
13 care of Phipps Houses. You are ethical public
14 servants, I now, and it seems to me that no
15 conscientious person would tolerate the degree of
16 indifference or antagonism that has been shown to
17 these tenants if you lived in the use apartments or
18 if a friend or family member did. I trust you will
19 vote no to this proposed rezoning. Thank you.

20 CHAIRPERSON MOYA: Thank you, Herbert.

21 Thank you for your testimony today.

22 COMMITTEE COUNSEL: The next speaker
23 will be Brent O'Leary followed by Mary Chang.

24 SERGEANT-AT-ARMS: Time starts now.

2 BRENT O'LEARY: I want to thank the
3 subcommittee for hearing us. We really appreciate
4 your time. As you know from the history, this was
5 brought up before in the neighborhood and when the
6 zoning was first proposed, it actually unveiled the
7 subpar conditions that were going on at this
8 development. It really is deplorable. The mice
9 infestation, no repairs being done. So, they were
10 given a chance to correct the use and they have not.
11 The conditions have gotten worse. I have been there
12 with the tenants. The tenants are-- do not want
13 this. These deplorable conditions and they are
14 asking that we go against it. And this has been
15 proven. Phipps was just rated the 11th worst
16 landlord in New York City. So, this is not someone--
17 if you approve this, they will have no incentive to
18 correct their behavior or to make these improvements.
19 Once this is approved, you know, the horses out of
20 the gate. So, I don't think we should be role
21 awarding the 11th worst landlord in the city with a
22 lucrative deal. Also, that this is chasing out the
23 small business. We are trying to recover from this
24 Covid pandemic and Steve Madden, the largest employer
25 in the area said he will move out if this zoning

2 happens. So, we are hurting the neighborhood in many
3 ways. So, I ask you. I don't think the affordable
4 housing that is given is of the level or truly
5 affordable that we should be role awarding this. So,
6 I ask you on behalf of the tenants and on behalf of
7 the people in this neighborhood to please reject this
8 until Phipps can show that they will be a responsible
9 landlord. Thank you very much.

10 CHAIRPERSON MOYA: Thank you. Thank you
11 for your testimony.

12 COMMITTEE COUNSEL: The next and last
13 speaker on this panel will be Mary Chang.

14 SERGEANT-AT-ARMS: Time starts now.

15 MARY CHANG: Hi. My name is Mary Chang
16 and I have lived in this neighborhood for almost 50
17 years and absolutely love the Phipps complex. It was
18 something to aspire to live there, but in the last
19 couple years, it is really descended into something
20 that I used to see you when I worked in the upper
21 Eastside and seeing the neglected NYCHA projects
22 there. For a company that would allow such a
23 beautiful complex to go down to the level that it is
24 now and now that they are seeking approval are
25 handing out these promises that they will write what

2 they allowed to go wrong is unconscionable. I cannot
3 support giving this project to such a company. The
4 other thing is having a residential development where
5 it is proposed I think it is ludicrous being right
6 next to the Long Island Railroad. You have this
7 beautiful proposed looking outdoor pavilion but yet
8 the Long Island Railroad is going to be racketing
9 over there constantly, day and night. And even
10 though, I think part of the proposal is they are
11 going to have soundproof windows, that doesn't-- at
12 some point, you have to open up your windows. And
13 when that happens, all that pollution from the
14 railroad is going to come in. I don't think it is a
15 healthy-- from a health standpoint, I don't think it
16 is even a good placement to build residential
17 housing. Thank you.

18 CHAIRPERSON MOYA: Thank you. Thank you
19 for your testimony today.

20 COMMITTEE COUNSEL: Chair, that was the
21 last girl on this panel.

22 CHAIRPERSON MOYA: Okay. Thank you for
23 your testimony. Is there any Council members with
24 any questions for the panelist?

2 COMMITTEE COUNSEL: No, Chair. I see
3 no members with questions.

4 CHAIRPERSON MOYA: Okay. Thank you very
5 much for your testimony today. The panel is now
6 excused. We can now call up the next panel.

7 COMMITTEE COUNSEL: The next panel will
8 include Mark Espinoza and Rosamond Gianutsos. Mark
9 Espinoza will be the first speaker who will be
10 followed by Rosamond Gianutsos.

11 SERGEANT-AT-ARMS: Time starts now.

12 MARK ESPINOZA: Hi. Good morning. My
13 name is Mark Espinoza and I am a member of 32 BJ. I
14 would like to thank the chairs, members of the
15 committee, and local Council member Jimmy Van Bramer
16 for holding this hearing today. I am here on behalf
17 of 85,000 building service workers that 32 BJ
18 represents in New York City and to express our
19 support for this rezoning. We are pleased that the
20 developer for this project, Phipps houses, has made a
21 credible commitment to the prevailing wage for the
22 future building service workers at this site. This
23 new development will bring new good jobs and
24 permanently affordable housing to Queens in the time
25 that we need it most providing apartments on a range

2 of prices for low income and working-class families,
3 as we move forward from this pandemic and economic
4 crisis is imperative to the rebuilding New York City.
5 This is affordable housing and commitment to good
6 prevailing wage jobs will give opportunity for upward
7 mobility, security, and dignity to working-class
8 families. 32 BJ supports responsible developers who
9 invest in the communities where they build. 32 BJ
10 has more than 3000 members who live or work in
11 community District two. We know that this
12 development will continue to hold the industry
13 standard and provide opportunities for working
14 families that thrive in sunny side. Lastly, we would
15 like to thank local Council member Jimmy Van Bramer
16 for supporting good jobs within his district. On
17 behalf of 32 BJ SEIU, I respectfully urge you to
18 approve this project. Thank you.

19 CHAIRPERSON MOYA: Thank you, Mark. And,
20 Mark, I mean, you setting the bar high. Giving a
21 speech, testifying in public, feeling the baby. The
22 new technique. You keep them nice and quiet. That's
23 great. Thank you, Mark.

24 MARK ESPINOZA: Thank you.

2 COMMITTEE COUNSEL: The next speaker
3 will be Rosamond Gianutsos.

4 SERGEANT-AT-ARMS: Time starts now.

5 ROSAMOND GIANUTSOS: Hi. My name is
6 Rosamond Gianutsos and I am in support of the Barnett
7 Avenue proposal. For 52 years, I have lived 1/2 a
8 block from the proposed affordable housing on Barnett
9 Avenue and across the street from the Sunnyside
10 Garden Apartments, operated by the developers, the
11 Phipps capitalization. I would like to correct the
12 claimed that Phipps is on a worst landlord's list.
13 This is misleading. The Phipps organization is not
14 on the public advocates worst landlord's list. I am
15 confident that the city planning has determined that
16 the impact on the area's infrastructure is
17 manageable. As the neighbor and a citizen, I am
18 eager I am eager to have more affordable housing in
19 our area. We need it desperately. This project will
20 displace no one. The existing use, commercial
21 parking lot, is no great to the community and I would
22 also like to correct the comment on the issue a
23 nearby business which claims that they rely on this
24 lot for their employees, however, I believe this
25 argument is specious. They have ample room on site

2 elevated parking devices in every single unit in this
3 project has some level of affordability. You will be
4 deeply affordable and I look forward to having some
5 new neighbors. Please about yes. Thank you.

6 CHAIRPERSON MOYA: Thank you, Rosamond. I
7 just have to say the two witnesses brought out the
8 big guns here. The baby and the dog. So, thank you
9 so much for your testimony.

10 ROSAMOND GIANUTSOS: You're welcome.

11 COMMITTEE COUNSEL: Chair, that was the
12 last speaker for this panel and I currently see no
13 members with questions for the panel.

14 CHAIRPERSON MOYA: Okay. Thank you. The
15 panel is now excused. Thank you for your testimony
16 today. Counsel, if you can please call up the next
17 panel.

18 COMMITTEE COUNSEL: The next panel will
19 include Eileen Con-- Excuse me. Eileen Connolly
20 Goodwin, Gerald Perrin, Margaret Perrin, and
21 Elizabeth Reynolds. The first speaker will be Eileen
22 Connolly Goodwin followed by Gerald Perrin.

23 SERGEANT-AT-ARMS: Time starts now.

24 COMMITTEE COUNSEL: Eileen Connelly
25 Goodwin?

2 EILEEN CONNOLLY GOODWIN: Can you hear
3 me?

4 CHAIRPERSON MOYA: We can hear you, Eileen.

5 SERGEANT-AT-ARMS: Time starts now.

6 EILEEN CONNOLLY GOODWIN: I'm really
7 technologically challenged. How are you?

8 CHAIRPERSON MOYA: No worries. Take your
9 time. Whenever you're ready.

10 EILEEN CONNELLY GOODWIN: Well, I did
11 have my cat, but he ran away when I was trying to get
12 the phone ready. So, please, have a beautiful cat.
13 I'll send you pictures. I am Eileen. I live on 39th
14 Avenue. I was a resident in the Phipps for 12 years.
15 Back in the 70s, I thought that that Phipps was a
16 great place to live, but my family was getting larger
17 and we bought a house directly across the street.
18 Since the third rail of the Long Island Railroad
19 when, practically in my backyard, I really feel like
20 it is fair to expect anybody to live even closer to
21 the Long Island Railroad than I do. By my house, I
22 have a decent sized backyard and there is the
23 Sunnyside Gardens Park, including the tennis courts,
24 then Barnett Avenue, and then the business, and then
25 the Long Island Railroad. Please be reasonable.

2 Don't expect people to have the horrible quality of
3 life living on top of the Long Island Railroad. It's
4 just not fair. That's it. Thank you.

5 CHAIRPERSON MOYA: Thank you, Eileen.

6 COMMITTEE COUNSEL: The next speaker
7 will be Gerald Perrin. Gerald Perrin will be
8 followed by Margaret Perrin.

9 SERGEANT-AT-ARMS: Time starts now.

10 GERALD PERRIN: Can you hear me?

11 CHAIRPERSON MOYA: We can hear you.

12 GERALD PERRIN: Phipps Sunnyside Garden
13 Apartments, across the street from the proposed site
14 has been my home for all of my 86 years. I am the
15 longest living resident in the complex, as well as
16 the founder and co-resident of Phipps Garden
17 Apartments tenant Association. I have a long history
18 with Phipps as the good landlord it used to be and
19 the current landlord that has let this property
20 decline to its current state of disrepair and
21 uncleanliness. Over the 90 year history of our
22 complex, the on-site staff has been systematically
23 reduced from 26 full-time staff on site to present
24 day total of just 12, a drop of more than 50 percent.
25 The result has been a serious decline in the upkeep

1 and repair of the buildings physical infrastructure,
2 the cleanliness of all public areas, and a dramatic
3 deterioration in the once beautiful gardens. When
4 Phipps applied for a same rezoning change in 2016,
5 they promised that the problems referred to above
6 would be remedied. That has not happened. In fact,
7 this situation is considerably worse at this point.
8 Tenants Association has had very much the same list
9 of complaints for many years. In 2016, collected
10 over 200 signatures from the tenants with over 95
11 percent opposed to the rezoning. I fully expect that
12 this would still be with a new survey. I strongly
13 believe that Phipps should not be. The rezoning
14 request in light of their failure to the proper
15 custodian of their existing Sunnyside Started
16 Apartments complex. Why should we expect them to
17 behave differently a new site directly adjacent
18 existing one? If they--

19
20 SERGEANT-AT-ARMS: Time expired.

21 GERALD PERRIN: for this project,
22 they'll have no incentive to keep the one that
23 already exists up. And I wish I had more time to
24 rebut some of the things that were said in the
25

2 presentation that are untrue or misleading. Thank
3 you very much.

4 CHAIRPERSON MOYA: Thank you, Gerald. 86
5 years young. Thank you for taking the time out to
6 give us your testimony today. We appreciate that
7 very much.

8 COMMITTEE COUNSEL: The next speaker on
9 this panel will be Margaret Perrin who will be
10 followed by Elizabeth Reynolds.

11 SERGEANT-AT-ARMS: Time starts now.

12 MARGARET PERRIN: Okay. You hear me?

13 CHAIRPERSON MOYA: We can hear you.

14 MARGARET PERRIN: Okay. Thank you very
15 much. I have been here fewer years than my husband.
16 I've been here living happily only 61 years, but I
17 must say that the difference in the development into
18 which I moved as a young woman is markedly different
19 from where I am living now. Our first complaints
20 were blocked with Councilman Van Bramer in 2016.
21 Phipps was given a lot of home monitoring chart. Get
22 with it and we'll see how it works. They didn't get
23 with it. They withdrew and the pictures taken by our
24 resident, not somebody paid with wonderful
25 multicolored photos. The pictures taken by a

2 resident will show you what state of disrepair and
3 ignoring staff we are living in. It makes me feel as
4 though they are turning in award-winning development
5 originally into something that they can destruct as
6 they wish. Phipps Garden Apartments has been
7 neglected, it seems, with malice. Is there a new
8 view for Phipps? Across the railroad tracks, across
9 lower streets way over to the bridge is. As Phipps
10 House is think it is going to build the next high-
11 rise right next to that little high-rise they are
12 building right on top of the railroad tracks? This
13 is not a place for them to ignore as build something
14 like that. Thank you.

15 CHAIRPERSON MOYA: Thank you, Margaret.

16 COMMITTEE COUNSEL: The next and last
17 speaker on this panel will be Elizabeth Reynolds.

18 SERGEANT-AT-ARMS: Time starts now.

19 COMMITTEE COUNSEL: I understand we are
20 having extra time technical issues today, Chair. We
21 are waiting for Elizabeth Reynolds.

22 ELIZABETH REYNOLDS: Hello? Can you
23 hear me?

24 CHAIRPERSON MOYA: We can hear you.

25 ELIZABETH REYNOLDS: Yes.

2 SERGEANT-AT-ARMS: Time starts now.

3 ELIZABETH REYNOLDS: Thank you. Sorry.

4 I was-- my name is Elizabeth Reynolds. I oppose
5 this proposal. I have lived a half a block from
6 Phipps Garden Apartments for 35 years and I've heard
7 nothing but complaints from the residence act. Five
8 years ago, Phipps proposed a similar plan at the same
9 location. At that time, Councilman Van Bramer was
10 taken aback by the overwhelming community opposition.
11 He listened to his constituents. He walked around
12 Phipps with the tenant's reps and the top management
13 and was surprised at the conditions he saw. He
14 opposed the proposal, as did the Council. Holding
15 Phipps accountable for poor management of these--

16 CHAIRPERSON MOYA: Did we lose Elizabeth?

17 SERGEANT-AT-ARMS: I believe she muted
18 herself.

19 CHAIRPERSON MOYA: Chair, it appears we
20 have lost Elizabeth. We'll take a moment to see if
21 she--

22 SERGEANT-AT-ARMS: Counsel, she is on. she
23 just muted herself.

24 ELIZABETH REYNOLDS: Sorry. Am I back?

25 CHAIRPERSON MOYA: You're back.

2 SERGEANT-AT-ARMS: You have one minute
3 remaining.

4 ELIZABETH REYNOLDS: Okay. Well, the
5 important point is that there are 50 and matches that
6 have been taken recently inside the building and each
7 of you Council members must see these before you vote
8 on this issue. They will be sent to each of you.
9 And today, it is interesting that Council member Van
10 Bramer is now voting to approve this rezoning and
11 development. What has changed? Phipps was a bad
12 landlord in 2016 and is a worse one today, but now,
13 despite the rhetoric, CM Van Bramer wants to become
14 borough president in June. He now thinks he had
15 better build some so-called, quote, affordable
16 housing in this district at the last minute and I'll
17 let others speak to the and inaccuracies of that
18 proposal. Vote no, please.

19 CHAIRPERSON MOYA: Thank you, Elizabeth.
20 Thank you for your testimony today.

21 COMMITTEE COUNSEL: Chair Moya, that
22 was the last speaker on this panel.

23 CHAIRPERSON MOYA: Thank you very much to
24 all the panelists. The panel is excused. Thank you,
25

2 again, for your testimony today. Counsel, can you
3 call up the next panel?

4 COMMITTEE COUNSEL: The next panel will
5 include Denise Kian Smith, Deborah Farley, and Luther
6 Carpenter. And the first speaker will be Denise Kian
7 Smith followed by Deborah Farley.

8 SERGEANT-AT-ARMS: Time begins now.

9 DENISE KIAN SMITH: Okay. Hello?

10 CHAIRPERSON MOYA: Hi, Denise. How are
11 you?

12 DENISE KIAN SMITH: Good. How are you?
13 I'm sorry. All set in blank. I'm so sorry. Okay.
14 So, hello, Council members, and thank you for the
15 opportunity to speak today. I am speaking in
16 opposition of the Barnett Avenue project. My
17 testimony is limited to two minutes, so I am happy to
18 provide more in-depth, written testimony, as
19 previously done with the Queens Borough Pres. and the
20 City Planning Commission. Facts came before CB two
21 four years ago with a similar project plan and it was
22 unanimously opposed. Former Queens President,
23 Melinda Katz, also opposed it unless certain
24 conditions were met. They were not. Phipps then
25 withdrew the application at the final hour. Fast-

forward to 2220 proposed project is still not in the best interest of our neighborhood. The building conditions highlighted four years ago were never addressed. This applicant should not be given the opportunity to build in our neighborhood while ignoring the concerns of the Phipps Garden Apartments. While the AMI percentages have been reduced, they do not go far enough for the local residents or the intended targets of those coming out of homelessness. Due to the proximity of the Long Island Railroad, the dwelling will not be conducive to a healthy environment. The neighborhood cannot withstand the additional drain to our infrastructure and services. There are four additional developments currently being constructed within a half-mile radius of this project with no proposed improvements. For these reasons, I respectfully request that the city Council oppose this application. Thank you.

CHAIRPERSON MOYA: Thank you, Denise.

Thank you for your testimony.

COMMITTEE COUNSEL: The next speaker will be Deborah Farley followed by Luther Carpenter.

SERGEANT-AT-ARMS: Time begins now.

2 DEBORAH FARLEY: Hi. My name is Deborah
3 Farley. I have been living in Sunnyside Queens for
4 nearly 70 years and I am strongly opposed to the
5 rezoning Barnett. This neighborhood is very well
6 populated, becoming overpopulated and resources are
7 stretched. I'll be very specific. The number seven
8 train is like a big selling point to have people
9 commonly appear. Great access to the train. My
10 daughter currently, who lives on 46th Street ride off
11 Skillen Avenue as to walk down to the Northern
12 Boulevard to get on the train to go to work because
13 people who are waiting on the platform to get on the
14 number seven train pre-pandemic can't even get on the
15 train. We were promised additional lines, increased
16 services, but as a result of the pandemic, the MTA
17 has already announced that there will be budget cuts
18 and a reduction of services. This whole focus of
19 vertical alignment building, you're just piling more
20 people on top of a stressed-out community, overused
21 utilities, resources that are becoming exhausted. At
22 some point these people come out of the building,
23 they walk on the sidewalks. They might have, or is,
24 they'll want to get on the train. They won't be able
25 to get on the train. We have the neighborhood that

2 is threatened with the loss of businesses. There are
3 people in this community that work in these
4 businesses. We will have an increase in
5 unemployment. We are software... Financial hardships
6 during this pandemic. We don't need another
7 construction. Because of the mass exodus out of this
8 city, there are thousands and thousands of apartments
9 that are available. You need affordable housing
10 units, let's recycle them and use them. We don't
11 need to build more. This is more about the developer
12 agreed that it is about need. As a matter of fact,
13 the Phipps warehouse is many of their empty
14 apartments. They were so concerned with getting
15 affordable units out, they--

16 SERGEANT-AT-ARMS: Time expired.

17 DEBORAH FARLEY: Thank you.

18 CHAIRPERSON MOYA: Thank you, Deborah.

19 Thank you for your testimony today.

20 DEBORAH FARLEY: Thank you.

21 COMMITTEE COUNSEL: The next and last
22 speaker on this panel will be Luther Carpenter.

23 SERGEANT-AT-ARMS: Time begins now.

24 LUTHER CARPENTER: Hello? Can you hear me?

25 CHAIRPERSON MOYA: Yes. We can hear you.

2 LUTHER CARPENTER: Very well. I'd like to
3 thank all of you for spending all this time and I
4 really think that the major points have been covered
5 by all of the other speakers who are against. I am
6 against it. My husband is against it. We have lived
7 in the Gardens for 35 plus years and all I would like
8 to ask you, to urge you, is to please listen to the
9 people on the ground. The people who are affected by
10 what is going to happen. The tenants of Phipps, the
11 neighborhood, the community. We are all-- Well, the
12 majority of us are against it. We are the ones who
13 know. Not the politicians and not the untrustworthy
14 developer. So, thank you, again.

15 CHAIRPERSON MOYA: Thank you. Thank you so
16 much for your testimony today.

17 COMMITTEE COUNSEL: Chair Moya, that
18 was the last speaker for this panel.

19 CHAIRPERSON MOYA: Thank you. Any
20 questions from any Council members for this panel?

21 COMMITTEE COUNSEL: No, Chair. I see
22 no members with questions.

23 CHAIRPERSON MOYA: Okay. Thank you. There
24 being no-- Thank you. This panel is now excused.
25 Thank you so much for your testimony today. Are

2 there any other members of the public who wish to
3 testify?

4 COMMITTEE COUNSEL: If there are any
5 other members of the public who wish to testify on
6 the 50 - 25 Barnett Avenue rezoning proposal, please
7 press the raise hand button now and that meeting will
8 briefly stand at ease while we check for members of
9 the public. Chair Moya, I see no other members of
10 the public who wish to testify on this item.

11 CHAIRPERSON MOYA: Thank you, Arthur.
12 There being no members of the public who wish to
13 testify on the pre-considered LU items for the 50 -
14 25 Barnett Avenue rezoning proposal under ULURP
15 number C 200243 ZMQ and N 200244 ZRQ, the public
16 hearing is now closed and this item is laid over.
17 This concludes today's business. I would like to
18 thank the members of the public. But, before we
19 close out, I just want to make one quick correction
20 and that is if you would like to get a copy of this
21 testimony, you can go ON email to land use
22 testimony@council.nyc.gov. landuse@council.NYC.gov.
23 so, again, I would like to thank the members of the
24 public, my colleagues, the subcommittee counsel,
25 land-use, and all Council staff and the sergeant-at-

2 arms for participating in today's meeting. This
3 meeting is hereby adjourned.

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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 April 8, 2021