

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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May 4, 2021  
Start: 10:07 a.m.  
Recess: 1:40 p.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Francisco Moya  
CHAIRPERSON

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

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

Ray Levin, Land Use Counsel on behalf of  
the Applicant  
Herrick Feinstein

Stu Little, on behalf of developer  
Rubenstein Partners

Adam Caslow, co-CEO  
Acme Smoked Fish

Larry Rothchild, Director of Workforce  
Development  
St. Nick's Alliance

Randy Peers, President and CEO  
Brooklyn Chamber of Commerce

Grace Bristol on behalf of Johnathan  
Bowles, Executive Director  
Center for an Urban Future

Paul Samulski, President  
North Brooklyn Chamber

Johnjairo Roman, Member  
32 BJ

Emil Fraija, Communications Manager  
Evergreen

Nora Martins, Land Use Counsel  
Akerman LLP

Joshua Weissman, President  
JCAL Development

William Bollinger  
JCAL Development

John Woelfling, Project Architect  
Dattner Architects

Frank St. Jacques, Land Use Counsel  
Akerman LLP

Pierce Hili, Member  
32 BJ

Neil Weisbard, Land Use Counsel  
Pryor Cashman LLP

Caroline Harris, Partner  
Goldman Harris

Eric Bath, Planning and Development  
Specialist  
Goldman Harris

Jen Switala, Architect  
Dattner Architects

William Tietje  
SCAPE Landscape Architecture

Zach Longmore

Harry Bajraktari, Owner/Developer  
Arthur Avenue Hotel Rezoning Proposal

Naim Bajraktari, Owner/Developer  
Arthur Avenue Hotel Rezoning Proposal

Sandra Erickson

Monica Paciullo  
Tino's Delicatessen

William Colona, Director of Governmental  
Relations, Federal, and Urban Affairs  
Fordham University

John Calvelli, Executive Vice President  
Wildlife Conservation Society

Aaron Bouska  
New York Botanical Gardens

Alyssa Tucker, Executive Director  
Belmont Business Improvement District



2 SERGEANT-AT-ARMS: Cloud all set.

3 SERGEANT-AT-ARMS: Back up is rolling.

4 SERGEANT-AT-ARMS: Sergeant Hope, you may  
5 begin with you opening statement.

6 SERGEANT-AT-ARMS: Thank you.

7 SERGEANT-AT-ARMS: You're welcome.

8 SERGEANT-AT-ARMS: Once again, good morning  
9 and welcome to the New York City Council remote  
10 hearing on the Subcommittee on Zoning and Franchises.  
11 At this time, would all panelists please turn on your  
12 videos for verification purposes? I repeat. All  
13 panelists, please turn on your videos. Thank you.  
14 To minimize disruption, please place all electronic  
15 devices to vibrate or silent mode. If you wish to  
16 submit testimony, you may do so at land use  
17 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). I repeat land use  
18 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Chair, we are ready to  
19 begin.

20 CHAIRPERSON MOYA: Thank you. Good  
21 morning. I am Council member Francisco Moya, Chair  
22 of the Subcommittee on Zoning and Franchises. I am  
23 joined remotely today by Council members Barry  
24 Grodenchik, Ayala, Rivera, Reynoso, and Borelli.  
25 Today, we will hold public hearings on rezoning

2 proposals for Acme Gem Street, 261 Walton Avenue, 30  
3 - 02 Newtown Avenue, and 606 Neptune Avenue, 300  
4 Huntington Street, and Arthur Avenue. But first, we  
5 will vote on a number of items heard by the  
6 subcommittee at our April 20th meeting. We will vote  
7 to approve pre considered LUs 772 four that 86 Fleet  
8 Place text amendment relating to property in Majority  
9 Leader Cumbo's district in Brooklyn. The proposal  
10 seeks a zoning text amendment to modify the special  
11 downtown Brooklyn district use regulations to  
12 facilitate the operation of community facility use at  
13 the site. The majority Leader Cumbo is in support of  
14 the proposal.

15 We will also vote to approve  
16 preconsidered LU 773 and 774 for the 68-19 Woodhaven  
17 Boulevard rezoning relating to property in Council  
18 member Koslowitz's district in Queens. The proposal  
19 seeks a zoning map amendment to change existing C81  
20 to an R4 district to an R6A and R6A/C23 districts and  
21 a related zoning text amendment to establish a  
22 mandatory inclusionary housing area utilizing options  
23 one and two. Council member Koslowitz is in support  
24 of the proposal.

2 We will vote to approve with  
3 modifications previously considered LU 775 and 776 for the  
4 431 Concord Avenue rezoning proposal relating to  
5 property in Council member Ayala's district in the  
6 Bronx. This proposal seeks a zoning text amendment  
7 to change an existing M1-2 district to an R7D  
8 district together with a related zoning text  
9 amendment to establish a mandatory inclusionary  
10 housing area utilizing option one or option two. Our  
11 modifications will be removed-- Our modifications  
12 will be to remove MIH option two while retaining  
13 option one. Council member Ayala is in support of  
14 the proposal as modified and I'd like to recognize  
15 any of the Council members that have a related  
16 rezoning here, if they have any words.

17 COMMITTEE COUNSEL: Chair, I don't see  
18 any members with hands raised at the moment.

19 CHAIRPERSON MOYA: Okay. Thank you. I now  
20 call for a vote to approve LU 772, 773, and 774 and  
21 to approve with the modifications I have described  
22 LUs 775 and 776. Counsel, can you please call the  
23 roll?

24 COMMITTEE COUNSEL: Chair Moya?

25 CHAIRPERSON MOYA: I vote aye on all.



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2 COMMITTEE COUNSEL: Council member

3 Reynoso?

4 COUNCIL MEMBER REYNOSO: I vote aye on

5 all.

6 COMMITTEE COUNSEL: Council member

7 Grodenchik?

8 COUNCIL MEMBER GRODENCHIK: Aye.

9 COMMITTEE COUNSEL: Council member

10 Ayala?

11 COUNCIL MEMBER AYALA: I vote aye.

12 COMMITTEE COUNSEL: Council member

13 Rivera?

14 COUNCIL MEMBER RIVERA: I vote aye.

15 COMMITTEE COUNSEL: Council member

16 Borelli?

17 COUNCIL MEMBER BORELLI: I echo the

18 sentiments of our illustrious Chair and vote aye.

19 COMMITTEE COUNSEL: Chair, the land use

20 vote is currently six in the affirmative, zero in the

21 negative, with no abstentions, and we will keep the

22 vote open.

23 CHAIRPERSON MOYA: Okay.

24

25

2 COMMITTEE COUNSEL: Chair? Chair Moya,  
3 I see that we have been joined by Council member  
4 Levin.

5 CHAIRPERSON MOYA: Hi. Tell daddy thank  
6 you for making time for us.

7 COMMITTEE COUNSEL: On a continuing  
8 vote of the land use items, Council member Levin?

9 COUNCIL MEMBER LEVIN: I vote aye on all.

10 COMMITTEE COUNSEL: By a vote of seven  
11 in the affirmative, zero in the negative, and no  
12 abstentions, the items are approved and recommended  
13 for-- sorry. The items are recommended for approval  
14 to the full land use committee.

15 CHAIRPERSON MOYA: Great. Thank you,  
16 Arthur. I now opened the public hearing on LU 779  
17 and 7804 the Acme Smoked Fish Gem Street rezoning  
18 proposal requesting a zoning map amendment and a  
19 zoning special permit relating to property in Council  
20 member Levin's district in Brooklyn. I will remind  
21 the viewing public for anyone wishing to testify on  
22 this item, if you have not already done so, you must  
23 register online in advance and you may do so now by  
24 visiting the Council's website. Counsel, if you  
25 kind, please call the first panel for this item.

2 COMMITTEE COUNSEL: Chair, with your  
3 permission, before we call the first panel, I will  
4 just make the general procedural announcement.

5 CHAIRPERSON MOYA: Yep. Sorry.

6 COMMITTEE COUNSEL: Members of the  
7 public who were asked to testify before-- Members of  
8 the public wishing to testify were asked to register  
9 for today's hearings. If you wish to testify and  
10 have not already registered, we ask that you please  
11 do so now by visiting the New York City Council  
12 website at [www.council.nyc.gov](http://www.council.nyc.gov) to sign up. Members  
13 of the public may also view a live stream broadcast  
14 of this meeting at the Council's website. As a  
15 technical note for the benefit of the viewing public,  
16 if you need an accessible version of any of the  
17 presentations shown today, please send an email  
18 request to land use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). When  
19 called to testify, individuals appearing before the  
20 subcommittee will remain muted until recognized by  
21 the Chair to speak. Applicant teams will be called  
22 first. Members of the public will be recognized as  
23 panels. Subsequent panels in groups of up to four  
24 names at a time. When the Chair recognizes you, your  
25 microphone will then be on muted. Please take a

2 moment to check your devices and confirm that your  
3 microphone is on before you begin speaking. Public  
4 testimony will be limited to two minutes per witness.

5 If you have additional testimony you would like the  
6 subcommittee to consider or if you have written  
7 testimony to submit instead of appearing here before  
8 the subcommittee, you may email it to land use

9 [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). Please indicate the LU

10 number and or project name in the subject line of

11 your email. During the hearing, Council members with  
12 questions should use the zoom raise hand function.

13 The raise hand button should appear either at the

14 bottom of your participant panel or the bottom of

15 your primary viewing window. Council members with

16 questions will be announced in order as they raise

17 their hands and recognized by Chair Moya order to

18 speak. Witnesses are requested to remain in the

19 meeting until excused by the Chair as Council members

20 may have questions. Finally, there will be pauses

21 over the course of this meeting for various technical

22 reasons and we ask you to please be patient as we

23 work through any issues. And, with that, Chair, I

24 will now call the first panel for the first item.

25 The first panel will include Ray Levin, land-use

2 counsel for the applicant, Stu Little for the  
3 developer, Adam Caslow for Acme Fish, the owner, and  
4 Ashley Thompson. Panelists, if you have not already  
5 done so, please accept the unmute request in order to  
6 begin to speak.

7 COUNCIL MEMBER LEVIN: Sorry. Were you  
8 waiting on me to speak?

9 CHAIRPERSON MOYA: We're going to finish  
10 this procedural part and then I'm going to turn it to  
11 you to speak.

12 COMMITTEE COUNSEL: Panelists, please  
13 raise your right hands. Do you affirm to tell the  
14 truth, the whole truth, and nothing but the truth in  
15 your testimony before this subcommittee and in answer  
16 to all Council member questions?

17 UNIDENTIFIED: I do.

18 UNIDENTIFIED: I do.

19 COMMITTEE COUNSEL: Thank you, Chair.

20 CHAIRPERSON MOYA: Thank you, Arthur. Just  
21 before we get started with the panel, I just wanted  
22 to turn it over quickly to Council member Levin for  
23 some remarks.

24 COUNCIL MEMBER LEVIN: Thank you, Chair.  
25 I will keep this really brief. I just want to thank

2 the applicant for coming in today. We have been  
3 working for a long time at this point on this  
4 application and this is largely in line with the  
5 special permit that we have established for the  
6 industrial business zones. In this particular  
7 instance, it is a little bit different, but largely  
8 in keeping with the same principles and the kind of  
9 basic take away that I think it is important to think  
10 about here is-- and we will hear about this in the  
11 application-- is that it's important to keep  
12 longstanding businesses, industrial businesses, in  
13 this city and Acme Smoked Fish is an employer that  
14 has been part of this city for a very long time. You  
15 see their products in many grocery stores throughout  
16 the city and in many restaurants. And I think that  
17 I'm glad to see that our land use processes are being  
18 able to be applied in a way that aids small  
19 businesses in the city. Thank you, Chair.

20 CHAIRPERSON MOYA: Thank you, Council  
21 member Levin. Thank you to the panel. I want to  
22 thank you. We are in receipt of your slideshow  
23 presentation for this proposal. When you're ready to  
24 present it, please say so and it will be displayed on  
25 screen by our staff. Slides will be advanced when

1 you say next. Please note that there may be a slight  
2 delay in both the initial loading and the advancing  
3 of slides. As a technical note for the benefit of  
4 the viewing public, if you need an accessible version  
5 of this presentation, please send an email request to  
6 land use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). And now, if the  
7 panelists would please restate your names and  
8 organizations for the record, you may begin.

10 ADAM CASLOW: Good morning, Council  
11 members, ladies and gentlemen, thank you for this  
12 opportunity. My name is Adam Caslow. I'm co-CEO of  
13 Acme Smoked Fish and we are ready to present our  
14 presentation. If you could put it up on the screen,  
15 please? Okay. And I see it now. Next slide,  
16 please? Acme Smoked Fish was started in Brooklyn by  
17 my great grandfather, Harry Brownstein, in 1906.  
18 Harry was a wagon jobber meaning he started selling  
19 fish in a horse-drawn wagon leading to the creation  
20 of one of Brooklyn's best known brands delivering  
21 quality products to hundreds of restaurants, beta  
22 stores, advertising shops, retailers, and other  
23 establishments throughout the five boroughs,  
24 including exporting the products throughout the  
25 world. Excuse me. Acme has grown substantially over

1 the past hundred years and now we have a number of  
2 facilities up and down the eastern seaboard. In  
3 fact, even as we speak, approval to build a new  
4 headquarters and factory in Brooklyn, we're  
5 completing construction on a distribution center in  
6 New Jersey and continued to [inaudible 00:17:43] a  
7 new manufacturing site we opened in North Carolina  
8 just a few years ago. Next slide, please. But there  
9 are obviously a number of challenges with operating a  
10 manufacturing site in Brooklyn. Limited capacity and  
11 an outdated plan are ongoing issues. Advances in  
12 food safety and increased costs obstruct the  
13 capabilities of our aging facility. The level of  
14 investment required to upgrade that facility is cost  
15 prohibitive. Out of state locations offer more cost  
16 efficient solutions, but our [inaudible 00:18:25]  
17 wants to keep this business in Brooklyn. Updating  
18 our facilities to reflect modern processes cannot be  
19 done while Acme continues to operate for food safety  
20 installations. Next slide, please. Key to the  
21 success of this operation that we will-- excuse me.  
22 Key to the success of this project is that we will  
23 continue to operate in our current plan even as the  
24 new facility is being constructed. Once the four-



1 story freestanding building is done, we move into it  
2 and the rest of the development can proceed. In  
3 total, we will expand by 40 percent to total of  
4 approximately 95,000 square feet. We are using the  
5 most advanced systems to ensure the new building is  
6 safe, neighborhood compatible, and environmentally  
7 sustainable. Thank you for your time and  
8 consideration for this proposal. Stu Little of  
9 Rubenstein Partners will now offer additional  
10 details.  
11

12 STU LITTLE: Thank you, Adam, and thank  
13 you, members of the Council. I am Stu Little of  
14 Rubenstein Partners and we are proud to be Acme's  
15 partner in this venture. Next slide, please.  
16 Building and operating a factory that meets Acme's  
17 needs is cost prohibitive. Further complicating this  
18 effort and increasing both its cost and size is the  
19 fact that Acme needs to remain in its current  
20 facility until its new factory is complete. Moving  
21 twice or stopping productions are not viable options  
22 for Acme. And to meet the operational needs and  
23 regulatory requirements, Acme requires a standalone  
24 facility with the ability to install certain elements  
25 of the building systems on its roof. Next slide,

1 please? To address these conditions, the development  
2 site was extended to the entire block with agreements  
3 now in place to relocate all existing use is to  
4 nearby locations. Next slide, please. In Acme's new  
5 four-story building will be constructed on the  
6 northwest section of the site closest to the corner  
7 of Meserole Avenue and Banker Street. Next slide,  
8 please. Once the relocation is complete, demolition  
9 of the current facility will commence construction of  
10 the remaining component well begin. The design of  
11 the new commercial space minimizes impact by a couple  
12 of ways. One, incorporating materials compatible  
13 with the existing character of the neighborhood.  
14 Next slide, please. Two, creating a pleasant  
15 pedestrian experience that includes about half an  
16 acre of open space and retail shops intended to be  
17 amenities to both neighborhood residents and building  
18 tenants. Next slide, please? Third, completing the  
19 building with a glass box significantly setback from  
20 the brick façade of the base. Next slide, please.  
21 The reality is that the commercial component of this  
22 plan offers a revenue stream that is absolutely  
23 needed to subsidize Acme's new home. The cost of the  
24 building-- the cost of building this new facility is  
25

2 \$40 million more than will ever be recovered, making  
3 a standalone factory for Acme economically  
4 unachievable. Next slide, please. By allowing this  
5 proposal to move forward, more than 100 union jobs at  
6 Acme, many of which are held by Brooklyn residents,  
7 will be saved in a place where more than 2000 jobs  
8 will be created. Next slide, please. Some 500  
9 million-- excuse me. Some 550 million dollars in  
10 private investment will offer an economic boost that  
11 is needed now more than ever. In offering support  
12 for the project and recommending to you its approval,  
13 community board one, borough president Eric Adams,  
14 and the City Planning Commissioner all offered  
15 suggestions on how the plan could be improved. In  
16 short, we have agreed to almost all of the  
17 suggestions that were offered and I can walk you  
18 through them now. Next slide, please. At your  
19 suggestion, Council member Levin, we are working on  
20 an agreement with Evergreen Exchange who is North  
21 Brooklyn's leading industrial manufacturing advocate  
22 that will add additional assurances that the  
23 industrial space will be occupied by Acme. In the  
24 event that Acme does not occupy the space, another  
25 industrial use will. We will be submitting a copy of

2 that letter outlining the agreement for your review.

3 To ensure that local residents are fully able to  
4 enjoy the benefits derived from the development, as  
5 recommended by CB one, we have an agreement in place  
6 with St. Nick's Alliance which will serve as our  
7 partner in providing skills training and job  
8 placement services for at least--

9 COMMITTEE COUNSEL: Chair, it appears  
10 that we are having a technical issue with one of the  
11 panelists. Please stand by while we try to sort  
12 through this.

13 CHAIRPERSON MOYA: Thank you.

14 COMMITTEE COUNSEL: Mr. Little, if you  
15 can hear me, we appeared to of lost you for a moment.  
16 Are you here?

17 STU LITTLE: Hi. Apologies for that. I  
18 apparently got kicked, but I am here now and ready to  
19 continue. So, as I was saying, we will be providing  
20 quality jobs for building service workers through an  
21 agreement with 32 BJ and for construction workers by  
22 following the citywide industry agreement. Also, we  
23 will comply with all local laws and include several  
24 environmentally friendly best practice is and we will  
25 improve pedestrian experience through the creation of

1 more than half an acre of open space that will link  
2 McCarran Park to the future Inlet Park. Excuse me.  
3 To the future Bushwick Inlet Park. Next slide,  
4 please. We also looked at recommendations to shift  
5 FAR to widen base floors which you can see here.  
6 Next slide, please. We found that doing so would  
7 require the elimination of open space and  
8 significantly reduce energy efficiency, as  
9 demonstrated in the slides. Next slide, please.  
10 And, ultimately, those proposed changes would  
11 challenge the economic viability of the development.  
12 Ray Levin, our land-use counsel, will offer details  
13 of the zoning changes we are seeking. Thanks.

14  
15 RAY LEVIN: Thank you, Stu. Members of  
16 the subcommittee, I am Raymond Levin of the Herrick  
17 Feinstein law firm, land-use counsel for RP Inlet,  
18 the applicant for the actions before you today. Next  
19 slide, please. This plan is based on an innovative  
20 idea that new commercial space could offset the cost  
21 of providing new manufacturing space. This concept  
22 was formalized with the enactment of the industrial  
23 business incentive area, IBIA, special permit. First  
24 utilized at 25 Kent Avenue two blocks from this site.  
25 Building on that idea, the current proposed proposal

1 better's IBIA special permit in two ways: unlike the  
2 existing IBIA projects, in this project, the  
3 industrial space is built first before 1 ft.<sup>2</sup> of  
4 office or retail space and, rather than providing  
5 generic speculative industrial space, in this case,  
6 the industrial user is known and the spaces tailored  
7 to their needs. To permit this development, we are  
8 seeking a change in the zoning district and the grant  
9 of a special permit under of the large-scale general  
10 development provisions of the zoning resolution.  
11 Specifically, the zoning map amendment changing the  
12 existing M31 district to an M15 district. Next  
13 slide, please. And a special permit to allow certain  
14 penetrations of the sky exposure plane and setback  
15 distances. These waivers will compensate for the  
16 limited footprint and floor plates available for the  
17 projects commercial component due to the standalone  
18 requirements of that Acme factory. Next slide,  
19 please. These waivers would allow the office  
20 building Street wall to exceed the 85 foot maximum by  
21 less than 20 feet and allow the upper two floors of  
22 the office building to penetrate the sky exposure  
23 plane by less than 20 feet on Gem Street and Meserole  
24 Avenue. These waivers would lessen the impact of the  
25

2 four-story freestanding Acme factory building on the  
3 office building and allow the floors in the office  
4 building to be aligned with the market expectations  
5 to foster the development's financial viability.

6 Thank you and we will be happy to answer any  
7 questions. Next slide, please. We're available for  
8 questions.

9 CHAIRPERSON MOYA: Thank you. Sorry.  
10 There was a delay in the-- thank you. I appreciate  
11 it. So, when did Acme begin exploring the options  
12 for expanding or relocating?

13 RAY LEVIN: I don't know whether Adam is  
14 still with us. I know he had to catch a plane and  
15 they were looking at this-- oh, for some time. I  
16 would say at least five years.

17 CHAIRPERSON MOYA: Okay. And if you can,  
18 just go into it again. How does the existing  
19 facility fail to meet the company's needs?

20 RAY LEVIN: It's made up of multiple  
21 buildings that they have purchased over time starting  
22 in the 1950s. so, it's sort of a stitched together  
23 facility. It's very hard to operate efficiently and  
24 also as more FDA health requirements have come into  
25 play, very expensive to try and meet those

2 requirements with this facility. So, for a lot of  
3 reasons-- sort of time has caught up with Acme and,  
4 as Adam mentioned, they had built a factory in the  
5 Carolinas which was complied with all those laws and  
6 was much more efficient and they would like this  
7 facility to be up to that standard.

8 CHAIRPERSON MOYA: Okay. And did Acme  
9 consider any new locations elsewhere within Brooklyn  
10 or New York City? Has there been consideration to  
11 relocate outside of the city of New York?

12 RAY LEVIN: Well, as I said, they have a  
13 plan at which they built in the Carolinas. They  
14 looked at-- let me take a step back.

15 ADAM CASLOW: I'm unmuted.

16 RAY LEVIN: Oh, I'm sorry. I--

17 ADAM CASLOW: No. It's fine. We were  
18 having some technical issues. But you captivated, I  
19 would say, the majority of the story accurately.  
20 And, again, I apologize. As Ray mentioned, I am  
21 unable to be on video right now.

22 CHAIRPERSON MOYA: That's fine.

23 ADAM CASLOW: So, simply put, our business  
24 has thankfully grown and, as Ray mentioned, we have  
25 assembled kind of buildings throughout the block of



2 Gem Street over time, but because it was never  
3 designed to build for its current intended use, you  
4 know, in the early 1950s, it is a zigzag of sorts and  
5 it is quite inefficient. So, we have been unable to  
6 fix some of those inefficiencies while still being  
7 able to operate over time. Additionally, the  
8 headquarters of our business is in Brooklyn. You  
9 know, all of our staff and teams are based in  
10 Brooklyn and so we just simply outgrown our current  
11 space. In answer to the second question, I think,  
12 was have we looked at other options, the answer is  
13 yes. About five years ago, we needed to expand some  
14 manufacturing space and we looked up and down the  
15 eastern seaboard and settled in a manufacturing space  
16 in North Carolina. While it suited our needs,  
17 definitely it gave up something by not being in  
18 Brooklyn and there is a premium to be in Brooklyn,  
19 not just because it's a nice place to live and work,  
20 but the workforce in Brooklyn is second to none. We  
21 really believe that the success of our company is  
22 vital to being in this community. We are willing to  
23 pay a premium for it, but, you know, we had looked at  
24 outside and others are just best done right at home.

2 CHAIRPERSON MOYA: Thanks, Adam. Let's we  
3 ask you this, as well. What factors led Acme to  
4 decide that partnership with the commercial developer  
5 for a mixed-use project was the best option to stay  
6 in Brooklyn?

7 ADAM CASLOW: It's a great question. I  
8 think my family and our leadership team has kind of  
9 pondered on how do we grow and expand. But were not  
10 in the real estate business. We are in the smoked  
11 fish business. We have this property that we had sat  
12 on and it was just kind of like-- and I remember  
13 back when I first joined the company. We were such  
14 an advocate of the IBZ and wanting to make sure that  
15 no one was going to kick us out as the neighborhood  
16 was changing so rapidly. Fast forward 15 years  
17 later, you know, it feels that manufacturing and  
18 residential and commercial are sort of in this  
19 coexistence in creating the Lord for the community.  
20 I forgot the question. I'm sorry. Your question  
21 was-- remind me the question. I'm sorry.

22 CHAIRPERSON MOYA: It's all right. I said  
23 what factors led you to decide to partner up with the  
24 commercial developer on the mixed-use project?

2 ADAM CASLOW: Right. Right. So, like I  
3 said, we didn't know the first thing about being in  
4 the real estate business. A mutual friend of mine  
5 who had worked with Rubinstein introduced us and,  
6 basically, said Rubinstein was the first real estate  
7 professional to come to us with a plan for how to  
8 help our business. It was an Acme driven idea that  
9 allowed us to grow for the next generation and still,  
10 you know, I guess salt for the business part. You  
11 know, we used to get calls from real estate people  
12 all the time about our property, but we didn't know  
13 where we would go if we moved out of Brooklyn. So,  
14 ultimately, the idea that Rubinstein brought to the  
15 table was so intriguing and we were working on this  
16 plan for well over a year and a half before bringing  
17 it here today.

18 CHAIRPERSON MOYA: Great. Thank you. So,  
19 with that, there is an existing zoning special permit  
20 under section 74-86 to facilitate the mixed  
21 industrial commercial projects and ensure that the  
22 inclusion of permanent industrial space which was  
23 used by a member of this development team, Rubinstein  
24 partners, to facilitate the 25 Kent building in

2 Brooklyn. Why is that special permit will not being  
3 used for this proposal?

4 RAY LEVIN: Well, that special tool was  
5 tailored to that project at 25 Kent that Rubinstein  
6 undertook and fulfilled its commitments and built the  
7 building and it is there today, if you want to go see  
8 it. Because of the standalone HR of the Acme  
9 facility and the fact that the Acme facility is being  
10 built first and then the rest of the site becomes  
11 available, some of the provisions in the special  
12 permit having to do with height limits, having to do  
13 with certain open space requirements, having to do  
14 with certain floor area requirements, could not have  
15 readily been met. We have spoke to the City Planning  
16 Department about modifying that special permit. At  
17 the time, they were not--

18 CHAIRPERSON MOYA: I don't mean to cut you  
19 off, but you mentioned height and floor space. So,  
20 can you tell me what the difference was?

21 RAY LEVIN: Well, the height is 110 feet  
22 in the IBIA special permit which can go up to 135  
23 feet if you meet certain open space requirements in  
24 certain configurations. Our building, as proposed,  
25 is 178 feet. Part of that is because the factory

1 building itself is 80 feet or so and, therefore, you  
2 can't build across the whole site. Some of the, as  
3 was shown in our slides, some of the proposals by the  
4 Brooklyn Borough Pres. in terms of widening out the  
5 building and covering more of the site as a way to  
6 bring the height down, that when a little bit, but in  
7 order to bring it down a meet those requirements, you  
8 would, basically, have to have the factory-- you  
9 couldn't build the factory independent and,  
10 therefore, Acme couldn't keep working. So, the floor  
11 area is slightly different. The floor area in the  
12 M15 is 5.0. The maximum floor area you could get in  
13 the IPBA is 4.8. Not a huge difference, but enough.  
14 This project, as Stu mentioned, the economics to keep  
15 the factory going are difficult and the subsidy that  
16 the office building provides is helpful in every  
17 square foot matters. So, that is the other major  
18 change. There are a whole slew of urban design items  
19 in the IBIA. This building was not designed with  
20 those in mind and the requirements of the open space,  
21 there were, in order to get the height, up to 135  
22 feet, the open space had to be a certain  
23 configuration and a certain location. As you can see  
24 in our proposal, we have significant open space which  
25

2 is going to be public open space under the general  
3 large-scale special permit, but the configuration of  
4 it and its relationship to the building is slightly  
5 different than the IBIA would require. So, there  
6 were a number of things that we spoke to city  
7 planning about as an option for this project. At the  
8 time, they were not enthusiastic about trying to  
9 tailor the general IBI text to this project and so we  
10 went with the M15. As I said, I think that since we  
11 are building the factory before we build any of the  
12 commercial space, it is very different than the IBIA  
13 model where everything gets built together and you  
14 really don't know who is ultimately going to occupy  
15 the industrial space and, the situation, you do know  
16 and they are right here with us testifying before  
17 you.

18 CHAIRPERSON MOYA: Well, thank you, because  
19 you answered my follow-up question to that just now.  
20 So, we are slimming the questions down now. You  
21 might have mentioned this before and I think it came  
22 up in one of the slides, but since the industrial  
23 space, you are just mentioning just now will actually  
24 not be required the rezoning, what guarantees are  
25

2 there that future development will actually include  
3 the proposed space for the Acme Fish?

4 RAY LEVIN: Well, I think, you know, to  
5 reiterate, we are building the factory first. I  
6 mean, that is what is unique about this project.  
7 Basically, the office building which would spin off  
8 funds to subsidize the factory rental, the factory  
9 gets done first. We don't even build any of the  
10 commercial. So, number one, we have a factory. We  
11 are assuming Acme is going to move into that since  
12 this has been driven by them, as Adam mentioned.  
13 What happens if they either don't move-in for some  
14 reason or, at some point in the future, the world,  
15 you know, it doesn't want smoked fish anymore? How  
16 are we sure? Well, what we have done is we've been  
17 working with-- on several fronts. One is with IDA.  
18 We are in discussions with them. We have been for a  
19 while. We are expecting that once the Council,  
20 hopefully, improve these changes, that we will enter  
21 into an agreement with them. They would have the  
22 ability to monitor use of the factory building, so  
23 that is, you know, one way. We are also, at the  
24 Council members urging, working with the local  
25 industrial service provider in North Brooklyn on an

2 agreement where we would commit to if Acme doesn't  
3 move-in and to abide by the allocations of space that  
4 are in our proposal, so 15 percent of the space would  
5 be for industrial use and 40 percent of the space  
6 would have certain restrictions of that mirror that  
7 IBIA proposal. If, at some point in the future,  
8 since we are looking to keep industrial space in this  
9 building in perpetuity, in the future, after the  
10 facility has built, we would work to read tenant the  
11 building. Now, obviously, the building is special-  
12 purpose for Acme. It's not easily reused, so we  
13 would work with the local service provider to  
14 identify re-users, but we are also committed that we  
15 would not use that factory building for commercial  
16 office or for any uses other than innovative  
17 industrial uses in the future. So, I think that is  
18 it. Stu--

19 CHAIRPERSON MOYA: I'm sorry. Am going to  
20 start cutting you off because you're answering my--  
21 did you get an advance copy of my questions here?

22 RAY LEVIN: Well, you know, I--

23 CHAIRPERSON MOYA: You're answering a  
24 couple of the ones that I had coming up.



2 RAY LEVIN: Well, I've known you for a  
3 few years. I don't know. Well, I can let Stu answer  
4 these questions because then he's probably, you know,  
5 not on the-- he didn't get the memo. The memo of  
6 what your questions are.

7 CHAIRPERSON MOYA: But I just-- let me  
8 just get a couple more and before I turn it over to  
9 Council member Levin. Has the impact of Covid 19 on  
10 commercial development and the demand for office  
11 space affected the outlook for this development at  
12 all?

13 STU LITTLE: Yeah. I can answer that.  
14 Certainly, it has. You know, if you stepped back in  
15 time a year and a half ago, you know, in addition to  
16 Inlet, we are obviously the developer, owner, manager  
17 of 25 Kent and that is a project that, you know, came  
18 online in late 2019 and we began leasing up and pre-  
19 Covid we had substantial negotiations, letters of  
20 intent, you know, negotiating leases on over 70  
21 percent of the building and, as a result of the  
22 pandemic, a lot of those requirements got put on  
23 hold. Some temporarily and we were seeing them  
24 coming back now and others, you know, definitely.  
25 So, yes. Covid has had an impact on the risk of this

2 project. We do see substantial comfort in the fact  
3 that, you know, what we are building first is an  
4 industrial warehouse for Acme. And it won't be until  
5 several years later after that delivers-- you know,  
6 likely 2026-- until we are out in the market leasing  
7 commercial space. And so, while today, you know, if  
8 we were bringing online in additional 600,000 square  
9 feet of commercial space. I think that would  
10 definitely, you know, raise some red flags in terms  
11 of risks. You know, we were able to look through to  
12 2026 and see a North Williamsburg that will be ripe  
13 for people looking for office space and retail space.  
14 But, yes. the risks-- there were risks in 2019 with  
15 this project and those risks are, I would say, even  
16 more highlighted today.

17 CHAIRPERSON MOYA: Okay. I'm going to  
18 switch over to parking now. How did you determine to  
19 propose 150 parking spaces?

20 RAY LEVIN: That's an interesting  
21 question. Our environmental analysis actually said  
22 that we might need more than that. The community, as  
23 we have watched them analyze other projects, have had  
24 concerns about a lot of parking, therefore attracting  
25 more vehicles to the neighborhood. If we provided

2 the amount that the environmental studies asked for,  
3 we would need another special permit. We would be  
4 above 150 spaces. So we decided to go with 150 which  
5 we're allowed without any special requirements. We  
6 are looking towards the future. As we know, the  
7 city, now with bike lanes, with scooters, with  
8 alternate means of transportation, and we believe  
9 that the 150 will be sufficient, even though the  
10 environmental, using their metrics, comes out with  
11 slightly more. So that's how we ended up with it.

12 CHAIRPERSON MOYA: Okay. And I know that  
13 you kind of alluded to this before because you spoke  
14 a little bit about the borough president and what  
15 they were looking at in terms of the modifications,  
16 but if you could tell us the modifications to the  
17 bulk in order to respond to the concerns from the  
18 neighborhood residents, and how would these  
19 suggestions that were given by the neighborhood  
20 residents affect the outcome of the project.

21 RAY LEVIN: I'll let Stu answer that.  
22 The neighborhood residents would like us to take of  
23 two or three floors from the building. That's not  
24 what the borough president proposals were. We can  
25 talk about the borough presidents proposals which

2 were much more modest and didn't actually reduce the  
3 height of the building. But in terms of what taking  
4 a couple floors off the building will do is really--  
5 Stu can answer.

6 STU LITTLE: Yeah. So, you know, the  
7 borough president suggestions, namely, were taking  
8 bulk off the top of the building and reallocating it  
9 to the side and that, you know, poses a couple  
10 different issues that we discover through the course  
11 of evaluating those proposed changes. So, first,  
12 when we look at the viability of leasing space and  
13 energy efficiency, as the floor plates become wider,  
14 it is more difficult for natural light to penetrate  
15 those, you know, floors. And that causes impacts to  
16 energy efficiency, which was one of the issues we  
17 faced. Also, given the size of, you know-- as you  
18 continue to widen out the floors, they become less  
19 desirable because people are looking for a natural  
20 feeling of the height of a floor to the width of a  
21 floor. And so, as we continue to widen the floors,  
22 we thought that, you know, potential marketability of  
23 that space could be at risk. Third, you know, the  
24 higher floors in these developments are more  
25 attractive to potential renters of space than the

2 lower floors and so by removing, you know, the  
3 substantial sections of the top floors and  
4 reallocating them throughout the building, you know,  
5 we estimated in addition to the \$40 million shortfall  
6 that exists on Acme, you know, these changes would  
7 contribute at least an additional \$5 million, you  
8 know, making the project economically not feasible.  
9 And then, fourth, you know-- and this definitely  
10 isn't scientific, but just looking at the plans and  
11 the open floor space, outdoor space, you know, it  
12 felt impeded by the changes due to the creation of  
13 some overhangs on open floor outdoor space that would  
14 otherwise exist. And so, it was really the  
15 culmination of a handful of characteristics that  
16 resulted from the proposed changes that led us to,  
17 you know, go back to CPC, explain to them, you know,  
18 why we came out where we came out and, you know, I  
19 think the project that they proposed that you are  
20 seeing today, they agreed reflects, you know, the  
21 best foot forward that we have.

22 CHAIRPERSON MOYA: Okay. And this is my  
23 last question. Do you have a plan in place to ensure  
24 local hiring and MWBE participation during the  
25 construction phase?

2 STU LITTLE: Yeah. So, we will be  
3 applying to ICAP which has requirements as part of  
4 that program. But, yes.

5 CHAIRPERSON MOYA: Okay. Thank you. That  
6 is it for me. I want to now turn it over to Council  
7 member Levin for some questions.

8 COUNCIL MEMBER LEVIN: Thank you, Chair.  
9 Thank you very much, Stu and Ray. I don't know if  
10 Adam is still on. Thank you, Adam.

11 ADAM CASLOW: I'm here.

12 COUNCIL MEMBER LEVIN: I mean, I will just  
13 first off say that I had the opportunity-- I think  
14 it is two years ago now at this point-- in the  
15 summer of 2019, I believe, went and saw the facility.  
16 You know, put the sanitized boots on and walked  
17 around and was really struck at how cramped it is.  
18 It's an older facility. You know, it is, obviously,  
19 highly sensitive space, you know, because it's a fish  
20 manufacturer that is, you know, where fish is being  
21 smoked. You have raw fish. You can't have the raw  
22 and the smoked over the cooked in the same space and  
23 so, having all of that so close, I can see why that  
24 is problematic for business to continue to grow.

2 What is the current square footage that you have  
3 right now, Adam?

4 ADAM CASLOW: it's roughly 60,000.

5 COUNCIL MEMBER LEVIN: And the new  
6 facility is how many?

7 ADAM CASLOW: Approximately 95,000, but we  
8 get a blank canvas, so it is going to be used much  
9 more efficiently. We expect that we will be able to  
10 increase our output by more than double.

11 COUNCIL MEMBER LEVIN: And that it right  
12 away. So, that is in five years' time?

13 ADAM CASLOW: Yeah.

14 COUNCIL MEMBER LEVIN: You have over 100  
15 employees. What is the average length of time that  
16 an employee at Acme has worked there?

17 ADAM CASLOW: Oh, my gosh. Put it this  
18 way--

19 COUNCIL MEMBER LEVIN: Or if you don't  
20 have it, that is fine.

21 ADAM CASLOW: I don't have that that I can  
22 give you off-the-cuff, but it has got to be about 10  
23 to 12 years. I mean, these old Polish ladies don't  
24 want to pinch my cheeks and I'm 38 years old.

25

2 COUNCIL MEMBER LEVIN: And the work is--  
3 , you know, I want to say a specialized work, but the  
4 experience-- it takes experience to do it well and  
5 there has been professional development within the  
6 company?

7 ADAM CASLOW: Absolutely. I mean, our  
8 production manager started off as a [inaudible  
9 00:57:17] about 30 years ago. You know, what I think  
10 is uniquely special is the local workforce. The  
11 people are happy to have the work. As our business  
12 grows, we have opportunities for over time,  
13 opportunities for technical skill development from  
14 food safety to-- you know, so, I can't remember the  
15 name of the program, but we put several factory  
16 employees through the management training program  
17 offered by, I believe, it is Evergreen, but I am not  
18 100 percent sure. And, you know, it's a family  
19 business culture. It extends beyond my family, but  
20 also to the family of our workforce. The Acme family  
21 that we have referred to internally of people who get  
22 to buy into and collective pride and what we're  
23 doing.

24

25



2 COUNCIL MEMBER LEVIN: And then, what kind  
3 of benefits to your employees have? Health benefits,  
4 retirement benefits?

5 ADAM CASLOW: So, in Brooklyn, our factory  
6 employees are members of the UFC [inaudible 00:58:30]  
7 union, so they have full medical, pension, dental. I  
8 don't have the full quantitative package offhand--

9 COUNCIL MEMBER LEVIN: But the entire  
10 factory is unionized in Brooklyn?

11 ADAM CASLOW: The entire factory in  
12 Brooklyn. The entire workforce. Yes.

13 COUNCIL MEMBER LEVIN: The factory  
14 workforce. Okay. I mean, I will just editorialize  
15 for a second. I think that it is, you know, Acme is  
16 been kind of long time larger food production  
17 companies in North Brooklyn and, you know, recently  
18 in the last 10 years, there was another large family-  
19 owned food manufacturer, Cumberland packing or, you  
20 know, sweet and low down by the Navy Yard that did,  
21 in fact, moved to another state that had a lot more  
22 space and probably lower wage standards and work safe  
23 standards. So, you know, I have seen it happen, so I  
24 am, I think, we are looking at this as a land-use  
25 matter. It has to make land-use sense. That said, I

2 do appreciate, you know, Acme making the long-term  
3 strategic decision to stay here. I mean, this is, at  
4 least-- I mean, just from a business perspective, if  
5 I could ask, Adam, what is the-- like how many years  
6 does this committee Acme for staying in the  
7 neighborhood on the low-end? Like at least how many  
8 years do you imagine from a, in your own kind of  
9 business planning?

10 ADAM CASLOW: I mean, in my mind, the terms  
11 of the lease that we are doing is 10 or 15 years?

12 STU LITTLE: No. 30 with extension  
13 options up to 50.

14 ADAM CASLOW: So, I mean, to the extent  
15 that that answers, I mean, we are planning on signing  
16 a 30 to 50 year lease. I think that, you know, I  
17 imagine and I certainly help that it serves our  
18 headquarters for the duration of that, if not more.

19 COUNCIL MEMBER LEVIN: Yeah. I mean, and  
20 that is meaningful, obviously. Moving over to the  
21 broader building, what is the sustainability and  
22 environmental profile of the building? Can you speak  
23 a little bit more to that, studio, in terms of what  
24 are you-- what standards are you expecting to meet?  
25 Carbon footprint etc.?

2 STU LITTLE: Yeah. So, we anticipate that  
3 all of the, you know, required statutory, you know,  
4 requirements will be met. We are seeking to meet  
5 those. Additionally, you know, we are pursuing Leed  
6 certification and expect, you know, Leed Silver, but,  
7 you know, to the extent that questions have come up  
8 on those environmental issues, we are pursuing a best  
9 in class environmental building and that is part of  
10 how we market our buildings, you know, similar to how  
11 we did that 25 Kent to tenants to care about these  
12 things.

13 COUNCIL MEMBER LEVIN: Okay. Moving  
14 forward, maybe like a little more specificity about  
15 kind of you know, what are some of the attributes in  
16 terms of like is there going to be rooftop planting  
17 or solar or anything like that, you know, in terms of  
18 the energy consumption profile and things like that?  
19 If you could share that with us, that would be great.

20 RAY LEVIN: We will get that to you.

21 STU LITTLE: Yeah. We can follow up.

22 COUNCIL MEMBER LEVIN: Okay. Component  
23 and the mechanism by which that is committed,  
24 obviously, with the special permit that gets locked  
25

1 in, what is the mechanism that we are looking to use  
2 here?  
3

4 RAY LEVIN: Well, we have IDA. I mean,  
5 the community board and borough president both  
6 encouraged us to pursue IDA which we are doing and we  
7 assume that that will be in place. That, I believe,  
8 extends for a minimum of 25 years that IDA, we will  
9 indicate that it is for industrial use. I know that  
10 there was a concern that somehow, between the time  
11 that these zoning matters are approved and the time  
12 that the factory is completed and ready for  
13 occupancy, that something could happen in which  
14 would, you know, because Acme not to go into the  
15 building. As I said, we don't think that will  
16 happen, but if it does, we have entered into-- we  
17 are negotiating an agreement with Evergreen to  
18 monitor that situation and have indicated that, at  
19 that time, we would provide at least 15 percent of  
20 whatever building gets built to be industrial space a  
21 la the IBIA and also to limit the uses on 40 percent  
22 of the space, also similar to IBIA with Evergreen  
23 monitoring that. After the building is built, then  
24 we would also commit to 15 percent of industrial  
25

2 space, but, basically, re-occupying that building.

3 I-- were not ripping down that building. You know?

4 COUNCIL MEMBER LEVIN: Frankly, I am less  
5 worried about after-- if the factory is built, it's  
6 a fish factory. I know about the fish. There's  
7 another fish manufacturer in the 33rd district, as  
8 well. So, I am familiar with kind of the  
9 limitations, I mean, just from physical  
10 configuration. It's not really-- it's a very  
11 specific type of design and use and, yeah. It's not  
12 like you are going to be moving like a clothing  
13 manufacturer and after. But-- or some other like  
14 tech business. But what is the mechanism that you  
15 are proposing with Evergreen? Is that anything that  
16 is like a legally binding-- is there a right of  
17 action? Say, for example, if Rubenstein signs this  
18 letter with a letter of intent of some kind or an MOU  
19 with Evergreen, and I'm not saying that they will,  
20 but what if Rubenstein decides that they don't want  
21 to honor those commitments? What right of action,  
22 then, does Evergreen, as a party to that agreement  
23 have for remedy?

24 RAY LEVIN: They are going to monitor  
25 what happens. We are going to provide them with

2 building plans. If those plans don't conform with  
3 the special permit, you know, obviously, they are  
4 going to point that out to the public into you, to  
5 the Council member, to the borough president.

6 COUNCIL MEMBER LEVIN: But what is the  
7 Council member to do at that point? The zoning has  
8 already been conferred.

9 RAY LEVIN: Well, they can certainly, you  
10 know, moved to rescind it. The legal-- the ability  
11 to stop the building permit, if that is what we are  
12 talking about, for something that doesn't match the  
13 special permit, right? In essence, it would be  
14 getting back the special permit and say we don't want  
15 to build in accordance with the special permit.  
16 Right?

17 COUNCIL MEMBER LEVIN: Yeah.

18 RAY LEVIN: So, there's public opinion  
19 and Rubenstein has the ability to pursue projects in  
20 the city going forward. The enforceability of the  
21 IBIA is City planning. City Planning signing on as  
22 the enforcer of the restrictive declaration. They  
23 are not doing that in this case. The city Council  
24 could be an enforcer because they have longevity.  
25 Evergreen is not an enforcer in that sense and hasn't

2 actually been looking to be an enforcer in that  
3 sense. Even if they were given--

4 COUNCIL MEMBER LEVIN: What about like an  
5 actual restrictive declaration recorded against the  
6 deed of the property?

7 RAY LEVIN: You're talking about who  
8 would enforce it.

9 COUNCIL MEMBER LEVIN: Right. But  
10 regardless of who enforces it, is that what is being  
11 proposed? Like an actual restrictive declaration  
12 recorded against the deed or is it just letter? A  
13 commitment letter?

14 RAY LEVIN: It's an agreement. It's an  
15 agreement. It's not being proposed to be recorded  
16 because Evergreen's participation 20 years from now,  
17 if Evergreen no longer exists, and it is recorded  
18 against the property, it creates all kinds of  
19 problems unlike if it was city planning or the city  
20 Council. Entities that go on forever. So, you know,  
21 it would create problems in the future.

22 COUNCIL MEMBER LEVIN: Okay. I mean,  
23 let's keep talking about it because I want to make  
24 sure that, you know, I keep an eye out for like, you  
25 know, the worst case scenario and since I won't be

2 around, you know, and as a former Council member I  
3 don't think anyone is going to-- like I don't think  
4 anyone is going to care what I have to say about it,  
5 so, you know, it's like my ability to influence  
6 public opinion will be significantly curtailed at  
7 that point, right? So, I want to be able to have--

8 RAY LEVIN: But your successor will  
9 certainly have something to say about it.

10 COUNCIL MEMBER LEVIN: I don't know. I  
11 don't know who my successors going to be. So, let's  
12 keep talking. Let's keep talking about it and--  
13 because there are a lot of aspects of this proposal  
14 that I find very good and very positive and we just  
15 want to make sure that there is, you know, that we  
16 are ensuring that worst-case scenario that might be  
17 legally available, you know, doesn't actually happen.

18 RAY LEVIN: Right. And we understand  
19 that and we can continue discussions. We are talking  
20 about the third mechanism. You know, belt,  
21 suspenders, and, I think, you know, Evergreen  
22 agreement. We are calling at the cummerbund. You  
23 know, first are looking towards the Acme lease and  
24 then IDA which we have suggested to move forward with  
25 and then, finally, Evergreen agreement. So, you



2 know, understand and we are working with Theo to lock  
3 it up it is many ways as possible that give you  
4 comfort.

5 COUNCIL MEMBER LEVIN: Okay. Great. All  
6 right. That is it for me, Chair.

7 CHAIRPERSON MOYA: Thank you, Council  
8 member Levin.

9 COUNCIL MEMBER LEVIN: Chair, as you see,  
10 my kids only come when they know that I am speaking  
11 in then like, if I'm not talking on camera, then I'll  
12 go away. So--

13 CHAIRPERSON MOYA: No worries. Counsel, do  
14 we have any other Council members with questions for  
15 this panel?

16 COMMITTEE COUNSEL: No, Chair. I see  
17 no other members with questions.

18 CHAIRPERSON MOYA: Okay. There being no  
19 further questions, the panel is excused. Counsel,  
20 are there any members of the public who wish to  
21 testify on the Acme Gem Street rezoning application?

22 COMMITTEE COUNSEL: Yes, Chair Moya.  
23 We have approximately six public witnesses who have  
24 signed up to speak. For members of the public here  
25 to testify, please note again that witnesses will be

2 called in groups of four. If you are a member of the  
3 public signed up to testify on the Acme Gem Street  
4 rezoning proposal, please stand by when you hear your  
5 name being called and prepare to speak when the Chair  
6 recognizes you. Please also note that once all  
7 panelists in your group have completed their  
8 testimony, you will be removed as a group from the  
9 meeting in the next group of speakers will be  
10 introduced. Once removed, participants may continue  
11 to view the live stream broadcast of this hearing at  
12 the Council website. And we will now hear from the  
13 first panel which will include Larry Rothschild,  
14 Randy Pears, Grace Bristol, and Paul Samulski. The  
15 first speaker will be Larry Rothschild followed by  
16 Randy Pears.

17 SERGEANT-AT-ARMS: Time starts now.

18 CHAIRPERSON MOYA: Just a quick reminder to  
19 the members of the public. You will be given to  
20 minutes to speak and please do not begin until the  
21 sergeant-at-arms has started the clock. So, Larry,  
22 you may begin.

23 SERGEANT-AT-ARMS: Time starts now. Time  
24 starts now.

25 CHAIRPERSON MOYA: Is it--

2 COMMITTEE COUNSEL: Our first speaker  
3 will be Larry Rothschild who will be followed by  
4 Randy Pears.

5 CHAIRPERSON MOYA: Okay. Larry, whenever  
6 you're ready.

7 LARRY ROTHCHILD: Good morning. Thank  
8 you. I was on mute. I am Larry Rothchild, Director  
9 of workforce development at St. Nick's Alliance,  
10 speaking on behalf of the Acme redevelopment project.  
11 We are in the process of forming an agreement with RP  
12 Inlet Rubinstein and, in terms of construction jobs  
13 and construction training and so there is a real  
14 commitment to hiring locally from community boards  
15 one and four and Brooklyn un and underemployed. And  
16 St. Nick's Alliance runs a skill building  
17 construction training program. It is a seven-week  
18 training that delivers job readiness training, OSHA  
19 30, the site safety training, flagger, scaffolding,  
20 fire guard F60. And in this partnership, we would be  
21 training up to 50 individuals and there is a  
22 commitment to hiring 25 on the project and so we are  
23 excited for this partnership to give our trainees and  
24 graduates the opportunity to work locally and there  
25 is a commitment from RP Inlet to also invest in these

2 trainees and contribute towards the training that we  
3 are developing. So, again, we are very excited for  
4 this partnership. St. Nick's skill build program has  
5 trained and placed over 350 people and we have a 90  
6 percent placement rate. We look for strong employer  
7 partnerships and we feel that this project-- we are  
8 excited that this project keeps a long term employer  
9 in the area and keeps jobs in the area and we feel  
10 that our construction and skills training, this will  
11 give us an opportunity to place future graduates in a  
12 local project.

13 CHAIRPERSON MOYA: Okay. Thank you for  
14 your testimony, Larry.

15 COMMITTEE COUNSEL: Next, we will hear  
16 from Larry Peers. Excuse me. Randy Peers followed  
17 by Grace Bristol.

18 SERGEANT-AT-ARMS: Time starts now.

19 RANDY PEERS: Good morning, members of the  
20 Council. Thanks for having me. I'm Randy Peers,  
21 president and CEO of the Brooklyn Chamber of  
22 Commerce, a membership-based assistance organization  
23 which represents the interest of the business  
24 community throughout the borough. The Brooklyn  
25 Alliances are not-for-profit economic development

1 affiliate and it works to address the needs of  
2 businesses through direct business assistance  
3 programs. This project is for the expansion of Acme  
4 Smoked Fish, a Brooklyn-based legacy manufacturer, to  
5 allow them to remain in Brooklyn in a modern 95,000  
6 square foot facility dedicated to manufacturing. The  
7 Brooklyn Chamber is pleased to support Acme's  
8 proposal at this public hearing and we look forward  
9 to continuing on in this process and affirming our  
10 support. Acme started its operations in Brooklyn  
11 over 100 years ago and has since expanded to  
12 facilities in Massachusetts and Florida. Acme is one  
13 of the oldest continuously operated manufacturers in  
14 Brooklyn with a workforce that is almost 75 percent  
15 minority with 88 percent living in New York City and  
16 60 percent within two miles of the factory. It is  
17 Acme's desire to remain and expand in Brooklyn and  
18 this new project will be protecting 100 union  
19 manufacturing jobs. The project follows the model  
20 that successfully was pioneered by Rubinstein  
21 Partners at 25 Kent which is utilizing market rate  
22 retail and commercial uses to offset some of the  
23 investment cost of a new manufacturing space. The  
24 project will generate \$550 million in much-needed  
25

1 private investment, especially as we come out of this  
2 pandemic increasing the tax base, which is essential  
3 to stimulating economic growth worldwide and  
4 citywide. The development is a key component in  
5 supporting continuing manufacturing uses in North  
6 Brooklyn and will generate 2000 commercial jobs which  
7 are sorely needed as the borough seeks to recover.  
8 The team that is engaged has been outreaching to the  
9 community for over two years and the plan makes a lot  
10 of sense both for the business community, as well as  
11 the residential community. We are in full support of  
12 this mixed use manufacturing and commercial project  
13 at 10 [inaudible 01:17:40] Avenue and we look forward  
14 to Acme's continued growth--

15  
16 SERGEANT-AT-ARMS: Time expired.

17 RANDY PEERS: as a key employer. Thank  
18 you.

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

21 COMMITTEE COUNSEL: The next speaker  
22 will be Grace Bristol who will be followed by Paul  
23 Samulski.

24 SERGEANT-AT-ARMS: Time starts now.

2 GRACE BRISTOL: Good morning. My name  
3 is Grace Bristol. I will be reading testimony  
4 prepared by Jonathan Bowls, Executive Director of the  
5 Center for Urban Future, a think tank focused on  
6 creating a more inclusive economy in New York. I'm  
7 testifying in favor of this project because New York  
8 City was facing a good jobs crisis long before the  
9 coronavirus pandemic and this project will preserve  
10 and create many new good jobs. In the 20 years  
11 immediately before the pandemic, New York City lost  
12 112,000 manufacturing jobs, 63 percent of the total  
13 manufacturing jobs that existed in 2000. During the  
14 past year, the city has lost another 10,000  
15 manufacturing jobs. New York proudly needs to hold  
16 on to the well-paying manufacturing jobs that remain  
17 and this project does just that, preserving over 100  
18 union manufacturing jobs. Supporting these jobs  
19 today requires embracing innovative financing  
20 mechanisms like this one. Without it, the economics  
21 just don't work. That's why in the last couple  
22 decades, there been only a few new industrial  
23 buildings developed in the city. As much as I love  
24 the manufacturing component of this project, the new  
25 offices will ultimately create even more

2 opportunities for living wage jobs for lower income  
3 residents. Like it or not, where good paying jobs  
4 have been growing in the city is almost entirely been  
5 in the office sectors. That was certainly the case  
6 in the years before this pandemic and it is even more  
7 true today, but prior to the pandemic, 83 percent of  
8 office jobs in the city were in Manhattan. We need  
9 to grow more of these jobs in Greenpoint and other  
10 parts of the city. Doing so will lead to more jobs  
11 and internships for local residents. Thank you.

12 CHAIRPERSON MOYA: Thank you. Thank you,  
13 Grace, for your testimony.

14 COMMITTEE COUNSEL: We will now hear  
15 from Paul Samulski.

16 SERGEANT-AT-ARMS: Time starts now.

17 PAUL SAMULSKI: Good morning. Thanks  
18 for this opportunity. My name is Paul Samulski. I  
19 am the president of the North Brooklyn Chamber. We  
20 represent the businesses within the hyperlocal  
21 community of Bushwick, Greenpoint, and Williamsburg  
22 and we fully support this project. Acme has been a  
23 great neighbor in its current location since 1954 and  
24 their company, being in business for four  
25 generations, has always shown respect, not only for



1 their community, but also for their workforce. We  
2 definitely would hate to see them forced to relocate  
3 because their correct location-- from their current  
4 location due to the lack of sufficient space. That  
5 said, we also greatly support the idea of preserving  
6 manufacturing space within our community, which this  
7 project obviously does. The idea of seeing a  
8 significant amount of new jobs offered as a result of  
9 this expansion, many hopefully going to Brooklyn  
10 residents, makes this project even more of a good  
11 thing for us. We know that Acme is an equal  
12 opportunity employer and that they are committed to  
13 creating a diverse work environment and this also  
14 positively resonates with us, especially during these  
15 challenging times. We congratulate them, as well as  
16 Rubenstein Partners, who are leading the project on  
17 their thoughtful and creative design. We've had very  
18 good interactions with Rubinstein in the past thanks  
19 to their 25 Kent project and we trust that they will  
20 deliver what they have promised. As they did with 25  
21 Kent. We also have an excellent history with  
22 Evergreen and we are pleased to see that they are  
23 being consulted on this project. And, by the way, I  
24 also want to point out how disappointed the community  
25

2 would be if Fish Friday Outlet no longer provided the  
3 community the opportunity for the community that it  
4 currently does. We are pleased to offer our support  
5 for this project. Thank you very much.

6 CHAIRPERSON MOYA: Thank you, Paul. Thank  
7 you for your testimony.

8 COMMITTEE COUNSEL: Chair, that was the  
9 last speaker on this panel.

10 CHAIRPERSON MOYA: Okay. Thank you for  
11 your testimony. Do we have any Council members that  
12 have any questions for this panel?

13 COMMITTEE COUNSEL: Chair, I see no  
14 members with questions.

15 CHAIRPERSON MOYA: Okay. There being no  
16 questions for this panel, the witness panel is now  
17 excused. Counsel?

18 COMMITTEE COUNSEL: The next panel will  
19 include Johnjairo Roman and Emil Fraija. Johnjairo  
20 Roman and Emil Fraija.

21 SERGEANT-AT-ARMS: Time starts now.

22 JOHNJAIRO ROMAN: Good morning. My name  
23 is Johnjairo and I'm a member of 32 BJ. I'm here  
24 today on behalf of my union to express our support  
25 for the proposed project with 30 Gem Street. 32 BJ

1 is the largest property services union in the  
2 country, representing 85,000 property service workers  
3 in New York City, including more than 1500 who live  
4 in the Greenpoint Williamsburg neighborhood and 486  
5 members who work in the community. 32 BJ supports  
6 responsible developers who invest in the communities  
7 where they build. I am happy to report that the  
8 Rubenstein partners and Acme Smoked Fish have made a  
9 credible commitment to creating prevailing wage  
10 building service jobs at this site. This  
11 commitment is an investment in the community by  
12 providing wages and benefits that give working  
13 families opportunity for upward mobility and  
14 security. We estimate that this development will  
15 lead to the creation of 18 new janitorial jobs and  
16 approximately eight security jobs. It is not often  
17 that a company like Acme Smoked Fish stays in New  
18 York City. We are so pleased that a company with  
19 deep roots in the community is able to expand and  
20 develop their facilities while providing  
21 opportunities for the community. We are in full  
22 support of this project and we have full confidence  
23 that Rubenstein and Acme Smoked Fish will be a  
24 responsible employer and presence in the community.  
25

2 For these reasons, we respectfully urge you to  
3 approve this rezoning. Thank you.

4 CHAIRPERSON MOYA: Thank you, Johnjairo.  
5 Thank you for your testimony today.

6 COMMITTEE COUNSEL: The next speaker  
7 will be Emil Fraija.

8 SERGEANT-AT-ARMS: Time starts now.

9 EMIL FRAIJA: Hello. I'm Emil Fraija. I  
10 am the communications manager for Evergreen, the  
11 local business service provider in North Brooklyn. I  
12 am testifying today on behalf of Evergreen to express  
13 our enthusiastic support for this Acme Smoked Fish  
14 expansion. As you know, Evergreen is supportive of  
15 the mixed commercial and manufacturing concept. We  
16 believe that, if done correctly, it will result in a  
17 minimum of no net loss of manufacturing space while  
18 allowing for additional commercial development. We  
19 are glad to have an innovative proposal that will  
20 allow Acme Smoked Fish to expand in its longtime home  
21 in the Greenpoint Williamsburg IBZ. And we  
22 appreciate the creative approach that Acme Smoked  
23 Fish and Rubenstein Partners have undertaken in  
24 developing the commercial manufacturing mixed-use  
25 development. We are excited to see it come to

1     fruition and hope that the model will be both  
2     successful and replicable. Acme Smoked Fish local  
3     expansion is constrained by the existing condition of  
4     its real estate holdings and zoning regulations. In  
5     recent years, Acme has chosen to expand its operation  
6     outside of its longtime home in Brooklyn. This mixed  
7     use project will allow them to create a significant  
8     manufacturing expansion on the site that they have  
9     occupied for almost 70 years. This expansion will  
10    allow Acme to increase the number of production and  
11    administrative jobs on site, significant amount of  
12    Acme's current projected and future workforce is  
13    local, meaning that their expansion will have a  
14    direct and economic impact on the local community.  
15    Finally, a significant investment in the facility you  
16    will allow Acme to grow in place in a state-of-the-  
17    art production facility purposefully built for their  
18    needs, ensuring that the proposed expansion will  
19    provide high quality employment opportunities for  
20    years to come. We are gratified to see Acme stay on  
21    site and--

22                   SERGEANT-AT-ARMS: Time expired.

23                   CHAIRPERSON MOYA: It's okay if you want to  
24    wrap it up, Emil. I'll give you a couple of seconds.  
25

2 EMIL FRAIJA: No. We support this.

3 CHAIRPERSON MOYA: Okay. All right. Thank  
4 you for your testimony.

5 EMIL FRAIJA: Thank you.

6 COMMITTEE COUNSEL: Chair Moya, that  
7 was the last speaker for this panel. I see no  
8 members with questions at this time.

9 CHAIRPERSON MOYA: Okay. Okay. So, there  
10 being no more members of the public who wish to  
11 testify on LUs number 779 and 70 zero for the Acme  
12 smoked Fish Gem Street rezoning proposal, the public  
13 hearing is now closed and--

14 COMMITTEE COUNSEL: Chair?

15 CHAIRPERSON MOYA: Oh, sorry.

16 COMMITTEE COUNSEL: Excuse me. Sorry.  
17 With your permission, we will just do one last check  
18 in to make sure that no one also signed up. If there  
19 are any members of the public who yet wish to testify  
20 on the Acme Gem Street rezoning proposal under LU 779  
21 and 780, please press the raise hand button now. The  
22 meeting will stand at ease while we check for any  
23 newly registered members of the public. Okay, Chair  
24 Moya, I see no other members of the public who wish  
25 to testify on this item.

2 CHAIRPERSON MOYA: Okay. There being no  
3 members of the public who wish to testify on LU  
4 numbers 779 and 7804 that Acme Smoked Fish Gem Street  
5 rezoning proposal, the public hearing is now closed  
6 and the items are laid over.

7 I now want to open the public hearing on  
8 LU 781 and 782 for the 621 Walton Avenue rezoning  
9 proposal seeking a zoning map amendment and a zoning  
10 text amendment relating to property in Council member  
11 Ayala's district in the Bronx. Once again, if you  
12 wish to testify in this meeting, please visit the  
13 Council's website now to complete the online  
14 registration process or you may submit written  
15 testimony to land use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov).  
16 Before anything, I just want to check to see if  
17 Council member Ayala would like to say a few words  
18 before we get started?

19 COMMITTEE COUNSEL: I'm not seeing  
20 Council member Ayala with a hand raised at the  
21 moment, Chair.

22 CHAIRPERSON MOYA: Okay. So, counsel, if  
23 you could, please call the first panel for this item?

24 COMMITTEE COUNSEL: The first panel for  
25 this item will include Nora Martins, land use counsel

2 for the applicant, Joshua Weisman and William  
3 Bollinger as the developer, and John Woelfling as the  
4 project architect. Panelists, if you have not  
5 already done so, please accept the unmute request in  
6 order to begin to speak.

7 CHAIRPERSON MOYA: Okay. Then, counsel, if  
8 you could, please administer the affirmation.

9 COMMITTEE COUNSEL: Panelists, please  
10 raise your right hands. Do you affirm to tell the  
11 truth, the whole truth, and nothing but the truth in  
12 your testimony before this subcommittee and in answer  
13 to all Council member questions?

14 WILLIAM BOLLINGER: I do.

15 UNIDENTIFIED: I do.

16 COMMITTEE COUNSEL: Thank you.

17 CHAIRPERSON MOYA: Thank you. We have  
18 received your presentation for this proposal. When  
19 you're ready for it to be shown, please say so and it  
20 will be displayed on screen by our staff. Slides  
21 will be advanced when you say next. Please note that  
22 there will be a slight delay in both the initial  
23 loading and the advancing of slides. As a reminder  
24 for everyone who requires an accessible version of  
25 this presentation, please send an email request to



2 land use testimony@Council.NYC.gov. And now, if the  
3 panelists would please restate your names and  
4 organizations for the record, you may begin.

5 NORA MARTINS: Good morning. Nora  
6 Martins from Akerman LLP, land-use counsel for the  
7 applicant.

8 JOSHUA WEISSMAN: Hi. Good morning. I am  
9 Joshua Weissman, president of JCAL Development, the  
10 developer.

11 WILLIAM BOLLINGER: Good morning.  
12 William Bollinger, also with JCAL Development.  
13 Developer.

14 JOHN WOELFLING: Good morning. This is  
15 John Woelfling from Dattner Architects, applicant.  
16 Or architect.

17 NORA MARTINS: Okay. I think we ready  
18 to proceed with our presentation now. Thank you.  
19 Thank you. So, good morning, again, Chair Moya.  
20 Council members, thanks for having us today. This  
21 application seeks a zoning map amendment and zoning  
22 text amendment for a site located at 261 Walton  
23 Avenue in community board one in the Bronx. You can  
24 see on this slide the general location, but we will  
25 go into much more detail their next. In order to

2 facilitate the proposed development which will be 100  
3 percent affordable housing building with ground floor  
4 retail or commercial likely retail use, we seek to  
5 land-use actions [inaudible 01:03:33] to land-use  
6 actions including a zoning map amendment to change  
7 the existing special mixed use district which is an  
8 MX-13 pairing an M1-4 and R6A zoning district seeking  
9 to change that to an R8A with a C2-4 zoning overlay.  
10 The zoning district boundaries are [inaudible  
11 01:32:52] with the site's boundaries with is just  
12 north of East 138th Street between Walton and Gerard  
13 Avenues. In connection with the zoning map amendment  
14 also seeking a zoning text amendment to establish a  
15 mandatory inclusionary housing area to establish the  
16 project area as MIH area option one. Next. You can  
17 see here on the zoning change map to the left. The  
18 image to the left shows the current zoning which the  
19 site is entirely included with it and M1-4 R6A zoning  
20 district which does permit as of right residential  
21 and commercial development, however, the density that  
22 is permitted under the R6A is not sufficient to  
23 support affordable housing developments, so we are  
24 seeking to rezone to an R8A with a C2-4 overlay which  
25 will permit, essentially, the same uses, but with the

2 greater residential density. The R8A is the  
3 equivalent to what is permitted in the C6-2A zoning  
4 district that is located directly across Walton  
5 Avenue. Next. And the location. You can see  
6 outlined in yellow the existing site which is  
7 occupied by a former self storage facility. It fell  
8 victim to a fire several years ago and has remained  
9 boarded-up and unoccupied since that time. The  
10 proposed development would replace that former self  
11 storage facility. On the next slide, you will see  
12 John Woelfling from Dattner will explain, but you can  
13 see this area here, while very low rise in  
14 manufacturing right now, it's actually undergoing  
15 significant evolution as a neighborhood. There are  
16 several developments currently under construction.  
17 Residential developments and also just play and in  
18 the pipeline for the next several years. I will turn  
19 it over to John now. Next.

20 JOHN WOELFLING: Thank you, Nora. So, as  
21 Nora mentioned, this is a site that is undergoing a  
22 significant transformation. These buildings that we  
23 are showing here in orange are either in construction  
24 or have been built or are planned and it is just  
25 tremendous. I think it is a neighborhood that has

1 such rich transit that it is appropriate to have this  
2 type of density in the neighborhood. But you can see  
3 our project, the 261 Walton in yellow and it is, you  
4 know, part of this redevelopment in this density  
5 increase, but it's actually small in comparison to  
6 many of the buildings that are either planned or  
7 being built right now. A lot of these buildings are  
8 either mixed income or market rate. Some of them are  
9 affordable, but I think the majority of the units  
10 that are going to go in here are market rate and I  
11 think our all affordable project will fit in very  
12 nicely and help this neighborhood. Next, please.

14 So, the building that we have designed and have  
15 conceptualized here is primarily residential. It is  
16 12 stories. We are actually maxing out on the floor  
17 area before we reach the maximum building height,  
18 which is actually 14 stories for the R8A district  
19 with the MIH program. But as you can see, it is  
20 primarily residential, 162,000 and square feet.

21 Within that, we are going to be able to provide 190  
22 units of affordable homes and 48 of them are going to  
23 be permanently affordable through the MIH option one  
24 program. And we are actually able to provide some  
25 parking. The site has some unique topography which

2 is going to allow us to talk some parking and along  
3 the Gerard Avenue side. We have done some extensive  
4 geotechnical investigations of the site. We have  
5 determined where there is rock and how difficult it's  
6 going to be to remove some of that rock. So, we  
7 think that is a significant portion of the Gerard  
8 portion of the site that can actually serve as  
9 parking or, maybe, service area for the commercial  
10 uses that are intended for the ground floor. We do  
11 plan on having to ground-floor space is that will  
12 front on Walton. There will be a total of about  
13 19,000 square feet. They are going to be split up  
14 into two separate spaces because the site, as I  
15 mentioned a few minutes ago, has this significant  
16 topography, so it would be really difficult to have  
17 it be one consolidated space, but we think that the  
18 configuration that we have will actually work quite  
19 well for the neighborhood. Next, please. So, this  
20 is an aerial rendering. You have seen this in the  
21 initial slide, but we are-- the design that we have  
22 come up with is a mixture of bricks. It's going to  
23 be primarily a brick building. We have created a  
24 darker base, a cohesive base that ties the whole site  
25 to gather and the 12 story tower that is above the

2 that that is the residential is going to be two  
3 different brick colors then there will be some  
4 recesses and changes in this Street wall to help  
5 diminish the mass of the building. We are also group  
6 being Windows together to bring the façade a scale  
7 that I think is appropriate to the neighborhood.

8 There is even an outdoor roof terrace that you can  
9 kind of see on that inside corner of the building  
10 where the gray-- the light gray in the darker gray.

11 It's going to be a great amenity for the residents of  
12 the building. Next, please. Back one, please.

13 Yeah. Thank you. So, this is a street level  
14 rendering of Walton Avenue. The neighborhood is very  
15 different right now, but we really believe that, with  
16 all the development that is going to be happening in  
17 the neighborhood and our development that is going to  
18 happen here, the street will actually really be  
19 activated. Our intention at the ground floor is to  
20 have a lot of glazing, a great degree of openness so  
21 that, you know, light not only spills out onto the  
22 sidewalk, but it really activates the street. You  
23 start to get a sense here of how the upward slope  
24 works. This is looking north word along Walton  
25 Avenue. In there is about-- I think it is a 12 foot

2 agreed difference between the South and in the north  
3 and of this frontage. Next, please. So, this is the  
4 Gerard Avenue façade. One of the comments that we  
5 got as we have been going through this and meeting  
6 with other organizations-- and I think this is  
7 actually a City Planning, and what is what are we  
8 going to be doing all along Gerard Avenue to activate  
9 that façade? And we do have glazing and residential  
10 windows that are above that. Above the base of the  
11 building, but we are looking to work with a local  
12 artist to do some sort of installation along this  
13 façade. We are going to have street trees that will  
14 be located along this façade, but you can see on the  
15 left hand side where that parking entrance might be.  
16 But we also have, above that, the kind of second  
17 floor of this base is a series of windows that would  
18 be at the retail spaces that come in from Walton and  
19 have visibility on to Gerard Avenue and provide some  
20 eyes on the street in that portion of the site. And  
21 I think Josh is next if you go to the next slide.  
22 Josh is muted. There you go.

23 JOSHUA WEISSMAN: Yes. I was muted. Good  
24 morning. Thank you for your time. I am Joshua  
25 Weissman, president of JCAL Development. On this

1 slide, you will see-- we are Bronx-based real estate  
2 development and construction company. Our office is  
3 down on Bruckner Boulevard in the South Bronx Mott  
4 Haven area and on this slide you will see some of our  
5 other affordable housing projects that we have  
6 completed. 950 Summit Avenue was located in the  
7 Highbridge section of the Bronx. It is a 58 unit  
8 [inaudible 1:41:37] program building and it was  
9 completed back in 2016. We just recently, about a  
10 year ago, completed 2395 Frederick Douglass Boulevard  
11 which is between 128th and 129th Street and that was  
12 a full rezoning with a fresh program bonus. We talk  
13 an existing one story Bravo Supermarket and we  
14 rezoned it and we built 75 Ella [sp?] affordable  
15 housing units and put in a beautiful new 7500 square  
16 foot supermarket which we will see in some slides in  
17 our presentation. We have also developed down here  
18 in the Bronx on Alexander Avenue in the Mott Haven  
19 area, some walkup market rate buildings with ground  
20 floor commercial, which I will speak about to on our  
21 next slide. So, next slide, please. Regarding the  
22 261 Walton Avenue project, we believe that this  
23 project will generate about 200 construction jobs and  
24 approximately 25 permanent jobs. That would be  
25



1 within the building staff as well as the retail  
2 employees. We have been in the Bronx for over 20  
3 years and primarily have done our work in the Bronx  
4 and we have established a large Rolodex of all Bronx-  
5 based suppliers, as well as subcontractors. So, we  
6 believe it benefits both our jobs and also the  
7 community to try to keep our suppliers and  
8 subcontractors local. They don't have to go over  
9 bridges to get to us and they are usually a quick  
10 commute to our job site. For local hiring, we have  
11 an MWBE track record and HPD project, we will have a  
12 25 percent requirement which, on our last two  
13 buildings, we hit that target, you know, very easily  
14 due to our knowledge and our history here in the  
15 Bronx and that would be the same for this project, as  
16 well. We actually already reached out to a local not  
17 for profit called SOBRA [sp?] down here and we had a  
18 zoom conference with about 75 MWBE subcontractors  
19 with them and we're constantly adding to our contact  
20 list, MWBE and new local subs and suppliers. So that  
21 was a really good zoom that we had with them. We  
22 also, as the contractor will hire, you know, a labor  
23 force who works under our payroll and what we do  
24 there is we typically have a sign in street at our  
25

2 construction trailer and we have people who can sign  
3 up and we work with them to make sure they get the  
4 proper training, OSHA card, now at 60 hours, and we  
5 try to hire, as well, within the community. Next  
6 slide, please. So, as John mentioned, the Walton  
7 Avenue project will have about 19,000 square feet of  
8 retail on the ground floor. We do have an experience  
9 with retail. On Alexander Avenue, we actually sign  
10 our stores to young, local, entrepreneurs. We have  
11 the Lip Bar with a woman named Noel Santos. It is  
12 the only bookstore in the Bronx, believe it or not,  
13 and she just celebrated her two year anniversary.  
14 She is an absolutely rockstar and has made it through  
15 the pandemic and she's doing really well. We have a  
16 bistro which is a Hip Hop themed restaurant. They  
17 also have done an incredible job throughout the  
18 pandemic. They supplied lunches and dinners to first  
19 responders throughout the Bronx. They remain open  
20 and they actually, just celebrating now in the  
21 spring, they have a beautiful outdoor area and  
22 they're back open doing full lunch and dinner for the  
23 public. As I mentioned before, we have a supermarket  
24 tenant at Frederick Douglass Boulevard and I will  
25 show that to you in the next slide, as well. Next

1 slide. So, this is the supermarket that just opened  
2 at Frederick Douglass Boulevard. It is a fresh  
3 program. It's about 7500 square feet. Huge produce  
4 section, fish section, meat section, deli over there  
5 to the left. All LED lights, high ceilings. Really  
6 modern, efficient, and well stocked. Next slide,  
7 please. And I will now turn this over to my partner,  
8 Bill, to go over the unit size is and AMI levels.  
9 Thank you so much.

11 WILLIAM BOLLINGER: Hi. Thank you,  
12 all. Hopefully, you can hear me. Okay. So, what  
13 you are looking at right now is a proposed unit  
14 distribution that was created after many iterations  
15 were created with the Council member, working with  
16 the community board, and working with the borough  
17 president's office. You will notice that we have 40  
18 percent of the units are actually to win three  
19 bedrooms, even though the HPD Ella program only  
20 requires 30 percent combination. That was very  
21 important locally to make sure that we get those  
22 marks, and we did. Right now, this current  
23 distribution meets the Ella term sheet which we  
24 actually-- that is kind of our target. We prefer  
25 that as opposed to like mix-and-match or M square

1 projects. This, we find, is a better solution into  
2 the neighborhood. Like Josh said, we have been here  
3 close to 30 years in the neighborhood. So, these  
4 targets are 50 percent of the units will be at 50  
5 percent area median income and below and the balance  
6 will be at middle income, you know, making sure that  
7 we are providing opportunities for young people who  
8 have gone to school and want to live in the  
9 neighborhood need options at those higher income  
10 bands as well as, you know, for your typical, you  
11 know, schoolteacher, firefighter, and things of that  
12 nature to make sure that we are being as inclusive as  
13 possible. So, I mean, I can go into more detail, but  
14 these are, basically, the incomes as of today based  
15 on that AMI distributions. That's it. Thank you.  
16 And then, as to marketing, one of the things that we  
17 really strive is making sure that, not only do we hit  
18 the 50 percent preference that is required as part of  
19 the lottery process from HPD and HPC, but that we  
20 exceed it to the extent possible. And it is like a  
21 true lottery with more people than we have locally  
22 that apply, the more likely we are of exceeding the  
23 50 percent requirement once we have hit it. So, we  
24 have no issue going out. We meet with local not for  
25

2 profits if they want to post something. We drop off  
3 the flyers once it is gone live as far as the  
4 advertisements to make sure that everyone is aware of  
5 it. And so we try as hard as we can to make sure  
6 that we reach as many people within the community  
7 board and the surrounding community boards as  
8 possible to not just hit that 50 percent, but stay  
9 beyond it. And then we also-- HDC has also been a  
10 good partner. They will bring their people to local  
11 community to discuss how you apply under-- since  
12 most of it now is online and it can be a little bit  
13 intimidating for some folks going online to use the  
14 system, even though you can use the old school  
15 applications, as well. And one of the other things  
16 that we do is we typically put a sign up on the site  
17 ahead of time because we get lots of inquiries. It's  
18 amazing how many times people will ask when you are  
19 building new apartments that they can then contact us  
20 and we will put them on a list that we can remind  
21 them when it is going to the open market. And I  
22 think that is it.

23 NORA MARTINS: Yeah. That includes our  
24 presentation. I just want to add one thing quickly  
25 which is just that community board one didn't issue a

2 formal recommendation, but they did at their full  
3 [inaudible 01:50:08] hearing out and their full board  
4 meeting, approved the application by a vote of 15 to  
5 three. I just wanted to make an announcement. Happy  
6 to answer any questions.

7 CHAIRPERSON MOYA: Great. Thank you so  
8 much. Just a couple of questions here. Over the  
9 course of planning for this project, the number of  
10 anticipated units had decreased from 206 to 190. Can  
11 you speak to why that is?

12 JOHN WOELFLING: Josh or Bill, I can take  
13 that, if you want me to.

14 WILLIAM BOLLINGER: Go ahead.

15 JOHN WOELFLING: Okay. So, as was  
16 mentioned in the presentation, the mix actually  
17 changed. We increased the number of larger sized  
18 units to what you saw in the chart, so the only--  
19 the floor area only go so far. As you increase the  
20 number of larger units, the unit count is going to go  
21 down. So, that was really the result of that change  
22 mix.

23 CHAIRPERSON MOYA: And that would be due--  
24 you said the large units, but would that be due to  
25 the increase in the three bedrooms?

2 JOHN WOELFLING: Exactly. Yeah. Yeah.

3 CHAIRPERSON MOYA: Great. You also  
4 indicated plans to develop the site under the HPD  
5 Ella program. Can you provide a sense of where this  
6 project stands in the predevelopment process and also  
7 like when do you expect to close on HPD findings?

8 WILLIAM BOLLINGER: Well, we are in  
9 their queue. I'll say that. And, lot, everyone  
10 knows right now that HPD's queues can be quite  
11 lengthy and long, but we are in their queue. They do  
12 like the project quite a bit. The Bronx planner, Ken  
13 Weinstein, you know, he was very informative about  
14 the community board and, you know, telling them you  
15 have all these like thousands of thousands of market  
16 rate units coming on. There's obviously, this  
17 neighborhood, a lot of concern about-- as in most  
18 New York City neighborhoods, but-- a lot of concern  
19 about gentrification issues and those types of  
20 pressures. So, you know, we have got a lot of  
21 positive feedback from HPD and we would like to think  
22 that, you know, as soon as slots open up, that we  
23 would be, you know, able to move up into the slots.  
24 Obviously, there's a lot of stimulus dollars coming  
25 out. Hopefully, that would be helpful, but we are

2 told, in general, if you come to a new project with  
3 HPD, you are looking about a two year 24 month  
4 closing window. But one of the things that we do  
5 when our projects are we like to get going with the  
6 predevelopment as much as possible and the more you  
7 ready to go, the quicker you move up in line. So,  
8 you know, we would like to be-- if we could close in  
9 two years, that would be great. If we can close in a  
10 year and a half, that would be even better.

11 CHAIRPERSON MOYA: Okay. So let's stick  
12 with that. So, when do you expect to secure all the  
13 agency approvals needed to begin the construction on  
14 this development? Do you have a sense of when that  
15 is going to be?

16 JOHN WOELFLING: We could be ready with  
17 DOB in a year, but I think the bigger hang up is the  
18 pipeline and getting to the closing.

19 CHAIRPERSON MOYA: Okay. And how long do  
20 you expect construction to last on the project?

21 JOHN WOELFLING: This will take two years  
22 to build.

23 CHAIRPERSON MOYA: Okay. And, you know, we  
24 spoke about the 200 construction jobs that are going  
25 to be coming in to this project. Look, I understand



2 the financial constraints for building affordable  
3 project that are financed with HPD, but can you  
4 commit here to not use subcontractors with a history  
5 or multiple open wage theft cases against them?

6 JOSHUA WEISSMAN: Yes. Definitely. This  
7 is a hard enough occupation and using subs with  
8 checkered pasts or always looking to cut corners is  
9 not something we want to do. so, I think as we said  
10 before, we will look into every option, every list  
11 that's out there, red flagging people and if they're  
12 on that list, they'll be taken off that bid list.

13 CHAIRPERSON MOYA: Good. Great. Good to  
14 hear. So, regarding the 19,000 square feet of  
15 proposed commercial space, have you identified the  
16 tenant for this retail space yet?

17 JOSHUA WEISSMAN: So, we have an LOI from  
18 our partner/tenant over on Frederick Douglass  
19 Boulevard--

20 CHAIRPERSON MOYA: Uh-hm.

21 JOSHUA WEISSMAN: who would love to put a  
22 supermarket in this area where all these buildings  
23 are coming. You know, so he has expressed interest.  
24 We happen to have a lot of other tenancy in the  
25 Bronx. We have Bright Side daycares. We have a

2 Fracineaste [sp?] Medical Center. We have an urgent  
3 care. We have a laundromat. And as I showed you on  
4 Alexander Avenue, we're known to also get the  
5 smaller, more entrepreneurial type of tenants, too.  
6 So, I think, based on our history and based on what's  
7 going to be happening over there, we'll be able to  
8 fill those spaces. It's quite early to really start  
9 doing it now, but we have reached out to our partners  
10 and they have given us an LOI for some of the space,  
11 at least.

12 CHAIRPERSON MOYA: Okay. And last  
13 question. You had mentioned the marketing strategy  
14 on this project where you're going to partner with  
15 local stakeholders to hold workshops on applying to  
16 Housing Connect and like their lottery process. Can  
17 you elaborate more on community partners you  
18 anticipate to reach out to facilitate these workshops  
19 and is this something that you have done on other  
20 projects?

21 WILLIAM BOLLINGER: Yes. So, we will--  
22 We have asked SOBRA to actually join us in the  
23 project as our not-for-profit that would hold title  
24 to the property for us. They would also help, as  
25 Josh was saying, with, you know, the outreach with

2 the MWBE and then we would work with them on, you  
3 know, reaching out through-- they have a variety of  
4 empowerment programs, you know, job training type  
5 programs that they work-- and, you know, ESL  
6 programs and stuff like that. So we would look to  
7 work with them to host a series of-- or, you know, a  
8 workshop or two to help people that might be interest  
9 in applying and we could even look-- they also have  
10 a financial literacy program so folks that, you know,  
11 need help also like improving their credit scores and  
12 things like that, you know, we would be looking to  
13 kind of work with them and, you know, help underwrite  
14 that and those programs, as well. And then, like I  
15 said, I know in one of the other programs over on the  
16 east side that we are knocking out with an looking to  
17 close in soon, the Willow project that we have pushed  
18 the HPD process. You know, I think, in that case,  
19 Council member Salamanca actually had HDC come in and  
20 kind of do a global thing. So, it is not necessarily  
21 just for us. Sometimes it's helpful just for  
22 everybody to learn the housing connect process and,  
23 again, HDC is willing to come. They can come to  
24 community board meetings. That is probably the more  
25 right form, but we are more than happy to meet with

2 anybody trying to coordinate with anything as  
3 possible, including Council member Ayala and if she  
4 had other not for profits to coordinate that, too.

5 CHAIRPERSON MOYA: Great. Thank you. That  
6 is it for me. I now want to invite any of my  
7 colleagues to ask questions. If they have any  
8 questions, please raise the raise hand button. There  
9 we go. I see Council member Ayala.

10 COUNCIL MEMBER AYALA: Hi, guys. Sorry  
11 about that. And at the hospital with my mom, some  
12 like trying to get in it now, but I've been listening  
13 and I don't have any questions, really. I think I  
14 have grilled this team enough during the numerous  
15 meetings that we've had, but I just wanted to  
16 reiterate my support, you know, for the project. I'm  
17 really excited to finally [inaudible 01:58:46] that  
18 community and [inaudible 01:58:53] I just wanted to  
19 thank you for that.

20 CHAIRPERSON MOYA: Thank you, Council  
21 member Ayala. And we send our best for your mom.

22 COUNCIL MEMBER AYALA: Thank you.

23 CHAIRPERSON MOYA: We wish a speedy  
24 recovery. Thank you, Council member. Okay.

2 Counsel, do we have any other Council members with  
3 questions?

4 COMMITTEE COUNSEL: No, Chair. I see  
5 no other members with questions.

6 CHAIRPERSON MOYA: Okay. There being no  
7 further questions, the applicant panel is now  
8 excused. Counsel, are there any members of the  
9 public who wish to testify on the 261 Walton Avenue  
10 proposal?

11 COMMITTEE COUNSEL: If there are any  
12 members of the public who do wish to testify on the  
13 261 Walton Avenue proposal, please press the raise  
14 hand button now. The meeting will briefly stand at  
15 ease while we check to make sure there are no newly  
16 registered members of the public. Chair Moya, I see  
17 no members of the public who wish to testify on 261  
18 Walton Avenue.

19 CHAIRPERSON MOYA: Okay. There being no  
20 members of the public who wish to testify on LUs  
21 number 781 and 782 for the 261 Walton Avenue  
22 proposal, the public hearing is now closed and the  
23 items are laid over.

24 I now open the public hearing on LUs  
25 number 785 and 786 for the 30-02 Newtown Avenue

2 rezoning proposal which seeks a zoning map amendment  
3 and a zoning text amendment and relating to property  
4 in Queens. I will remind the viewing public for  
5 anyone wishing to testify on this items, if you have  
6 not already done so, you must register online in  
7 advance and you may do that now by visiting the  
8 Council's website. Counsel, if you can please call  
9 the first panel for this item?

10 COMMITTEE COUNSEL: The first panel for  
11 this item will include Frank St. Jacques, land-use  
12 counsel for the applicant. Mr. St. Jacques, if you  
13 have not already done so, please accept the unmute  
14 request in order to begin to speak.

15 FRANK ST. JACQUES: Great. I've  
16 already done so.

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

22 FRANK ST. JACQUES: I do.

23 CHAIRPERSON MOYA: Thank you. We have  
24 received your presentation for this proposal. When  
25 you're ready for it to be shown, please say so and it

2 will be displayed on screen by our staff. Slides  
3 will be advanced when you say next. Please note that  
4 there will be a slight delay in both the initial  
5 loading and the advancing of slides. As a reminder  
6 for everyone who requires an accessible version of  
7 this presentation, please send an email request to  
8 land use testimony@Council.NYC.gov. And now, if the  
9 panelists would please restate your names and  
10 organizations for the record, you may begin.

11 FRANK ST. JACQUES: Thank you, Chair  
12 Moya and subcommittee members. Please go ahead and  
13 show the presentation. Great. Thank you. My name is  
14 Frank St. Jacques with Akerman LLP for the applicant.  
15 Next slide, please. We are here to present a zoning  
16 map amendment to change an existing C44A zoning  
17 district to a C44D zoning district and a zoning text  
18 amendment to establish a mandatory inclusionary  
19 housing program for MIH within the rezoning area.  
20 The purpose of the zoning map and text amendments is  
21 to facilitate the redevelopment of 30-02 Newtown  
22 Avenue located between 31st Street and 30th Street in  
23 Astoria Queens in community district one. Showing on  
24 this area map, the surrounding area is a mix of  
25 residential, commercial, mixed residential

1 commercial, and community facility uses, as well as  
2 industrial use at the site. The build context is  
3 also varied with both lower and higher density,  
4 multi-family, and commercial buildings surrounding  
5 the site. That area is very well served by public  
6 transportation, including the 30th Avenue NW subway  
7 station just south of the site, as well as the Q18  
8 and Q102 bus routes along 30th Avenue, also a block  
9 south of the site. Just southwest of the site,  
10 across 30th Street, you can see the approximately one  
11 acre park at Athens Square. Next slide, please. The  
12 applicant is the Finkelstein family who have run  
13 their family business from the site at 30-02 Newtown  
14 Avenue since 1919. The family is excited to have the  
15 opportunity to be part of a project that will benefit  
16 the Astoria neighborhood and the entire community.  
17 Next slide, please. These photographs show the  
18 site's current conditions. Due to the nature of the  
19 Finkelstein entire business, this corner is not  
20 particularly pedestrian friendly. In contrast to the  
21 surrounding blocks, it had more active ground-floor  
22 local uses, often with residential use on the upper  
23 floors. Next slide, please? The proposed rezoning  
24 is shown on this zoning change map, again, replacing  
25



1 the current C44A with a C44D district along Newtown  
2 Avenue between 31st Street and 30th Street. The 2010  
3 Astoria rezoning mapped the current C44A district on  
4 portions of four blocks facing Newtown Avenue between  
5 30th Street and 32nd Street. An inclusionary housing  
6 designated area was also mapped to encourage  
7 development of new market rate and affordable housing  
8 at this transit hub with an FAR bonus for providing  
9 inclusionary housing under the voluntary program.  
10 The City Planning Commission saw this as an area for  
11 growth with new development, however, over the past  
12 10 years, no new buildings have been developed within  
13 the C44A that utilize the voluntary inclusionary  
14 housing program. Next slide, please. This chart  
15 shows housing units that have received a certificate  
16 of occupancy in community District one since the 2010  
17 Astoria rezoning. As you can see from the numbers on  
18 this chart, community District one has seen  
19 significant levels of growth. It had the fifth  
20 highest housing growth during that period of  
21 approximately 7000 units. Next slide, please. In  
22 contrast, this HPD map shows sites in the  
23 inclusionary housing areas-- designated areas--  
24 that were established in the 2010 Astoria rezoning  
25

where income restricted housing units were produced with the voluntary program. Fewer than 50 over the more than 7000 total units were inclusionary units.

Next slide, please. The proposed rezoning would facilitate the development of an 11 story building with 104 apartments including 26 permanently income restricted units and new ground-floor and commercial community facility uses. For the commercial space, the applicant envisions local retail and services for food and beverage uses similar to the surrounding uses along 31st Street. The applicant is currently seeking a tenant for the community facility space.

The proposed rezoning would activate and improve the streetscape on this corner and help stitch it into the surrounding blocks, as well as create new permanently income restricted housing at this transit oriented location. Next slide, please. This rendering shows the main design intent of the building is to focus the height at 31st Street, a wide street, with elevated subway tracks and then step down at the 30th street frontage. You can also see the active uses on the ground floor which improve the pedestrian experience along the three street frontage is the site is on. Next slide, please. In

2 this final slide, you can see the step down and  
3 building design on the 31st and 30th Street frontage  
4 is, as well as the active ground-floor uses. This  
5 concludes my presentation. I'm happy to answer any  
6 questions. Thank you.

7 CHAIRPERSON MOYA: Thank you. Just one  
8 quick question. Do you plan to utilize MIH option  
9 one here?

10 FRANK ST. JACQUES: Yes. So with MIH  
11 option one, there would be 26 permanently income  
12 restricted units at a weighted average of 60 percent  
13 AMI.

14 CHAIRPERSON MOYA: Okay. Great. That's it  
15 for me. Counsel, do we have any Council members that  
16 have questions?

17 COMMITTEE COUNSEL: No, Chair. I see  
18 no members with questions for the panel.

19 CHAIRPERSON MOYA: Okay. There being no  
20 further questions, the applicant is excused.  
21 Counsel, is there any members of the public who wish  
22 to testify on the Newtown Avenue rezoning  
23 application?

24 COMMITTEE COUNSEL: Yes, Chair Moya.  
25 We have one public witness signed up to speak at this

2 time. And as a reminder, anyone watching can view  
3 this meeting at that Council's website. We will now  
4 hear from the first speaker which will be Pierce  
5 Healey. Pierce Hili.

6 SERGEANT-AT-ARMS: Time starts now.

7 PIERCE HILI: Hey. Good afternoon. My name  
8 is Pierce Hili and I am a 32 BJ member. I am here on  
9 behalf of the 85,000 building service workers 32 BJ  
10 represents in New York City to express our support  
11 for this project. We are pleased that the developer  
12 for this project, Med Rep Associates, has made a  
13 credible commitment to the prevailing wage to the  
14 future building service workers at this site. This  
15 new development will bring new good jobs and  
16 permanently affordable housing to Queens at a time we  
17 need the most. The percentage of affordable  
18 apartments are needed for working people in Queens.  
19 This affordable housing and commitment to good  
20 prevailing wage jobs will give opportunity for upward  
21 mobility, security, and dignity to working-class  
22 families. We also applaud the steps to develop--  
23 the developer has taken to use the commercial space  
24 for a nonprofit cultural organization. 32 BJ  
25 supports responsible developers who invest in the

2 communities where they build. We know that this  
3 development will continue to uphold the industry  
4 standard and provide opportunities for working  
5 families to thrive. On behalf of 32 BJ SEIU, I  
6 respectfully urge you to approve this project.

7 CHAIRPERSON MOYA: Thank you. Thank you  
8 for your testimony today.

9 COMMITTEE COUNSEL: Chair, that was the  
10 last speaker on the panel. And I currently see no  
11 members with questions for the panel.

12 CHAIRPERSON MOYA: Okay. There being no  
13 members of the public who wish to testify on LUs 785  
14 and 786--

15 COMMITTEE COUNSEL: Sorry, Chair. With  
16 your permission, after you excuse this panel, I will  
17 just make sure that no one also signed up.

18 CHAIRPERSON MOYA: Okay. Sorry. Okay.  
19 There being no more questions for this panel, the  
20 witness panel is now excused.

21 COMMITTEE COUNSEL: And if there any  
22 other members of the public who wish to testify on  
23 the 30-02 Newtown Avenue rezoning proposal, please  
24 press the raise hand button now. The meeting will  
25 briefly stand at ease while we check for any

2 members-- any additional members of the public who  
3 have registered. Okay. Chair Moya, I see no other  
4 members of the public who wish to testify on this  
5 item.

6 CHAIRPERSON MOYA: Okay. Thank you. There  
7 being no members of the public who wish to testify on  
8 LUs number 785 or 786 for the 30-02 Newtown Avenue  
9 rezoning proposal, the public hearing is now closed  
10 and the items are laid over.

11 I know will open the public hearing on LU  
12 number 783 for the 606 Neptune Avenue rezoning  
13 proposal which seeks a zoning map amendment relating  
14 to property located in Brooklyn. For anyone wishing  
15 to testify on this item, if you have not already done  
16 so, you must register online in advance and you may  
17 do that now by visiting the Council's website.  
18 Counsel, can you please call the first panel for this  
19 item?

20 COMMITTEE COUNSEL: The first panel for  
21 this item, the applicant panel for this item, will  
22 include Neil Weisbard, land use counsel for the  
23 applicant. Mr. Weisbard, if you've not already done  
24 so, please accept the unmute request in order to  
25 begin to speak.

2 NEIL WEISBARD: Hi. I was just added.  
3 Good afternoon, Chair Moya and Council members. Neil  
4 Weisbard on behalf of McDonald's Corporation LLC. I  
5 sent a PowerPoint over I would like to use.

6 COMMITTEE COUNSEL: Yes. Excuse me.  
7 Chair, with your permission, I'll swear in--

8 CHAIRPERSON MOYA: Yeah. Sorry about that.  
9 Whenever you're ready, counsel.

10 COMMITTEE COUNSEL: Mr. Weisbard,  
11 please raise your right hand. Do you swear or affirm  
12 to get the truth, the whole truth, and nothing but  
13 the truth in your testimony before this subcommittee  
14 and in answer to all Council your questions?

15 NEIL WEISBARD: Yes. I do.

16 COMMITTEE COUNSEL: Thank you.

17 CHAIRPERSON MOYA: Okay. Whenever you're  
18 ready to share the presentation for this proposal,  
19 please say so and it will be displayed on the screen  
20 by our staff. There might be a slight delay both in  
21 the loading in advancing of the slides, so, once  
22 again, anyone who requires an accessible version of  
23 this presentation may send an email request to land  
24 use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). And now, if the

2 panelists would please restate your names and  
3 organizations for the record, you may begin.

4 NEIL WEISBARD: Hi. Good afternoon.

5 Thank you, Chair Moya. Neil Weisbard from Pryor  
6 Cashman LLP on behalf of McDonald's LLC and I would  
7 also like to share the presentation. Great. Thank  
8 you. So, we are here before you and we have filed an  
9 application with the New York City Department of City  
10 Planning and City Planning Commission to amend zoning  
11 map 28D which underlies 606 Neptune Avenue, Brooklyn  
12 and the request is change from a C1-2 commercial  
13 overlay to a C2-4 commercial overlay. Next, please.  
14 The change to the zoning map 28D will change the  
15 existing C1-2 commercial district which is mapped  
16 within an R6 residence district. 100 feet west of  
17 West Sixth Street between Neptune Avenue and  
18 Sheepshead Bay Road to a C2-4 commercial district.  
19 The second part of this application is a modification  
20 of the restrictive declaration 1975 and amended in  
21 1882 and 1986. The sole purpose of this amendment  
22 and modification is to legalize the drive through  
23 facility which is accessory to the McDonald's  
24 restaurant which has existed since 1982. Next,  
25 please. The site is located on the west side of West



2 Sixth Street between Sheepshead Bay Road and Neptune  
3 Avenue. The rezoning will extend 150 feet as the  
4 existing C1-2 commercial district already does. It  
5 would be changed to a C2-4. Next, please. In 1982,  
6 the New York City Board for Standards and Appeals  
7 granted a special permit which granted a special  
8 permit which drive through facilities typically seek  
9 in C1 districts pursuant to section 73 243 of the  
10 zoning resolution. It was approved by the Board of  
11 Standards and Appeals for a term of five years. The  
12 term of the special permit was continuously renewed.  
13 There was a lapse here and there, but a new  
14 application was filed in 2014 and at such time-- and  
15 one thing I failed to mention is that the site-- the  
16 Special Ocean Parkway District underlies the site  
17 and, in 2015, the BSA informed McDonald's that, since  
18 the site is located in the Special Ocean Parkway  
19 District, the drive through special permit is not  
20 available and, therefore, the site plan that was  
21 attached to the restrictive declaration also needs to  
22 be modified to reflect existing conditions, but the  
23 site needs to be rezoned to a C2-4 which is permitted  
24 without BSA approval. Next, please. The project  
25 area includes the entirety of the McDonald's site, a

2 35,700 square foot zoning law and will extend  
3 approximately 10 feet into the adjacent lot which is  
4 occupied by St. Paul Evangelical Lutheran Church.  
5 This commercial district already extends into that  
6 such portion, so we are merely changing the C1-2 to a  
7 C2-4. Next, please. Here is just a picture of the  
8 proposed zoning map change. Next, please. There is  
9 no change and bulk under this proposed amendment.  
10 The only change is to permit a drive through facility  
11 without having to seek Board of Standards and Appeals  
12 approval. There also are some other retailer service  
13 establishments that are permitted in the C2-4,  
14 however, the intent is to continue occupying the site  
15 with the McDonald's restaurant as it has been  
16 occupied since 1982. Next, please. This area is  
17 well served by public transportation. There are  
18 three subway stops within close proximity to the site  
19 and then there's also numerous bus services. Next,  
20 please. This is a site plan of the site. As you can  
21 see, there is a large landscape area. There is 38  
22 parking spaces and there will be no additional  
23 construction under this proposed zoning text  
24 amendment, just to legalize the drive through. Next,  
25 please. Next, here are just some elevation drawings

2 of a McDonald's restaurant and next, please. And  
3 this is just a way out of the restaurant where the  
4 drive through window is located and that concludes my  
5 presentation and I would be happy to any questions.

6 CHAIRPERSON MOYA: Thank you. Just a  
7 couple of questions here. I know that the borough  
8 president approved this application with the  
9 recommendation that the manager of this McDonald's  
10 location engage community board 13. How do you  
11 respond to this recommendation?

12 NEIL WEISBARD: Well, I work directly  
13 with McDonald's and McDonald's will reach out to the  
14 operator of the restaurant and relay that  
15 information. I don't know what else we can do other  
16 than that, but just to stay on top of it, I know that  
17 that operator primarily hires people from the local  
18 area and within Brooklyn.

19 CHAIRPERSON MOYA: Okay. And the rezoning  
20 area extends 10 feet into the adjacent lot which is  
21 controlled by the St. Paul's Church. Has there been  
22 any communication or outreach to the church to make  
23 them aware of the proposal?

24 NEIL WEISBARD: Yeah. A letter was sent  
25 but we have not heard back.

2 CHAIRPERSON MOYA: Okay.

3 NEIL WEISBARD: And as I said, the C  
4 district already extends into that portion-- just so  
5 that's clear. It currently exists in that portion.

6 CHAIRPERSON MOYA: Okay. Well, that's all  
7 the questions that I have. Counsel, do we have any  
8 Council members with any questions for this panel?

9 COMMITTEE COUNSEL: No, Chair. I see  
10 no Council members with questions.

11 CHAIRPERSON MOYA: Okay. There being no  
12 further questions, the applicant panel is excused.  
13 Counsel, are there any members of the public who wish  
14 to testify on the 606 Neptune Avenue rezoning  
15 application?

16 COMMITTEE COUNSEL: If there are any  
17 members of the public who wish to testify on the 606  
18 Neptune Avenue rezoning proposal, please press the  
19 raise hand button now. The meeting will briefly  
20 stand at ease while we also check for any additional  
21 members of the public who may have newly registered  
22 to testify. Chair Moya, I see no members of the  
23 public who wish to testify on this item.

24 CHAIRPERSON MOYA: Okay. There being no  
25 members of the public who wish to testify on LU 783

2 for the 606 Neptune Avenue rezoning proposal, the  
3 public hearing is now closed and the item is laid  
4 over. I now opened the public hearing on LU 784 for  
5 the 300 Huntington Street proposal which seeks a  
6 zoning map amendment which relates to property in  
7 Council member Lander's district in Brooklyn. I will  
8 remind the viewing public for anyone wishing to  
9 testify on this item, if you have not already done  
10 so, you must register online in advance and you may  
11 do that now by visiting the Council's website. Now,  
12 counsel, are we going to proceed or are we going to  
13 wait to be--

14 COMMITTEE COUNSEL: Chair, we can  
15 proceed now and once we have something for you, we  
16 will get that to you.

17 CHAIRPERSON MOYA: Okay. Great. Thank  
18 you. So, counsel, if you could, please call up the  
19 first panel.

20 COMMITTEE COUNSEL: The applicant panel  
21 for this item includes Eric Bath and Caroline Harris,  
22 land use counsel for the applicant. Also available  
23 for question and answer on this item will be Thomas  
24 McMann, Zachary Sansel Longmore, Will Tietje, and Jen  
25 Switala. Panelists, if you have not already done so,

2 please accept the unmute request in order to begin to  
3 speak.

4 CAROLINE HARRIS: I believe I accepted it.  
5 Can you hear me?

6 COMMITTEE COUNSEL: Yes. We do.

7 CAROLINE HARRIS: I'm Caroline Harris.  
8 I'm-- Oh.

9 COMMITTEE COUNSEL: Panelists, please  
10 raise your right hands. Do you swear or affirm that  
11 the testimony you will give today will be the truth,  
12 the whole truth, and nothing but the truth and that  
13 you will answer honestly to all Council member  
14 questions?

15 CAROLINE HARRIS: Yes.

16 JEN SWITALA: Yes.

17 CHAIRPERSON MOYA: Sorry. I just want to  
18 go through a couple of the procedural issues. We are  
19 in receipt of your proposal. When you are ready to  
20 present, please say so and it will be displayed on  
21 screen by our staff. Slides will be advanced when  
22 you say next. Please note that there may be a slight  
23 delay in both the initial loading and the advancing  
24 of slides and, once again, anyone who requires an  
25 accessible version of this presentation may send an

2 email request to land use testimony@Council.NYC.gov.

3 And now, if the panelists would please restate your  
4 names and organizations for the record, you may  
5 begin.

6 CAROLINE HARRIS: I'm Caroline Harris,  
7 partner at Goldman Harris. We represent the  
8 applicant.

9 ERIC BATH: Eric Bath, planning and  
10 development specialist, Goldman Harris, also for the  
11 applicant.

12 JEN SWITALA: Jen Switala with Dattner  
13 Architects. Architect.

14 WILLIAM TIETJE: William Tietje with  
15 SCAPE Landscape Architecture.

16 ZACK LONGMORE: Zack Longmore with  
17 [inaudible 02:25:58] representing the owner.

18 CAROLINE HARRIS: Should we proceed?

19 CHAIRPERSON MOYA: Yes. Whenever you're  
20 ready to begin, just let the sergeant know and--

21 CAROLINE HARRIS: Okay. We would like to  
22 proceed with slide one, please. So, thank you very  
23 much for holding this hearing by zoom and for  
24 recognizing the importance of this project for  
25 economic development in Brooklyn. We are seeking the

city Council's approval ultimately for rezoning from M2-1 to M2-3 on behalf of 300 Huntington Street LLC for the property located at 300 Huntington Street.

Could you move the slide forward, please? 300

Huntington Street LLC is an affiliate of Monadnock Construction, one of the top builders of affordable housing in New York City who currently employs about 250 people, 80 of them who work at their current headquarters in the Gowanus. In fact, during Covid, they been in construction of 14 affordable housing projects and the company is growing. They need more space. The principal, Nick Limbo, who actually worked in, I think, lived in the Gowanus area as a child, has been headquartered with Monadnock in Brooklyn for 45 years and he wants to keep his business and the jobs and the Gowanus area. With their growth, they found that they need more-- a larger premises and looked in the neighborhood, found this property, which is zoned M2-1. Unfortunately, the parking requirements in the M2-1 district make it infeasible to have both a construction yard and parking. After exploring many alternatives for addressing this parking issue, we, with city planning, landed on a raise zoning to M2-3 much does



2 not increase the floor area ratio or change the  
3 permitted uses. It simply has no parking  
4 requirements and is a perfect solution for this  
5 transit rich area next to the elevated subway near  
6 buses and bike paths. This is a sustainable solution  
7 to Monadnock's dilemma, as well it's building be a  
8 sustainable building. It will be described by Ms.  
9 Switala shortly. In the design of the waterfront  
10 public access, which was approved by city planning  
11 and is not technically before you, although we will  
12 be sharing it with you, we are excited that this  
13 sensitive design of the WPAA will be the southern  
14 gateway to the Gowanus canals, the new WPAA that is  
15 proposed, and it will have flexibility and how it is  
16 used. It will be beautiful, have resilient  
17 landscaping, and, above all, will be addressing  
18 stormwater management consistent with the goals for  
19 the site that were set forth in the Gowanus Lowlands  
20 Master Plan and the Gowanus Neighborhood Plan. I  
21 would like to use the rest of this presentation to  
22 turn it over to my colleagues. First to that Eric  
23 Bath, our zoning and development specialist, who will  
24 review the zoning aspects with you, then we will turn  
25 it on consecutively to the different members of the

2 team and, of course, we are available to answer  
3 questions of the committee.

4 ERIC BATH: Thank you, Carrie, Chair  
5 Moya. Thank you, Council members. Next slide,  
6 please. As Carrie mentioned, Monadnock has a long  
7 history along the Gowanus in this area of Brooklyn.  
8 This map shows, if you look at the upper right hand  
9 side, their current headquarters located on Third  
10 Street. They have outgrown this site and wish to  
11 enlarge and construct the new building which is the  
12 subject rezoning before you. The development site is  
13 shown outlined in a dotted red boundary that the  
14 rezoning site is located on the Gowanus next to the  
15 elevated FG line-- the Smith Ninth Street Station.  
16 The development site itself is actually indicated in  
17 yellow. You can't sleep. This area, the rezoned  
18 area and the development site are located in the  
19 southwest Brooklyn industrial business zone, the IBZ.  
20 It's actually right at the edge of the IBZ. On the  
21 other side of Huntington, indicated and no white  
22 dashed line is the proposed Gowanus Neighborhood  
23 Plan, the rezoning for Gowanus. So, this site is  
24 adjacent and outside of the proposed Gowanus rezoning  
25 in the IBZ is indicated in a light blue dashed line.

2 So the IBZ generally extends to the south. This area  
3 that is quite transit rich. You can see, of course,  
4 by the elevated FG train line. There is also the B  
5 57 and B 61 bus lines and there is a network of  
6 pedestrian and bicycle paths that run through the  
7 neighborhood. As Carrie mentioned, the goal is to  
8 construct not only the building, the headquarters,  
9 but also green and resilient waterfront public access  
10 area. It is a gateway to the Gowanus Waterfront  
11 Access Plan which will be before you in the coming  
12 months, and, as such, this waterfront public access  
13 area will actually serve as one of the first sites  
14 to develop the waterfront, a beautiful Esplanade that  
15 opens up to the Gowanus. As Carrie mentioned, there  
16 is a waterfront certification and five authorizations  
17 which are not before you, but we will share with you  
18 the specifics of those plans. Now, I would like to  
19 just have the architect, Jen Switala from Dattner,  
20 just go over the building design briefly. If you  
21 could go to the next slide.

22 JEN SWITALA: Thanks, Eric. So, the  
23 building that we are proposing is a six story,  
24 roughly 100,000 gross square foot building. As I  
25 mentioned, along Huntington Street in the Gowanus

1 Canal. Monadnock development will be occupying  
2 approximately one third of this building along with  
3 the contractors yard with potential retail space and  
4 likely a restaurant that will occupy the ground  
5 floor. Monadnock will also plan on leasing out the  
6 remaining space. In addition to sort of some of the  
7 site strategies that Eric and Carrie already spoke  
8 about, specifically to the red action and parking in  
9 this transit rich area, the building will also  
10 incorporate a high-performing building envelope,  
11 high-performing HVAC system, then low-flow plumbing  
12 fixtures. We will also be designing a green roof on  
13 the primary six story roof and both site and Street  
14 drainage. So, the site drainage is part of our  
15 overall stormwater management plan that will not add  
16 to the sort of already overburdened stormwater and  
17 CSO issues in Brooklyn. So, we will be draining  
18 directly out into the Gowanus Canal for all our  
19 stormwater. And then Street drainage, as well, it is  
20 also being finalized with DEP and EPA. So, with  
21 that, I will turn it over to the Will, next slide,  
22 who will speak to the stormwater-- Sorry.  
23 Shorefront public access.

2 WILLIAM TIETJE: Yeah. Thank you, Jen.

3 So, within and as mentioned, the client has, you  
4 know-- it will be building the first and the  
5 southern sort of entrance and sort of gateway to the  
6 waterfront public access. The amenities included  
7 here are everything from a shaded grove with a  
8 variety of seating options, both backless and not,  
9 moveable, to name a few. The waterfront Access here  
10 will also be, you know, the lit and meeting all the  
11 needs with that and will, you know, serve both the  
12 public walkway, but also outdoor tenant area for  
13 temporary use. The design also has a lifted grove,  
14 as mentioned, with a trellis harbor structure that  
15 resembles some of the surrounding context of the  
16 Gowanus Canal. And then, moving to the next slide, I  
17 will discuss a little bit about some of the  
18 stormwater runoff and the landscape design. Next  
19 slide. So, all along Huntington, you have a great  
20 dropping down towards the canal itself. This was an  
21 area identified as good potential, you know, ways to  
22 help with stepping down the bulk wall here that  
23 provides a number of planting strategies that help  
24 out with stormwater, as well as water clarity in  
25 terms of the Gowanus Canal with plants that, you

2 know, absorb and also treat some of those issues  
3 found within the canal itself. So, over to the left  
4 of the page here, at the end of Huntington Street,  
5 you can see where that stopped terrace leads down to  
6 the canal itself. Next slide. And then, finally, as  
7 Jen was mentioning, the site has also been, you know,  
8 meets all the stormwater requirements, you know,  
9 draining both the back of house of the development  
10 site itself and training through, you know, public  
11 waterfront access area and also picking up drainage  
12 there before being discharged into the Gowanus Canal.  
13 I think that is--

14 ERIC BATH: Great. Thank you, will. I  
15 appreciate it. If you could advance the next slide,  
16 we will talk briefly about the rezoning. Well,  
17 first, there is a beautiful rendering of the  
18 waterfront public access area. You can see the  
19 elevated subway platform off in the distance and it  
20 is worth noting the active commercial that is  
21 proposed along the waterfront public access area to  
22 the right there. Next slide, please. There are  
23 authorizations, five authorizations for the WPAA.  
24 Most of these are technical issues which actually put  
25 it into alignment with the proposed Gowanus

1 Waterfront Access Plan, the Gowanus WAP. They  
2 include an authorization to reduce the planting area  
3 that allows some activation or some more flexible  
4 spaces for community. There is a maximum grade  
5 change authorization which, as Will mentioned, that  
6 has to do with the title stepping along the bulkhead.  
7 They have also waived certain requirements for tree  
8 pits at the lifted grove to have a nice flush  
9 surface. They have modified screening buffer  
10 requirements to allow some connectivity between the  
11 lifted grove and those people that are coming down  
12 Huntington Street. And, lastly, there is a maximum  
13 fence height waiver authorization which allows the  
14 fence to be the height of, I believe, 42 inches, as  
15 required for guardrails. And then, last slide. And  
16 then, technically, the rezoning-- this is requested  
17 and this is before you today. The change from the  
18 M2-1 to the M2-3, as Carrie mentioned, does not  
19 change any of the bulk floor area height setback  
20 requirements. This is strictly a change to eliminate  
21 parking requirements which is a common concern of  
22 manufacturing industrial sites. It's the high  
23 parking requirements. M2-3 is an appropriate  
24 district along the waterfront and it is used  
25

2 elsewhere in the city for waterfront industrial sites  
3 and, as you can see on the proposed plan to the  
4 right, it involves the block, the entire block,  
5 including the development site. And I believe that  
6 concludes our presentation. Thank you for listening.  
7 We leave you with a nice rendering from the subway  
8 platform.

9 CHAIRPERSON MOYA: Thank you. Thank you  
10 for your testimony. A couple of questions here.  
11 What sustainability and resiliency measures are  
12 incorporated into the building design and  
13 construction?

14 CAROLINE HARRIS: We will let Jen address  
15 that.

16 JEN SWITALA: As I mentioned, some of the  
17 sustainability items that are incorporated into the  
18 building are high performance windows, a high  
19 performance building envelope, as well as low-flow  
20 plumbing fixtures. We will also be incorporating the  
21 green roof on the spaces that we can up on the sixth  
22 floor roof to help with stormwater and site drainage.

23 CHAIRPERSON MOYA: Okay. Thank you. And  
24 how does your proposal meet the goals of the Gowanus



2 Neighborhood rezoning and IBIS framework and how will  
3 you memorialize these commitments?

4 CAROLINE HARRIS: This property is not  
5 part of the Gowanus rezoning. It is outside of the  
6 larger Gowanus rezoning that is being considered now,  
7 so it is not formally required to meet particular  
8 goals of that rezoning. Nevertheless, it is a  
9 manufacturing site and the client is committed to  
10 having a certain amount of manufacturing uses in the  
11 building. First and foremost, Monadnock's own  
12 premises will be located in the building and  
13 committed to remaining there. We are working with  
14 Council member Lander's office to establish a more  
15 formal agreement to guarantee that there would be  
16 light manufacturing and industrial components at the  
17 location. We expect that agreement to be concluded  
18 shortly. We are also working with the SBIDC in that  
19 regard.

20 CHAIRPERSON MOYA: Okay. That's it for me  
21 in terms of questions. Counsel, do we have any  
22 members, other Council members, who have questions?

23 COMMITTEE COUNSEL: No, Chair. I see  
24 no other members with questions.

2 CHAIRPERSON MOYA: Okay. But before we  
3 dismiss the panel, I would just like to take the  
4 opportunity to read Council member Lander's statement  
5 that he has just sent over for the record.

6 So, Monadnock Construction has a long  
7 history and Gowanus and I am thrilled that the  
8 company has decided to keep its headquarters in our  
9 community. 300 Huntington Street is within the  
10 Gowanus IBZ and its tendency. This development will  
11 help strengthen our industrial sector in Gowanus.  
12 Nonetheless, as we all know, industrial zoning allows  
13 office and other use as of right which garner more  
14 rent, often into the exclusion of the industrial  
15 businesses that we are trying to promote. I have  
16 worked hard with Monadnock and the Southwest Brooklyn  
17 Industrial Development Corporation over the past year  
18 to reach an agreement that will permanently reserve a  
19 portion of this new building for the agreed upon list  
20 of appropriate uses in exchange for the parking  
21 waiver that they are seeking. I am excited about  
22 this model and would like to see a similar approach  
23 taken throughout the IBZ. We have made progress  
24 towards the agreement, but I have remaining questions  
25 to ensure that these developments meet our goals,

1 including the following: and I apologize because the  
2 print is very, very small. It's very small on my  
3 phone, so I'm struggling to look at it here. So,  
4 these are the questions that the Councilman has  
5 proposed: do you agree to a contract that imposes  
6 permanent use restrictions on 10,000 ft.<sup>2</sup> of floor  
7 area in the new development and except in the case  
8 that a rezoning alters the use of the site itself?  
9 And that is without any provision for termination  
10 based on zoning changes off-site? Also, will you  
11 guarantee to provide 5000 square feet of space to be  
12 leased with the SBIDC at the agreed upon reduced rate  
13 for at least 16 years? Will you commit to provide  
14 periodic reporting of occupancy to SBIDC? I greatly  
15 appreciate the partnership of SBIDC and the  
16 corporation of Monadnock and working towards an  
17 agreement that I am hopeful that we will achieve in  
18 the coming weeks. Thank you.

20 CAROLINE HARRIS: Thank you. We  
21 appreciate the Council member support and are working  
22 towards addressing all of the issues he raised which  
23 we will be doing. We are making progress. And I  
24 failed to point out that the community board in the  
25 borough president have supported this project.

2 CHAIRPERSON MOYA: Great. Thank you.

3 There being no further questions, the applicant panel  
4 is excused. Counsel, are there any members of the  
5 public who wish to testify on the 300 Huntington  
6 Street application?

7 COMMITTEE COUNSEL: If there are any  
8 members of the public who wish to testify on the 300  
9 Huntington Street proposal, please press the raise  
10 hand button now. Chair, the meeting will briefly  
11 stand at ease while we check for any additional  
12 members of the public who may have registered to  
13 testify. Chair Moya, I see no other members of the  
14 public who wish to testify on this item.

15 CHAIRPERSON MOYA: Thank you. There being  
16 no members of the public who wish to testify on LU  
17 784 four that 300 Huntington Street proposal, the  
18 public hearing is now closed and the item is laid  
19 over.

20 I now opened the public hearing on LU  
21 number 777 and 7784 the Arthur Avenue hotel rezoning  
22 proposal which seeks a zoning map amendment and a  
23 zoning text amendment and which relates to property  
24 in Council member Feliz's district in the Bronx. I  
25 will remind the viewing public for anyone wishing to

1 testify on this item that if you've not already done  
2 so, you must register online in advance and you may  
3 do so now by visiting the Council's website. I now  
4 want to take this opportunity to welcome our newly  
5 elected Council member, Council member Feliz. Thank  
6 you for joining us here today. I'll turn it over to  
7 you for some remarks.

9 COUNCIL MEMBER FELIZ: Thank you, Chair  
10 Moya. Thank you for recognizing me and also for  
11 allowing me to come here today to speak about the  
12 Arthur Avenue hotel proposal located in the Belmont  
13 Little Italy section in the 15th Council district.  
14 In brief, this project consists of a zoning map  
15 amendment to rezone the project area from R6 C23  
16 zoning district to a C61 zoning district and also to  
17 map a C14 commercial overlay in an existing R6  
18 district. Additionally, the applicant team is  
19 requesting a zoning text amendment to establish a  
20 mandatory inclusionary housing area utilizing option  
21 two and four a.k.a. the workforce housing option.  
22 These two applications that were approved by the city  
23 Council would facilitate the development of unknown  
24 mixed-use development comprised of a 13 story hotel  
25 with approximately 146 hotel rooms and also 128

1 parking spaces. In addition to that, a seven story  
2 residential development containing 56 dwelling units,  
3 17 which would be permanently affordable. And also  
4 28 accessory parking spaces. Through the ULURP  
5 process, these applications got support from any  
6 members of the Bronx, including community Board six  
7 who voted to approve the project, as well as the  
8 Bronx Borough Pres. who also recommended approval for  
9 the project. I have also spoke to many community  
10 leaders, business owners who have also stated they  
11 are very supportive of the proposal. Last night, I  
12 spoke to the local BID director, Jira Medona, who  
13 said the hotel would not only allow visitors from  
14 outside New York City to come to New York City in the  
15 Bronx, but it will also allow them to stay in areas  
16 of Arthur Avenue and the location. We have the Bronx  
17 zoo just minutes away and the botanical garden, as  
18 well. And the more people can stay in the  
19 neighborhood, the more business can be done in the  
20 neighborhood and the more economic activity in the  
21 area, the more people in the area that can be  
22 employed. However, I do have a few questions and  
23 concerns about affordability with the proposed  
24 project, specifically the median [inaudible 02:50:22]

2 area is below the affordability levels proposed in  
3 this development and I'm looking very forward to  
4 discussion on that topic. And I am also looking  
5 forward to hearing about the proposed jobs that the  
6 project will create including construction jobs, but  
7 also jobs after the project is fully built. On that  
8 note, I would like to thank the applicant team for  
9 coming today to discuss the project and I am looking  
10 very forward to hearing more about the proposal and  
11 also hearing from members of the public about  
12 questions and any concerns that you may have. Thank  
13 you.

14 CHAIRPERSON MOYA: Thank you, Council  
15 member. Counsel, if you could please call up the  
16 first panel for this item.

17 COMMITTEE COUNSEL: the applicant panel  
18 for this item will include Harry Bajraktari and Naim  
19 Bajraktari for the owner applicant, Nora Martins,  
20 land-use counsel for the applicant, and Sandra  
21 Erickson. Panelists, if you've not already done so,  
22 please accept the unmute request in order to begin to  
23 speak. And if the panelists would please raise your  
24 right hands? Do you affirm to tell the truth, the  
25 whole truth, and nothing but the truth in your

2 testimony before this subcommittee and in answer to  
3 all Council member questions?

4 SANDRA ERICKSON: I do.

5 UNIDENTIFIED: Yes.

6 COMMITTEE COUNSEL: Thank you.

7 CHAIRPERSON MOYA: Thank you. When you are  
8 ready to share the slideshow presentation, please say  
9 so and it will be displayed on screen by our staff.

10 Anyone requesting an accessible version of this  
11 presentation is reminded to please do so by email and  
12 request to land use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). And  
13 now, if the panelists would please restate your names  
14 and organizations for the record, you may begin.

15 HARRY BAJRAKTARI: Harry Bajraktari, the  
16 owner and developer.

17 NAIM BAJRAKTARI: Naim Bajraktari, his  
18 attorney and [inaudible 02:52:39].

19 NORA MARTINS: Nora Martins, Akerman  
20 LLP. Land use counsel for the applicant.

21 CHAIRPERSON MOYA: You may begin whenever  
22 you're ready.

23 NORA MARTINS: Great. So, good  
24 afternoon, Chair Moya, and Council member Feliz and  
25 Council members. Before I jump into the



2 presentation, I think Harry would like to just say a  
3 few words to address the committee about this project  
4 that has been his dream and his vision on Arthur  
5 Avenue.

6 HARRY BAJRAKTARI: Chairman Moya,  
7 Councilman Feliz, members of the subcommittee, ladies  
8 and gentleman, good afternoon. Thank you for giving  
9 us an opportunity to present you the hotel on Arthur  
10 Avenue project. This hotel will become a destination  
11 our state and our country. We are excited about the  
12 hotels location: Bronx, little Italy, which is an  
13 area known for its restaurants, delis, food markets,  
14 bakeries, and butcher shops, fish stores. It's a  
15 wonderful, wonderful neighborhood. Walking distance  
16 to the Bronx Zoom, botanical garden, Fordham  
17 University, and a short ride to Yankee Stadium. I  
18 have worked in the Bronx for over 40 years. For me  
19 and my family, the Bronx has been wonderful. I am  
20 excited about this project. I would love to see this  
21 project built. We invest-- again, we are over 40  
22 years in the Bronx. My children are here, my son and  
23 my daughter. I'm trying to encourage my family to be  
24 part of the Bronx, to follow in the footsteps of  
25 Medona Bakery and Medona family. Title Brothers,

2 they been over 105 years. Medona Bakery and Medona  
3 family have been there over 100 years. I've been in  
4 the neighborhood over 30 years. This is a very  
5 passionate, excited project. We put a lot of effort  
6 and a lot of energy and I thank you for making this  
7 project a reality. Thank you very much.

8           NORA MARTINS:       Thank you, Harry. If  
9 you can kindly show the presentation, we will get  
10 started. So, as was introduce so well by Council  
11 member Feliz, this project seeks to establish really  
12 a first of its kind hotel in the heart of little  
13 Italy and the Bronx. The Belmont neighborhood on  
14 Arthur Avenue. It also seeks to build, in  
15 conjunction with the hotel, and to help finance the  
16 feasibility of the hotel, small residential  
17 development. Next slide. In order to facilitate the  
18 development of the hotel and the residential  
19 building, we seek the following two actions. We seek  
20 approval from the Council, including a zoning map  
21 amendment which would rezone the development site  
22 which consists of several [inaudible 02:56:09] which  
23 have been assembled over the years fronting on Arthur  
24 Avenue and Hughes Avenue and East 188th Street from  
25 an R6 zoning district to a C61 zoning district which

2 permits the hotel use and also the density necessary  
3 to develop this project. In connection with the  
4 zoning map amendment, proposing a zoning text  
5 amendment to establish a mandatory inclusionary  
6 housing area which would establish both option two  
7 and a workforce option. Option two requires 30  
8 percent of the residential floor area be set aside to  
9 households making an average of 80 percent of the  
10 area median income in the workforce option also  
11 requires a 30 percent set aside, does not allow  
12 subsidy, and allows for an average-- households with  
13 an average 115 percent of the area median income,  
14 although five percent of that floor area must be no  
15 higher than 70 percent and five percent-- a minimum  
16 of five percent must be no higher than 90 percent of  
17 the area median income. Next slide. The zoning  
18 change map illustrating the proposed rezoning area  
19 you can see on the left existing zoning and on the  
20 right outlined with the dotted line is the  
21 development site which will be rezoned to C61. As  
22 part of this rezoning application also seeking to  
23 rezone a small portion of the block to the south just  
24 south of Ciccarone Park which it's a site currently  
25 occupied by Tino's Delicatessen, which has been in

1 the neighborhood for decades, like everything in this  
2 neighborhood. They, unfortunately, don't have the  
3 full commercial overlay covering their site which is  
4 an unusual condition along Arthur Avenue, so, as part  
5 of this rezoning application, we are just extending  
6 that commercial overlay all the way to the  
7 southernmost boundary of the park so that they are  
8 fully included in the commercial overlay. Next  
9 slide, please. You can see here the site location.  
10 Again, you can see you really in the heart of  
11 Belmont. It's almost heart-shaped, actually, the  
12 neighborhood. And right at the entrance of the  
13 Arthur Avenue Little Italy neighborhood between  
14 Fordham Road and East 188th Street. This hotel will  
15 really serve as the begin here in the neighborhood.  
16 Next slide. Just some photos showing the existing  
17 conditions that the development site, occupied by a  
18 variety of small commercial uses in residential  
19 buildings. As Harry mentioned, he's been in this  
20 neighborhood a long time and is very sensitive to all  
21 of, you know, any concerns about displacement and  
22 keeping business in the neighborhood, the funeral  
23 home-- everyone is aware of this plan and the  
24 funeral home is willing to relocate to another  
25

1 location that they have in the neighborhood on East  
2 184th Street. [Inaudible 02:59:12] Realty, which is  
3 one of the users here will also relocate. They have  
4 other property on Hoffman and then there are 21  
5 residential units within the rezoning units. None of  
6 these are on stabilized. They are, I think, almost  
7 exclusively used for student housing and have been  
8 mostly vacant over the past year, so there will be no  
9 displacement there. There are two other small  
10 commercial tenants: the nail salon and-- I'm sorry.  
11 A hair salon and insurance businesses. They are on  
12 month-to-month lease is and [inaudible 02:59:42] will  
13 make sure to give ample notice and relocation systems  
14 once this project is ready to commence construction.  
15 Next slide. Just this quick slide showing what was  
16 discussed previously about just all of the  
17 institutions and destinations that surround the  
18 proposed hotel site and including Fordham University,  
19 the botanical gardens, the Bronx Zoo, and then  
20 medical institutions of Montefiore and St. Barnabas  
21 Hospital. We've received letters and testimony in  
22 support. Hopefully, you hear from some of them  
23 today, all wholeheartedly endorse in this project.  
24 Next slide. Again, I think probably everyone in the  
25

1 city Council, even though they're not from the Bronx,  
2 are aware of all the, you know, exciting offerings on  
3 Arthur Avenue, but I think especially after this  
4 really challenging year, you know, neighborhood that  
5 really relies on small business and retail and  
6 restaurant use, this project is even more exciting.

7 Next slide. Just some comparative hotel data showing  
8 how underserved the Bronx is with regard to hotels in  
9 New York City. There are approximately 906 hotels,  
10 only 64 of which are in the Bronx and only 10 within  
11 a mile of the development site. Next slide. Out of  
12 those 10, properties that are identified as hotels  
13 and property records, only three are really operating  
14 as hotels with hotel services. Many of them are  
15 operated as homeless shelters or are not operating as  
16 hotels and, in fact, show the closest hotel is the  
17 Bronx Park Hotel which you will see if you ever visit  
18 the botanical gardens or the zoo or Fordham. It's  
19 recently listed for sale as a redevelopment site.

20 So, there is a desperate need for this hotel use in  
21 the neighborhood. Next slide. Just some details  
22 about the proposed development. As was mentioned, it  
23 would be to buildings: a hotel building in the  
24 residential building, a total of 122,694 square feet  
25

of floor area, which maximizes the 6.0 FAR permitted in the proposed C 61 zoning district. And although we have maximized the floor area, with the help of City planning, have masked the development to be more appropriate in the context of the neighborhood. The hotel is 13 stories and that fronts on Arthur Avenue and East 188th Street and the residential building is on Hughes Avenue. It's only seven stories, which is more contextual with the residential nature along Hughes Avenue. The hotel is proposed to have approximately 146 hotel rooms, so an active ground-floor uses along Arthur Avenue and East 188th Street, some outdoor amenities space, and also 128 accessory parking spaces. The residential building will contain relatively small, approximately 56 dwelling units, 17 of which are proposed to be permanently affordable pursuant to the workforce option of the mandatory inclusionary housing, and then 28 accessory parking spaces are allocated to the residential development. Next slide. Just a site plan that shows, you know, the location of the hotel which is on the left on Arthur Avenue and East 188th Street and then the residential building on Hughes and East 188th Street. The hotel, while it is 13 stories, it

1 goes up to seven stories to 75 feet before setting  
2 back significantly to preserve the streetscape and  
3 the pedestrian experience of the building, as it is  
4 not a 13 story tower. Next slide. You can see on  
5 the ground floor plan the entrance to the parking.  
6 Parking and loading was proposed on Arthur Avenue and  
7 there is an existing curb cut there that would just  
8 be widened to serve this development so as not to  
9 interrupt to the pedestrian experience too much on  
10 Arthur Avenue. That curb cut would serve the  
11 proposed parking which would be located on the ground  
12 level and also add a seller level and it would be  
13 fully attended accessory parking. Next slide. And  
14 that is just illustrating the remainder of the  
15 parking. Next slide. Here you have renderings of  
16 the proposed hotel and the proposed residential  
17 building and the next slide. I think I will turn it  
18 over now to Naim Bajraktari to discuss unit  
19 distribution and the proposed rents under the  
20 workforce housing option. I just will note that,  
21 with regard to unit distribution, this building is  
22 intended to be for working families then, with that  
23 in mind, was designed with a significant percentage  
24 of to win three bedrooms. Nearly 50 percent -- 46



2 percent are two and three bedroom units to  
3 accommodate those families. Next slide.

4 NAIM BAJRAKTARI: [inaudible 03:05:12]

5 Okay. As you can see from the slide here, we looked  
6 at the workforce housing option and the rents here  
7 are comparable to what is in the market which is  
8 between student housing and then the rent-stabilized  
9 that is over there. We tried to look at what would  
10 fit in the neighborhood based on the people who work  
11 in the neighborhood so that they don't only work,  
12 they can hopefully stay in the neighborhood, as well.  
13 We always get the question from waders who work that  
14 they can't find anyplace that works. Nothing that is  
15 affordable for them. Lower AMIs, they would be able  
16 to qualify, so they wouldn't be able to work and live  
17 in the area. So, when we looked at it, we have a six  
18 unit distribution for the 70 percent AMI. One studio  
19 with the rent at about 1300, that lower income limit  
20 that would get two retail workers. So, to one  
21 bedrooms, two two-bedrooms, and one three bedroom, so  
22 we get a working family and there, as well. Again,  
23 six units at the 90 percent AMI with the same split  
24 of one studio, two one bedrooms, two two-bedrooms,  
25 and one three bedroom. We were looking at the

1 nurses. We've seen them in the past on Arthur Avenue  
2 and speaking to them. They can't find a place that  
3 is affordable for them either. A lot of people end  
4 up moving into lower Westchester or other parts of  
5 the Bronx they can find it and it's a little too far.  
6 So we want to try to keep them in the neighborhood.  
7 And then, at the 130 percent AMI, it is five units.  
8 Three one bedroom and two two-bedrooms. We are  
9 looking at this from the point of a hotel union  
10 worker. If they're union or even a quarter, making  
11 \$33 an hour, they would still be able to qualify for  
12 130 at the higher AMI here, so they wouldn't be  
13 priced out and have to move somewhere else. And that  
14 was our goal with this was to try to make sure that  
15 people can work and stay in the neighborhood. Next  
16 slide. Again, the operation of the-- Again, the  
17 economic impact is from everybody on Arthur Avenue, a  
18 lot of economic activity will come from this hotel.  
19 We're hoping that more customers will increase sales  
20 tax and helping people stay even longer. A lot of  
21 partners within the hotels and the local businesses  
22 who have had discussion before about that it would  
23 open up a whole new revenue of business of breakfast  
24 and brunch which is not happening right now on Arthur  
25

2 Avenue, which would be nice. We have heard from the  
3 merchants. New employment, we have 231 direct  
4 construction jobs, 127 and direct, 58 per minute  
5 jobs. So, that is just to start off with. The new  
6 housing, we are in desperate need of new housing in  
7 this area over here. A lot of it is very old and it  
8 doesn't fit families. People end up having to move  
9 out because there is no more room for a second kid or  
10 a third kid. And, again, by making 17 permanently  
11 affordable, they can work and still stay in the area  
12 as opposed to that they would price themselves out by  
13 working. So, that's what we're looking for. Next  
14 slide. Questions?

15 CHAIRPERSON MOYA: Thank you. Thank you  
16 for your testimony. And, Harry, had I known you had  
17 a fully stocked bar, I would have held my committee  
18 hearing from there.

19 HARRY BAJRAKTARI: Anytime. Anytime.

20 CHAIRPERSON MOYA: You should have given us  
21 a heads up. I just want to go into this before I  
22 hand it over to Council member Feliz. Will the  
23 residents in the 56 units be able to access to use of  
24 the hotel portion of the project's outdoor amenity  
25 space?

2           NAIM BAJRAKTARI: We want to work with,  
3 depending on the operator. We want to see how to  
4 make that work with the operators goals and what they  
5 are doing on that. So relieving that still open. We  
6 hope that we can find some way to provide them  
7 access, especially as there will be a rooftop lounge  
8 open there. So, were open to see how to make that  
9 all work for everybody. And we would like help with  
10 the operator at the same time for the residential  
11 side of what we can do for that rooftop space, as  
12 well, about another public space for the people  
13 living there. But it's a matter of dollars and cents  
14 and what can we work without creating a hazard.

15           CHAIRPERSON MOYA: Okay. Thank you. You  
16 mentioned the opportunity for the hotel project to  
17 establish partnerships with local businesses. What  
18 considerations on this have been made and can you  
19 elaborate on any opportunities you have identified  
20 already?

21           NAIM BAJRAKTARI: One of the things that  
22 we made sure to do was we like the idea of a higher  
23 star hotel which would require, say, certain class  
24 restaurant. We don't want to have a restaurant at  
25 this facility. We don't want to compete with the

1 neighborhood. There is a plethora of restaurants  
2 that do a very good job, so we really would want to  
3 have a catering facility. We have an idea of trying  
4 to partner with the church, the newly restored  
5 church, Our Lady of Mount Carmel, which is beautiful  
6 now. Hopefully, people can have weddings and have  
7 their receptions over at the hotel, which can't be  
8 accommodated by the restaurants. And then, the same  
9 time, too, there will be some storefront and  
10 hopefully some smaller cafés on the 188 Streetside  
11 there. We're hoping to make sure that it's not a  
12 Starbucks or something else. We're hoping to see you  
13 for union somebody locally to open up and be there on  
14 the spot. There's also some other opportunities that  
15 both depends on how we talk to the operator. The  
16 idea of trying to have a concierge service where you  
17 come down, stay for the weekend, you can go to the  
18 zoo, but somebody can go pick up your bread, your  
19 raviolis, and your meet and have that ready for you  
20 when you're ready to leave. We really like that idea  
21 of being able to provide that and I know I've heard  
22 that from a lot of people. They love to come down  
23 and experience everything in the Bronx and then leave  
24  
25

2 with their ravioli, which has been the big thing  
3 there.

4 CHAIRPERSON MOYA: Now I'm hungry and  
5 thirsty. And my last question is how does the  
6 general contractor been selected for this project?

7 NAIM BAJRAKTARI: No. We're going to be  
8 working with that when we get to-- We're trying to  
9 find the right operator and then the right contractor  
10 to make sure that everything is settled over there.  
11 Unfortunately, the reality is we're dealing with most  
12 of the operators we lose to southern Westchester  
13 where they don't-- they see these as the same  
14 project and they look at the Bronx as riskier. We've  
15 had a hard time showing them otherwise, but there  
16 have been people, even through the pandemic, reaching  
17 back out to talk to and they are very interested to  
18 see what's going on. So, we want to find that right  
19 partnership of who is going to do right by the  
20 neighborhood. Kind of a Goldilocks paradox. It has  
21 to be just right otherwise he's not going to let me  
22 do it.

23 CHAIRPERSON MOYA: All right. So, can you  
24 speak to the efforts that will be made, though, in  
25 terms of local hiring for construction? And,

2 similarly, like what efforts will be made in terms of  
3 the MWBE participation for the construction project?

4 NAIM BAJRAKTARI: Most of it's going to  
5 be-- and, again, were going to combine will were  
6 talking about the operators and developers closely  
7 there. But, from Harry's perspective-- and this is  
8 what it's going to be-- is that if it's not going to  
9 be the right fit where they're going to not use Bronx  
10 workers, they're not going to buy local, they're not  
11 going to [inaudible 03:12:06], you would rather find  
12 somebody else that does it and we are willing to wait  
13 to find the right partner to make it happen the way  
14 that he wants it to. He says all the time that I'm  
15 not trying to build a hotel in the Bronx. I'm trying  
16 to build a Bronx hotel. It has to have that  
17 character, which means it has to be involved.

18 HARRY BAJRAKTARI: And I'm excited because  
19 we have been in the Bronx such a long time that we  
20 want is hotel to be part of the community and be part  
21 of the neighborhood. I am over 40 years in the  
22 Bronx. We had opportunities to sell this land and we  
23 did not sell this land because we wanted to see you  
24 this project take root here and I am excited about  
25 it.

2 NORA MARTINS: And I'll just add in  
3 regard to the MWBE participation, a hotel project  
4 would likely seek tax benefits under the ICAP program  
5 which does require solicitation of bids from MWBEs as  
6 a detail of the program.

7 CHAIRPERSON MOYA: Great. Well, that is it  
8 for me. Thank you so much for your testimony today.  
9 I want to hand it over now to Council member Feliz  
10 for his questions.

11 COUNCIL MEMBER FELIZ: Thank you so much,  
12 Chair Moya. I thank you all for the presentation on  
13 this topic. Very informative and thorough. A few  
14 questions. So, you have intentions of mapping MIH  
15 option one and two as part of this application.  
16 These options do not offer the same level of  
17 affordability as other options including option  
18 number one. Can you talk a little bit about your  
19 decision to select these MIH options for the project?

20 NAIM BAJRAKTARI: Sure. I'll speak on  
21 that. Our biggest concern has been that, because of  
22 the higher market rents that's also there, were  
23 trying to provide affordability. At the lower AMIs,  
24 a lot of people who work in almost everybody works in  
25 the neighborhood couldn't afford any of these units



2 that are offered there and we see the nurses  
3 constantly at the-- when we got to eat, we see them.  
4 I mean, not as much now when everybody is social  
5 distancing, but even the people working in the  
6 neighborhood. Because we are in real estate, we are  
7 constantly being asked, do you know anybody that has  
8 an apartment? It's too expensive. They end up  
9 moving farther into the Bronx or into southern  
10 Westchester and then commuting. And so, we were  
11 looking at these affordability was in looking at  
12 those people and trying to service them. You know,  
13 were looking at schoolteachers that they started a  
14 \$60,000 salary and they can run into a problem or  
15 they can't afford to live in this area here and that  
16 would be a problem for us. Were really looking to  
17 make sure that the people who work in the Bronx can  
18 stay in the Bronx.

19 COUNCIL MEMBER FELIZ: Thank you. And  
20 another question is regarding the unit distribution.  
21 The unit distribution might not align with our hope.  
22 One hope that we all have is that the units be filled  
23 with working families. As there been any  
24 consideration to alter the unit distribution to  
25

2 include more three bedroom apartments and fewer  
3 studios and one bedroom apartments?

4           NAIM BAJRAKTARI: We have looked at it.  
5 In this area, this is what we felt market, this is  
6 what people are looking for the most of. Three  
7 bedrooms, we have talked about doing more, it's just  
8 that they are little bit harder to rent sometimes.  
9 There's not as much demand in the area for it. The  
10 two-bedrooms seems to be the key point as far as a  
11 price point in space that everybody [inaudible  
12 03:15:29]. We felt bad to take out the studios  
13 because then it makes it seem, as much as we want to  
14 help the working families, there are some single  
15 people who are working and just starting out and they  
16 want to be able to read and stay in the area in the  
17 studio and the not have to believe automatically and  
18 be somewhere else. The idea of the studio is that  
19 they don't have to leave, so you can still be there  
20 if you don't want to get married and have kids. So,  
21 the main mix, the one number we've gone back and  
22 forth on is we would like to see whether or not on  
23 the apartment layouts, if there is a way that we  
24 could get slightly more two-bedrooms, because we feel  
25 that is the maximum number for working families that

2 is also there, were looking at one kid in a baby and  
3 two kids sharing around, but how we organize the  
4 common space when we talk about that with the  
5 operator and developer see how to do that. But we  
6 have a preference for those two-bedrooms which rent  
7 very easily as opposed to the three bedroom.

8 NORA MARTINS: Right. And I will note  
9 that, unfortunately, and a lot of projects, you see  
10 very few and sometimes often zero three-bedroom units  
11 and so here I think-- I know the Bronx Borough  
12 President, they're always seeking a minimum of 40  
13 percent and, you know, we are here with 46 percent  
14 and [inaudible 03:16:40] and, as Naim said, we're  
15 going to see if can, you know, within the relatively  
16 constrained footprint of the residential building,  
17 include a few more two-bedrooms, understanding that.

18 COUNCIL MEMBER FELIZ: Okay. And final  
19 question. The 2019 median rent in the area, the area  
20 that the project is being proposed, median rent for  
21 2019 was \$1290. That means the proposed  
22 supportability at MIH option four would be higher  
23 than the median. Can you discuss this and also  
24 explain the logic of, you know, mapping the workforce  
25 housing in this development?

2 NORA MARTINS: Is that the median for  
3 the congressional district or the community district  
4 because I'm not familiar with that statistic? We can  
5 look into that, of course.

6 COUNCIL MEMBER FELIZ: We can look into  
7 it. Yeah.

8 NORA MARTINS: Okay. Sure. But I  
9 think just the responses that, you know, that median  
10 area is greater. I think right here on Barbara  
11 Avenue in the Belmont neighborhood, you have sort of  
12 a unique condition with regard to the market. Just,  
13 you know, from Harry and my experience of in  
14 neighborhood, I mean, rents range from a two-bedroom  
15 from \$1900 to \$3600 for units, so the market is  
16 higher here likely because of university and the  
17 institutions in the neighborhood, but the housing  
18 stock is quite old and there's not much new housing  
19 being built. So, given quality of this construction  
20 and what it will offer for families and professionals  
21 to stay in the neighborhood and really contribute to  
22 that income diversity that helps the local economy.  
23 It seems that this does make sense in this specific  
24 neighborhood.

2 COUNCIL MEMBER FELIZ: Okay. Thank you.

3 No more questions from my end. Thank you. Thank  
4 you, all.

5 NORA MARTINS: Thank you.

6 CHAIRPERSON MOYA: Thank you. Thank you  
7 for your questions. Counsel, do we have any other  
8 Council members that have questions for this panel?

9 COMMITTEE COUNSEL: No, Chair. I see  
10 no members with questions for the panel.

11 CHAIRPERSON MOYA: Okay. One second.  
12 Okay. There being no further questions, the  
13 applicant panel is excused and now, counsel, are  
14 there any members of the public who wish to testify  
15 on the Arthur Avenue hotel rezoning application?

16 COMMITTEE COUNSEL: Yes, Chair Moya.  
17 We have five public witnesses who have signed up to  
18 speak. For members of the public here to testify,  
19 please stand by and prepare to speak when the Chair  
20 says that you may begin. Please also note that once  
21 your group have completed your testimony, you will be  
22 removed from the meeting as a group and, once  
23 removed, you may continue to view the live stream  
24 broadcast of this meeting at the Council website. We  
25 will now hear from the first panel which will include

2 Monica Paciullo, William Colonna, Jon Cal Valley,  
3 Aaron bruschetta, and Alyssa Tucker. The first  
4 speaker will be Monica Paciullo followed by William  
5 Colonna.

6 SERGEANT-AT-ARMS: Time starts now.

7 CHAIRPERSON MOYA: Just one quick  
8 procedural note. I want to remind members of the  
9 public that you will be given to minutes to speak.  
10 Please do not begin until the sergeant-at-arms has  
11 started the clock.

12 SERGEANT-AT-ARMS: Time starts now.

13 MONICA PACIULLO: Am I first? My computer  
14 glitched out a little.

15 CHAIRPERSON MOYA: Monica, your first.

16 MONICA PACIULLO: Monica. Okay. Hi. My  
17 name is Monica Paciullo and I am very excited to be  
18 here speaking today on behalf of Tino's delicatessen  
19 to express our support for the proposed Arthur Avenue  
20 hotel rezoning application. He knows is our family  
21 business and it has been part of the community,  
22 Belmont community, for over 50 years. My parents of  
23 all different 25, but they been in the neighborhood  
24 with other businesses for about 40, maybe more.  
25 Properties located at 2410 Arthur Avenue, which is

1 within the proposed rezoning area. If approved, the  
2 proposed rezoning would extend an existing commercial  
3 overlay North to include our entire property. We  
4 understand that the proposed rezoning would also  
5 facilitate the development of two new buildings,  
6 including the 13 story hotel on Arthur Avenue and a  
7 seven story apartment building on Hughes Avenue. I  
8 don't need to tell you that it has been an incredibly  
9 challenging year for the restaurant business and for  
10 Arthur Avenue. The rezoning will not only benefit  
11 she knows directly, but the proposal hotel will  
12 strengthen all of Arthur Avenue and inject new life  
13 into the local economy for decades to come. The  
14 hotel would create new employment opportunities in  
15 our Belmont neighborhood and open the door for  
16 partnership with local businesses such as ours.  
17 Meanwhile, the proposed apartment buildings will  
18 increase the customer base for area stores and  
19 restaurants. For these reasons, I urge you to  
20 approve the proposed Arthur Avenue hotel rezoning.  
21 Thank you. I also speak to a lot of like Torres that  
22 come from France and stuff and they always want to  
23 stay in the neighborhood and there's no place to  
24 stay. So.

2 CHAIRPERSON MOYA: Thank you. Thank you  
3 for your testimony today, Monica. Thank you.

4 COMMITTEE COUNSEL: The next speaker  
5 will be William Colona followed by John Calvelli.

6 SERGEANT-AT-ARMS: Time starts now.

7 CHAIRPERSON MOYA: Hold on, Bill. We can't  
8 hear you.

9 WILLIAM COLONA: Can you hear me now?

10 CHAIRPERSON MOYA: Now we can hear you.

11 WILLIAM COLONA: Okay. Good afternoon.

12 My name is Bill Colona and I am Fordham University's  
13 director of government relations, federal, and urban  
14 affairs and, on behalf of Fordham, we are in support  
15 of the Arthur Avenue hotel and residences development  
16 project. The Bronx is history, cultural offerings,  
17 world-class events, and educational institutions are  
18 only some of the reasons that make our borough a  
19 tourism destination in New York City. Throughout the  
20 year, Fordham hosts several events that will  
21 committee visitors to our Rose Hill campus. Move-in  
22 and orientation, athletic competitions, conferences,  
23 and other special events, campus stores for  
24 prospective students, and commencement. Many of  
25 these events bring hundreds of visitors to the



2 northwest Bronx who sometimes travel outside of the  
3 city for accommodations. The Arthur Avenue hotel and  
4 residences development project, once completed, will  
5 provide a more convenient option for our visitors.  
6 The accommodations that are walking distance from our  
7 campus, opening up the opportunity for them to  
8 experience other attractions in our neighborhood such  
9 as exhibits, the Bronx Zoo, New York botanical  
10 gardens, restaurants and Little Italy, and shopping  
11 along Fordham Road. And this project will also bring  
12 additional affordable housing options to our  
13 community. We strongly urge the Council to give the  
14 Arthur Avenue hotel and residences development  
15 project serious consideration as it undergoes the  
16 uniform land use review procedure. Thank you.

17 CHAIRPERSON MOYA: Thank you, Bill, for  
18 your testimony today.

19 COMMITTEE COUNSEL: Next, we will hear  
20 from John Calvelli followed by Aaron Bouska.

21 SERGEANT-AT-ARMS: Time starts now.

22 JOHN CALVELLI: Good afternoon. My name  
23 is John Calvelli. I am the executive vice president  
24 for the Wildlife Conservation Society, which is  
25 headquartered at the Bronx Zoo. I felt a little like

2 the young kid on the block when we were talking about  
3 Medona, etc. we have only been in the neighborhood  
4 122 years, so therefore I wanted to just echo the  
5 words of Harry Bajraktari and actual Council member  
6 Feliz. Thank you very much for all that you have  
7 done to help move this project forward in your short  
8 time that you been in the Council. The long and the  
9 short of it is, for us, this is an incredible  
10 opportunity for the Bronx Zoo, for New York botanical  
11 garden, for Fordham University, for everyone in the  
12 neighborhood to have a beautiful hotel that will  
13 allow us to partner. And Chair Moya, you spoke about  
14 partnership opportunities. This is going to be an  
15 incredible marketing and partnership opportunity for  
16 us to expand the areas where people will be able to  
17 calm and stay in the neighborhood, but also come to  
18 the Bronx Zoo or go to the garden or attend an event  
19 at Fordham University. So, I just wanted to quickly  
20 add my voice and add the voice of the Bronx Zoo and  
21 the Wildlife Conservation Society to this effort and  
22 I really wanted to commend the Bajraktari family for  
23 having that vision. I was born on 180th and Use,  
24 went to Fordham University, and now work at the Bronx  
25 Zoo, so I haven't gotten very far in life, but I been

2 able to see the world, thanks to these great  
3 institutions and that is great neighborhood. And we  
4 just look forward to having this hotel opened and,  
5 more importantly, also the residential housing that  
6 will be available is good for the community. It will  
7 strengthen all of us. Thank you very much.

8 CHAIRPERSON MOYA: Thank you, John.

9 COMMITTEE COUNSEL: Next, we will hear  
10 from Aaron Bouska, followed by Alyssa Tucker.

11 AARON BOUSKA: Good afternoon. Good  
12 afternoon, Chair Moya and congratulations, Councilman  
13 Feliz. Look forward to working with you. My name is  
14 Aaron Bouska. I am speaking on behalf of the New  
15 York botanical garden, 250 acre urban oasis just a  
16 few hundred yards from the beginning of Arthur  
17 Avenue. I am offering my unconditional support for  
18 this ULURP process. NYBG is now celebrating our  
19 130th anniversary as an anchor institution. We are a  
20 major employer of Bronx residents and educator of  
21 youth and adults, a tourist engine and a worldwide  
22 scientific research institution. But our home is  
23 always-- has been and always will be this corner of  
24 the Bronx. As we kick off AAPI month, NYBG is proud  
25 to host [inaudible 3:26:58] cosmic nature exhibition

2 which is already filling seats of our neighborhood  
3 businesses and we share the neighborhood with our  
4 remarkable neighbors which you've already met. It's  
5 our understanding that this new project would bring  
6 both the hotel and a residential building and I would  
7 just like to note that NYBG employees really need  
8 workforce housing in our neighborhood that is  
9 affordable to the MTA worker, the public school  
10 teacher, the police officer, the DC 37 horticulture  
11 staff, or zookeeper in their family. So, I think the  
12 workforce housing element is particularly important  
13 for our neighborhood. As one of these neighborhood  
14 institutions, we encourage this committee and city  
15 Council to join the chorus to support the proposed  
16 rezoning. The project such as this would only  
17 enhance this unique ecosystem in the Bronx while  
18 aiding our residential neighbors and small businesses  
19 with additional economic activity. Thank you for the  
20 opportunity to testify.

21 COMMITTEE COUNSEL: The last speaker on  
22 the panel will be Alyssa Tucker.

23 SERGEANT-AT-ARMS: Time starts now.

24 ALYSSA TUCKER: On behalf of the Belmont  
25 Business Improvement District, I, Alyssa Tucker,

Executive Director, express our support for this rezoning and project. Our community is lined with a plethora the of small family-owned businesses comprising of gourmet food shops, restaurants, business services, and more. Our data has shown that the neighborhood host thousands of regional and local shoppers, as well as domestic and international tourist every year, yet there are extremely limited hotel options in our neighborhood and a lack of quality full-service hotels throughout Bronx community board six. We are thrilled to see that a hotel is finally being proposed on Arthur Avenue and we believe that the development will have a positive effect on local economic development by supporting neighborhood businesses and generating new jobs. The proposed development will also provide new housing in this community and we believe the proposed workforce housing option is appropriate as it is affordable to families with moderator middle incomes. There are also permanently affordable units included which are appealing to the community as well. Our data has shown that 85 percent of visitors come from all over 5 miles away and they drive here, making additional parking a crucial need for the neighborhood. The

2 addition of 156 parking spaces between the two  
3 development is another benefit of the project.  
4 Having a hotel within easy walking distance of our  
5 restaurants and businesses, a hotel that is actually  
6 in the heart of the neighborhood, is ideal. Arthur  
7 Avenue is the perfect place for hotels, given it is  
8 the main thoroughfare of the community and its close  
9 proximity to several cultural attractions and  
10 institutions, including the Bronx Zoo, the New York  
11 Botanical Garden, Fordham University, and the SBH  
12 Health System. With the development of this hotel,  
13 guests would be able to extend their stay and visit  
14 more of the great destinations the Bronx has to  
15 offer, therefore, the Belmont BID fully supports the  
16 proposed Arthur Avenue hotel project in rezoning.  
17 Thank you.

18 CHAIRPERSON MOYA: Thank you for your  
19 testimony today. Counsel, do we have any Council  
20 members that have any questions for this panel?

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

23 CHAIRPERSON MOYA: Okay. There being no  
24 questions for this panel, the witness panel is now  
25

2 excused. Counsel, can you please call up the next  
3 panel?

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

12 CHAIRPERSON MOYA: Thank you. There being  
13 no members of the public who wish to testify on LUs  
14 number 777 and 778 for the Arthur Avenue hotel  
15 rezoning proposal, the public hearing is now closed  
16 and the items are laid over. That concludes today's  
17 business. I will remind the viewing public, for  
18 anybody wishing to submit written testimony you for  
19 items that were heard today, please send it by email  
20 to land use [testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). I would like  
21 to take the opportunity now to thank the members of  
22 the public, my colleagues, the subcommittee counsel,  
23 of course, land-use, and other Council staff and the  
24 sergeant-at-arms for participating in today's

2 meeting. This meeting is hereby adjourned. Thank  
3 you.

4 [gavel]

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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 \_\_\_\_\_ June 10, 2021 \_\_\_\_\_