

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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Thursday, August 10, 2023

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HELD AT: 250 BROADWAY COMMITTEE
ROOM 14TH FLOOR

B E F O R E: Lynn Schulman, Chairperson

COUNCIL MEMBERS:
Shaun Abreu
Erik D. Bottcher
David M. Carr
Kamillah Hanks
Farah N. Louis
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A P P E A R A N C E S (CONTINUED)

Richard Lobel, Esq
Sheldon Lobell, PC

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Architect

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Mr. Relk[?]
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Raul Rivera
Citizen of New York

Max Stember-Young
AICP

Noris Colon
Founder, HOGAR

Tony Shitemy
Urban Architectural Initiatives

2 SERGEANT AT ARMS: Quiet please. Good morning,
3 and welcome to the New York City Hybrid Hearing on
4 the Subcommittee on Zoning and Franchises. Please
5 silence all electronic devices. Chair, we are ready
6 to begin.

7 [GAVEL]

8 CHAIRPERSON SCHULMAN: Good morning, and welcome
9 to a meeting of the Subcommittee of Zoning and
10 Franchises. I am Councilmember Lynn Schulman. I am
11 going to be the acting Chair of the Subcommittee.
12 This morning, I am joined by Councilmember Farah
13 Louis, Councilmember Shaun Abreu online, and we are
14 joined by Councilmember Kalman Yeger, who is in
15 attendance today.

16 Today, we will hold public hearings for two
17 proposals, one in Brooklyn and one in the Bronx.
18 Before we begin, I recognize the Subcommittee Counsel
19 to review the hearing procedures.

20 COUNSEL: Thank you, Chair. I'm William Vidal,
21 Counsel to the Subcommittee. This meeting is being
22 held in hybrid format. Members of the public who
23 wish to testify may testify in person or via Zoom.
24 Members of the public wishing to testify remotely may
25 register by visiting the New York City Council

2 website at www.council.nyc.gov/LandUse to sign up.

3 Or for those of you here in the chambers, please see

4 one of the Sergeant at Arms to prepare and submit a

5 speaker card. Members of the public may also view a

6 livestream broadcast of this meeting at the council's

7 website. When you are called to testify before the

8 Subcommittee, if you are joining us remotely, you

9 will remain muted until recognized by the chair or

10 myself to speak. When you are recognized, your

11 microphone will be unmuted. Please take a moment to

12 check your device and confirm that your mic is on

13 before you begin speaking. We will limit public

14 testimony to two minutes per witness. If you have

15 additional testimony would like the subcommittee to

16 consider, or if you have written testimony you would

17 like to submit, instead of appearing before the

18 subcommittee, please e-mail it to

19 LandUseTestimony@Council.nyc.gov. Please indicate

20 the LU number and/or project name in the subject line

21 of your e-mail. We request that witnesses joining us

22 remotely remain in the meeting until excused by the

23 chair as Councilmembers may have questions. Acting

24 Chair Schulman will now continue with today's agenda

25 items.

2 CHAIRPERSON SCHULMAN: We're switching the agenda
3 a little bit. We're actually going to open-- first,
4 I want to acknowledge that Councilmember David Carr
5 has joined us. I will now open the public hearing on
6 LUs 253 and 254 related to 1233 57th Street rezoning
7 in Councilmember Yeger's district in Brooklyn.

8 This application seems to rezone an existing R5
9 zoning district to an R6A zoning district and map
10 mandatory inclusionary housing over the rezoned area.

11 For anyone wishing to testify on these items
12 remotely, if you have not already done so, you must
13 register online, and you may do that now by visiting
14 the Council's website at Council.nyc.gov/LandUse.
15 And once again, for anyone with us in person, please
16 see one of the Sergeant at Arms to prepare and submit
17 a speaker card. If you would prefer to submit
18 written testimony, you can always do so by e-mailing
19 it to LandUseTestimony@Council.nyc.gov.

20 Do you want to make a-- No? Okay. Counsel,
21 please call the first panel for this item.

22 COUNSEL: The first panel consists of Richard
23 Robel, Nicholas Liberis, and Rachel Belsky. Oh, you
24 will be substituting in for Rachel? Okay. We will
25 ask you to state your name for the record.

2 CHAIRPERSON SCHULMAN: Counsel, please administer
3 the affirmation.

4 COUNSEL: Please raise your right hand and state
5 your name of the records.

6 You have to turn on your microphone.

7 MR. STEMBER-YOUNG: Max Stember Young.

8 COUNSEL: Thank you.

9 MR. LIBERIS: Nick Liberis.

10 MR. LOBEL: Richard Lobel.

11 COUNSEL: Do you affirm to tell the truth, the
12 whole truth, and nothing but the truth in your
13 testimony before the Subcommittee and in your answers
14 to all Councilmember questions?

15 ALL: I do.

16 CHAIRPERSON SCHULMAN: Thank you. For the
17 viewing public, if you need an accessible version of
18 this presentation, please send an e-mail request to
19 LandUseTestimony@Council.nyc.gov. Now the applicant
20 team may begin. Panelists, as you begin, I will just
21 ask you to please restate your name and organization
22 for the record.

23 MR. LOBEL: Thank you, acting Chair Schulman.
24 Good morning. Richard Lobel of Sheldon Lobel, PC,
25 for the applicant. I am joined today by Nick

2 Liberis, the project architect, as well as Max
3 Stember-Young. And we're here today to talk about
4 the 1233 57th Street rezoning. If you could load the
5 presentation. While the presentation loads, we are
6 here for two actions which have been approved by City
7 Planning, the first being a zoning map amendment to
8 rezone all or a portion of six lots along 57th Street
9 from an R5 district to an R6A district. This would
10 permit development of a 5-story plus cellar building
11 with a total floor area of roughly 79,330 square feet
12 and 46 dwelling units to be constructed on 3 lots
13 along this block front. The second action, of course
14 would be, as with all such rezonings to allow for a
15 text amendment to appendix F to require mandatory
16 inclusionary housing on the project site. This here
17 would result in approximately 12 permanently
18 affordable units of the 46 units proposed.

19 Next slide please, and actually if you could go
20 to the third slide. One more. Thank you.

21 So this is the proposed and these are the
22 numbers-- one back. One back please-- these are the
23 proposed numbers behind the development. It was
24 certified by City Planning as an 8-story plus cellar
25 and subcellar development with 79-thousand-plus

2 square feet. And so during the course of the hearing
3 process, the project was modified to allow for a
4 shorter building. This was in discussions with
5 community stakeholders who were concerned over the
6 fact that this would be an 8-story building, so it
7 was reduced to 5 stories. The FAR would remain the
8 same at 3.6, and would allow for an 8-foot side along
9 the westerly side lot line.

10 I'm going to just go through some of the zoning
11 background, and then Nick would talk about some of
12 the architectural design factors of the building.

13 Uh, the building itself from the westerly portion
14 starts at 4 stories. This is because, as you'll see
15 on the map, there's a setback from the adjacent R5 to
16 require a stepdown at the side lot line that is
17 adjacent to the lower density district, and then
18 would increase to 5 stories on the remainder of the
19 lot. There would be 52 parking spaces in the cellar,
20 and there would be 46 dwelling units in the building.
21 Importantly, again pursuant to conversations with
22 community stakeholders, the bedroom units here are
23 extremely generous in terms of size, with 38 three-
24 bedroom, four-bedroom, and two five-bedroom duplex
25 units. This would result in 44 of the 46 units at

2 the site being 3 bedrooms or greater. This is, in my
3 experience, is unparalleled in the size of units for
4 development. We can talk about that as well.

5 The next slide is the zoning map, which
6 demonstrates in part why we feel that this is an
7 appropriate rezoning. You can see the block
8 associated with this rezoning has R6 on it
9 immediately to the east of the project site. This
10 will become clear in the next few slides. But
11 importantly, for our purposes, we are central in
12 terms of our access to major thoroughfares, to public
13 transportation, as well as to larger buildings in
14 general. There is an 8-story building immediately to
15 the east of our site on this block.

16 The next slide demonstrates the exact area of the
17 rezoning district, which would be an R6A, a
18 contextual district which has a height limitation,
19 unlike most of the R6 districts to the north of the
20 site. So again, in terms of the zoning map, this is
21 in an area where the R6 on our block as well as
22 greater than 100 blocks to the north have an R6
23 designation with no absolute height limit. The R6A
24 here caps the height at 8 stories. Again, here we
25 would be developing a 5-story building.

2 The next slide is the area map, which
3 demonstrates why this area is particularly
4 appropriate for rezoning. You can note that 13th
5 avenue, which is 150 feet east of the rezoning area
6 is a wide street at 80 feet. The D line of the
7 subway is-- The New Utrecht 55th Street station is 2
8 blocks to the north of this site. There is bus
9 service along avenues in the site. In essence, it is
10 a well-suited site in terms of transit oriented
11 development. This was something that was noted by
12 Chair Garodnick in hearings on this matter before
13 city planning, which called the application a "model
14 of transit-oriented development."

15 So this is something which, in terms of the
16 opportunity to take a vacant site, which is not only
17 underutilized but not utilized right now, to create
18 housing generally, affordability in an area which
19 needs affordability, large unit sizes to be sensitive
20 to the local area, but also allow for, importantly,
21 affordable units that will be in large unit sizes as
22 well. As the council is likely aware, mandatory
23 inclusionary housing requires that the affordable
24 units in the property be at the same ratio as the
25 units generally in the property. So because this

2 site offers 46 or 48 units in terms of three and four
3 bedroom units-- two, three, and four bedroom units--
4 three, four, and five bedroom units, I'm sorry, the
5 affordable units similarly would be three, four, and
6 five bedrooms. This is again something which is
7 relatively rare if it has ever occurred in terms of
8 an approval of this nature. So the bottom line is we
9 are creating housing, but more importantly, we are
10 creating affordability with larger units, something
11 which is, you know, really valuable in terms of the
12 opportunities for less fortunate families.

13 I would now defer the conversation to Nick
14 Liberis, who will discuss some of the context of the
15 area as well as the proposed architectural design.
16 Nick?

17 MR. LIBERIS: Yeah, thank you, Rich. Thank you
18 for your time everybody. So when we first looked at
19 this site, um, you know, this is-- this is one of the
20 nicer neighborhoods, I think, in the borough.
21 There's a very-- uh, there's a very 1950s wholesome
22 feel to the entire thing. Um, there's-- there's
23 typically these three-to-five story structures and,
24 you know, it was something that we were very, very
25 cognizant of. We wanted to fit in. We wanted to

2 make something that was attractive, you know, for the
3 neighborhood. And it was something that ownership
4 was also very much on message about, always. You
5 know, they wanted to do something that had a chance
6 at actually getting, you know, getting built. So
7 when we-- when we looked at this-- if you could go to
8 the next slides please. When we looked at this, what
9 was saw was that on this-- on this block-- well, this
10 is actually-- next slide please. So on this block,
11 you could see that there's a lot of this typical
12 fabric, which is between three and four stories high,
13 facing the street. So it's kind of taller, uh,
14 taller houses, and, um, what we saw when we went to
15 the Google maps was that this stuff often features
16 setback floors that you can't see from-- from the
17 street. So we saw that there were typical heights
18 within a half block that ranged between 45 and almost
19 60 feet to the tops of the roofs.

20 Like Rich mentioned, there's also something
21 that's at the east end of the block, which is eight
22 stories high-- it's quite high. But, you know, 13th
23 Avenue is a very pronounced commercial corridor. You
24 know, there's a lot of traffic there, a lot of foot
25 traffic, so it's something which is more, you know,

2 typically found where you have the more densely built
3 up areas.

4 So when we took our first crack at this, what we
5 did-- could you go to the next slide please. What we
6 did-- next slide please. What we did was something
7 which was a little bit, like, audacious maybe, and we
8 went higher than, you know, what in hindsight was
9 probably, um, let's say, wise. The thought was that
10 what we see in this area is a need for a kind of, um,
11 for interim housing before people buy. So there's a
12 lot of young people that can't quite affording the
13 housing yet. So we thought that this was something
14 which was appropriate, because it would provide
15 rental housing for this part of the demographic. So,
16 um, while-- while these units were, um, let's say
17 generously sized, you know, there was also this
18 thought that this wasn't going to be permanent
19 housing, and that in this part of the neighborhood,
20 we could maybe do something taller. So the feedback
21 that we got from the community was that that's not
22 the case. So we made a big adjustment, and now we're
23 at about five floors, and-- the next slide please?
24 Can we just advance it. There's maybe five or six or
25 seven slides ahead of this. Yeah, keep-- keep going

2 until you hit the first rendering please. Yeah, so
3 this is all the stuff Rich-- Rich talked about, very
4 close proximity to all the transportation.

5 Okay. So this is-- this is the front elevation.
6 You can see over here to the left we have the more
7 typical fabric on this west side of the block, the
8 north side of it, where you have two and three--
9 three story houses. We're right up against a two--
10 two story house. WE have an 8-foot side yard there,
11 which is mandated by the zoning. When we have this
12 blending for four floors for the first 25 feet, and
13 then it pokes up to 55 feet. So we have a 5-story
14 building. We've showing something to-- let me show
15 it to you. We showed it to, I think to the Borough
16 President, and we showed it to the City Planning
17 Commission also, where we have a five-- a five story--
18 - where we have the fifth floor also set back. So
19 this is an option right now that we also have on the
20 table. But whether it is this or the setback
21 version, um, we have something which we think is very
22 contextually appropriate. Um, you could see the way
23 that we've articulated the street wall. It fits in
24 scale both in width and also height with other stuff
25 that's proximal to it. To the east over here, to the

2 right side, you have three and a half-- half story
3 buildings and then over to the far right, you could
4 see this much taller building.

5 Next slide please.

6 Next slide please.

7 We are proposing parking in the cellar. And we
8 have 52 spaces proposed.

9 Next slide please.

10 The next floor up is a slightly depressed first
11 floor, which allows us to stay under the height cap
12 will still keeping ample ceiling heights. And you
13 can see over here that we have these very oversized
14 cellar duplexes, and this is how we've been able to
15 keep an R6A so squat, because we place all this-- all
16 this floor area down into the basement. So these
17 guys have some nice-- nice back yards. Um, there's
18 this exterior like walkway, which, uh, which we
19 contemplate as being not just egress, but also a
20 place, you know, for people to put bikes, you know,
21 to store baby carriages. You know, maybe it's
22 someplace where people could-- could go hang out.

23 So this is the ground floor. You could see that
24 there are five-- there's five cores. There's five
25 entrance lobbies.

Next slide please.

So the typical-- the typical layout on these floors. This is something that we've had a lot of success with further and further north, where we have these units that go back and forth. So everybody is able to go and see their kids coming home from the school on the bus, and also able to kind of surveil the backyard. So you have floor-through units, ten of them on each floor, three bedrooms typically, and you could see that we have 46 units total proposed with this scheme. The preponderance of them, these typical three beds, and then you have the four bed duplexes, and the two five bed duplexes, and then the odd two and one bed which are kind of leftover with that space that's on the ground floor.

So next slide please.

This is just showing how we-- how we do the R5/R6 blend on that west side, on that left side of the page. We have the 25-foot space before it goes up to being 55 feet at its full height. And next slide please. This is looking west down-- down the street, and you could see here that we are, you know, roughly contextual with what's there. The thing that we were also very careful with was the way that the traffic

2 was managed. So we have an entrance for the cars,
3 which is at the east end, which you could see closest
4 over here, and then it exits on the west end. So we
5 mess-- mess with the parking very, very little. We
6 maybe lose two spots that way from the street, and it
7 is also, um, a very orderly procession of cars on and
8 off the site because what-- what we have observed is
9 that there's a lot of traffic at-- at certain parts
10 of the day, and we think that this is a good way to
11 manage that.

12 Next slide please.

13 This is, uh, the reverse shot looking east, and
14 you can see here that we have that-- that small
15 house, and this is kind of a very gentle, um, like
16 interpretation of something that you see typically
17 all over the Bronx and also Brooklyn where you have
18 these newer, you know, buildings, you know, generally
19 anywhere from pre-war, you know, to the present where
20 you have the buildings next to these existing houses,
21 and we think that this is a very, you know, refined
22 articulation on the side and something that really
23 smooths that gap in a way which is inoffensive and
24 kind of pleasant. With that, my presentation
25 concludes, and I-- I will kick it back to Rich.

2 MR. LOBEL: Thank you. And thank you, Nick. So
3 I think in conclusion, we would just want to add two
4 points. The first is that a 22,000 square foot site
5 in an existing R5 can produce 44,000 square feet of
6 community facility, or a medical office building. So
7 when we were looking at the options for this site,
8 and particularly looked at the five-story residential
9 option, the massing is very similar in terms of
10 height. You would be able to put up a 5-story
11 medical office building. And in terms of density and
12 the intensity of the use, as Max would be able to
13 attest to, the traffic and issues caused by a-- a
14 site which would have that much medical office would
15 be, you know, fairly high. And this is just kind of
16 one of the characteristics of this city's R5 zones.

17 So, um, taking all of that into account, looking
18 at the large unit sizes that are being offered here,
19 which is, you know, again something which we are
20 proud of in terms of the development, you know, we
21 are hopeful that the Council can support the
22 decisions of the Brooklyn Borough President as well
23 as City Planning, and allow us to move forward with
24 productive development on this site. And with that,

2 the entire applicant team is happy to answer
3 questions.

4 CHAIRPERSON SCHULMAN: Thank you. I have a few
5 questions for the applicant team. Can you talk about
6 the discussions you had with the Community Board. I
7 understand that you spoke with the board on more than
8 one occasion, and introduced a proposal with a
9 reduced height. Could you please clarify the factors
10 and tradeoffs you considered when evaluating
11 alternative zoning districts.

12 MR. LOBEL: Um, sure, Acting Chair Schulman. So
13 there were-- there were several meetings with the
14 community, particularly as we entered ULURP, and this
15 is in addition to conversations which the applicant
16 had with community members prior to entering into
17 ULURP. The idea here was that there is no doubt that
18 the building could exist at 8 stories in an R6A. But
19 as is the case with most applications that we bring
20 through ULURP now, we will end up with something of a
21 reduced height, given the fact that applicants now
22 will readily enter into restrictive declarations,
23 record those against the property, enter into
24 community benefit agreements. In this case, we
25 actually did go so far as to draft a community

2 benefits agreement. And the idea would basically be
3 that, look, we understand that Land Use would support
4 an R6A here, and the City Planning so found that.
5 But we also want to be members of the community and
6 we want to be sensitive to that, uh, to shoe issues.
7 And so you are able here to day, "Okay. We're going
8 to reduce the height to something you'd be able to
9 get as a right in some development, and we're going
10 to reduce the unit count to 46 units, which allows
11 for extremely generous unit sizes, as we've
12 demonstrated." So the bottom line is, we're well
13 aware of the community's feelings about this. We
14 tried to make modifications to our development plan
15 to reflect that. Sadly it didn't go the way the
16 wanted it to in terms of the Community Board vote,
17 but we did end up with what we feel is a more
18 contextual design.

19 CHAIRPERSON SCHULMAN: Could you discuss other
20 recent rezonings in this area, and the type of new
21 development that has been constructed in the
22 neighborhood?

23 MR. LOBEL: Um, well, you know, with regard to
24 the neighborhood, it's actually rare. And one of the
25 reasons I think that this rezoning has merit is

2 because there are relatively few inclusionary units
3 which have been introduced into this neighborhood.
4 You now have an opportunity with a 22,000 square foot
5 site to actually concentrate some development and
6 include some, uh, affordable units on this site.

7 When we talk about, um, this area but more
8 largely Brooklyn and what we've been seeing on sites
9 that are central to transportation, adjacent to wide
10 streets, an R6A is something which we've-- I've seen
11 with great regularity. In fact, on narrow streets,
12 streets, which under zoning are streets less than 75
13 feet, we have actually had R7A districts commonly
14 throughout, you know, much of Brooklyn. So I would
15 point to Park Avenue, where we really had 446 to 448
16 Park. That was at an R6A zoning district. Flushing
17 Avenue, where we rezoned to, again on a street that
18 does not meet wide-street requirements, rezoned to
19 R7A.

20 So, um, again I think that sadly this area has
21 not had that type of rezoning activity in terms of
22 being able to create this housing. But in Brooklyn,
23 generally, we have seen R7A on streets less than 75
24 feet wide, and this would be R6A.

2 CHAIRPERSON SCHULMAN: If this rezoning were not
3 approved, what does the applicant plan to do with
4 this site?

5 MR. LOBEL: Um, it's a hard question. I think
6 the answer is that we have to look at what the
7 options are. Um, it's-- it doesn't make sense for
8 the applicant to proceed with R5 residential
9 development on this site. And so, um, you know, one
10 of the options frankly would be looking at whether or
11 not a community facility was feasible on this site.
12 From a square footage and bulk standpoint, that
13 development creates 44,000 square feet. It's
14 something that we looked at. It's not something that
15 the applicant wants. I don't even think that it is
16 something that necessarily would be within the
17 context of the area. This area is largely defined in
18 its midblock areas by residential use. But having
19 said that with regard to optionality, that has to be
20 one of the options which would be front and center in
21 terms of what they can do.

22 CHAIRPERSON SCHULMAN: Okay. Thank you. I want
23 to first acknowledge that we've been joined by
24 Councilmember Moya. And I want to ask Councilmember
25 Yeger, do you have questions?

2 COUNCILMEMBER MOYA: Thank you, Madam Chair.

3 Good morning, Rich.

4 MR. LOBEL: Good morning.

5 COUNCILMEMBER MOYA: My starting point, of
6 course, is I want to acknowledge or be grateful for
7 your acknowledgement of the 1950s wholesome feel of
8 our community. It's what we're striving to keep, and
9 it's a little bit why we're here today in a mildly
10 contentious way. Uh, I want to go over, if you don't
11 mind, but before we get to the meat of the project,
12 some of the broader place of how the-- of how the
13 presentations went before we came to this place,
14 because as you know, there are some steps before we
15 get here. You were at the Community Board in April,
16 and approximately 200 written comments, approximately
17 200 or 250 people came out and testified. You had
18 presented an 8-story building. And recognizing that
19 that was really not feasible, and that would get a no
20 vote, you asked us to do something that, uh, we
21 offered and you accepted to do something that I don't
22 think any Community Board does in the city: Come
23 back again with a better proposal and try to get to a
24 yes. I have attended in my life well over 1000
25 Community Board hearings in every single borough

2 either in person or watched it, including my own 18
3 years on a Community Board and as a staffer to a
4 Borough President and a Councilmember, I have never
5 in my life seen a Community Board that brought the
6 same project back a second time on an advisory basis.

7 I've also never in my life an applicant come into
8 a Community Board, make a presentation, of what they
9 would be willing to do, and then when asked to sign a
10 document saying, "We agree. We're going to do what
11 we presented," saying, "No, that's a step too far.
12 We can't commit in writing to what we presented
13 verbally." I've never seen that, at least--

14 [background noise]

15 Stop. We don't clap here. So you can-- you can,
16 I don't know what they do a little snappy thing.
17 Okay. You can do that. It's not really my schtick,
18 but other people do that. But no clapping,
19 unfortunately.

20 Um, the-- the point of this dialogue, one way
21 dialogue so far, is to set the stage for-- for his
22 conversation, because we are, you know, you
23 referenced that there aren't a lot of rezonings that
24 happen in Borough Park, and it's true. And one of
25 the reasons is because Borough Park, about three or

2 four decades ago was rezoned to an R5 almost across
3 the board throughout Borough Park, and people are
4 building R5s all across the board in Borough Park.

5 The reason this Council and City Planning doesn't see
6 rezoning applications is because the good people of
7 Borough Park figure out to build with what they have.

8 To be clear, when the applicant purchased the
9 property, the zoning wasn't a secret. It's not like
10 he didn't know what he was getting. He knew what he
11 was getting. He bought an R5. He paid R6 prices,
12 but that's between him and his wallet, not me. I
13 didn't tell him to overspend on a piece of property,
14 being reliant on that, "Well, you know, later on some
15 other guys are going to rezone this for me." And
16 the-- the place where we are today is that, uh, the
17 Community Board was willing to say yes to a 4-story
18 building that was an R6B, that was limited to four
19 stories, still higher than anything else on the
20 block, and the Community Board was able to get to a
21 "yes" on that. And the applicant was okay with that,
22 did a whole fancy presentation, you know, rejiggered
23 this whole business to make it match, and within a
24 day, uh, your answer to the Community Board-- um, and
25 I don't like to do this, you know, throw words back

2 at you, but, you know it's your words, and I hope you
3 don't mind-- that you're not proceeding with the
4 community benefits agreement. By the way, the only
5 benefit that we were asking is a promise to keep to
6 the word of the applicant at the hearing.

7 The other times that Community Benefits
8 Agreements are negotiated with members or with
9 Community Boards is, you know, "Give me a park",
10 "Give me this, give me that", "A new school", "Pave
11 the road." They didn't ask for anything ancillary to
12 the property. All we asked for is that what you
13 walked in and grabbed our mic, and said you were
14 going to do, you do. That was the only thing, and
15 your response to the Community Board was, "The
16 applicant's representatives felt that an R6B zoning
17 district with restrictions as discussed would make
18 the project unfeasible." And unfeasible is probably
19 what you meant, but the-- the board asked you back
20 what restrictions were you referring to, because we
21 didn't insist any restrictions. Um, and the
22 restrictions that you then wrote back, and I've
23 distributed this e-mail exchange between Mr. Lobel
24 and the Community Board to my colleagues here on this
25 committee. "The restrictions that were discussed

2 include height 4 stories and density 36 units, as
3 well as unit distribution and parking." These were
4 all the things that you said. Those were the
5 restrictions. It was your restrictions. We didn't
6 give you a list of things you had to do. You walked
7 in and said, "These are the things I'm willing to
8 do," and you got a yes out of it. Or you were going
9 to get a yes. I mean, they said, "This is something
10 we can live with."

11 So, having given the context, because I don't
12 think that clear context came through in the
13 presentation. So now I'd like to ask: Why is it
14 that you are not able to agree to the proposal that
15 you presented to the Community?

16 MR. LOBEL: Sure. So-- and thank you
17 Councilmember for the background and the opportunity
18 to speak, and of course, aside from being an officer
19 of the course, I am also under oath, and so
20 everything I say is presumed to be true, I would also
21 hold my 20-year career before the Council and the
22 city zoning agencies as evidence of-- of what I'm
23 about to say.

24 The applicant here proceeded at all times in good
25 faith. There was never an idea here where they were

2 going to pull a fast one or come in and do a switch.
3 That wasn't the idea. Uh, this was ULURP. There
4 were decisions that were made at the last minute.
5 There was a discussion around R6B, and so this was
6 very much on the fly. And so, Community Board-- you
7 know, the Community Board here is a Community Board
8 we have been before many times, and have come through
9 with many wonderful projects that have been
10 supported, synagogues, yeshivot, and so it's-- you
11 know, we're familiar with the area and with the
12 people here. And so I think we made-- we made an
13 effort. There was a chance that it could work at an
14 R6B, and we tried for that.

15 But in all honesty, after further review and
16 looking at the numbers, which again were put
17 together, you know, with great speed because of the
18 nature of the-- the last-minute nature of a lot of
19 the process, it didn't work for the applicant. And
20 so part of that is our fault as an applicant team,
21 and I get that. But, you know, again, if we're
22 speaking in good faith, and again if we're being
23 honest, this is not the first time that this has been
24 brought before, you know, the Council and you as
25 Councilmember. There were discussions that went

2 back. And so this was not a process where we just
3 started and said, "We're popping an 8-story building
4 here." The applicant in good faith proceeded over
5 the course of what amounted to be years to try to
6 bring this project to fruition. It's a vacant lot.
7 It's-- It's an opportunity here, and so we were
8 making our best effort. And you had certain
9 restrictions in terms of height of parking, and we
10 attempted to comply with those. It is very much an
11 iterative process.

12 So the bottom line is, yes, we did come into the
13 Community Board with an R6B and reduced the height.
14 You know, again, given the nature of development
15 right now in the city and the economics, that wasn't
16 going to work. And so the applicant made the
17 decision to say, "You know, I would rather address a
18 reduced R6A than go to an R6B.

19 The other thing to realize, of course, is that an
20 R6B allows for a 2.2 FAR. The existing R5 allows for
21 a 2-- for a community facility building. That-- the
22 difference between those districts in the final
23 analysis, a 0.2 FAR in the site, was insufficient to
24 allow the applicant to move forward in terms of
25 financing a project and being able to follow through.

2 So again-- Again, as someone under oath and
3 someone who has been before the Community Board,
4 everything was done in good faith. There was never
5 any bad faith involved. But at the end of the day,
6 we just could not make the numbers work on that
7 development.

8 COUNCILMEMBER MOYA: Thank you for that. I too
9 am an officer of the court, and my representations, I
10 believe, can be taken at face value as well, and
11 there is no insinuation whatsoever that you're not
12 being honest here at the Council, or that you weren't
13 being honest at the Community Board. But it's-- it's
14 very clear that, you know, attorneys represent their
15 clients and you bring forth a project that is based
16 on what the client insists you do, and that's okay.
17 Um, but again, my point is that, uh, zoning has to be
18 contextual. And you got to the place where it was
19 virtually contextual. The four stories still would
20 have towered over everything else on the block, but
21 the representation made to the Community Board was
22 that this would be acceptable, and in fact, the
23 Borough President in his approval, which you cited in
24 your opening statement, indicated that this would be
25 okay, and urged-- I believed urged the applicant to

2 enter into a CBA with the Community Board to ensure
3 that--

4 MR. LOBEL: It was for an R6A.

5 COUNCILMEMBER MOYA: For the R6A? Not for the B?

6 Okay. All right. So I take that back then.

7 Withdrawn as we say. Um, let me-- let me just try
8 to-- try to get some facts out and, you know, forgive
9 the manner in which I do this, but I wasn't trained
10 as a Councilmember. I was trained in a different
11 profession, so it will be a little Q-and-A, but
12 you're used to this.

13 Um, it is true that this would tower over
14 everything else on the block, right? I'm not just
15 making that up, okay?

16 MR. LOBEL: It is not true.

17 COUNCILMEMBER MOYA: It's not true? Is there
18 anything on the block that is taller than this?

19 MR. LIBERIS: Um, yeah. There's stuff that's to
20 the east that's about, probably 30 feet taller than
21 that.

22 COUNCILMEMBER MOYA: At the corner?

23 MR. LIBERIS: At the corner.

24 COUNCILMEMBER MOYA: Okay.

2 MR. LIBERIS: And then we went back and we looked
3 all over the block, and actually across the street,
4 and what we saw was that there is eight-- at least
5 seven other properties that would match the height of
6 that-- of that 55 feet to the top of the bulkhead
7 there.

8 COUNCILMEMBER MOYA: Multifamily dwellings like
9 this--

10 MR. LIBERIS: No. Single--

11 COUNCILMEMBER MOYA: --or single family homes?

12 MR. LIBERIS: --family homes that have roof--
13 like rooftop additions, you know, stair bulkheads,
14 stuff like this.

15 COUNCILMEMBER MOYA: Okay. So that's to point a
16 little bit about the rezoning that was done in
17 Borough Park about three of four decades ago. The
18 idea was to allow people to build bigger within the
19 context of their property line, to get more FAR
20 similar to what we did in Community Board 14, and
21 the-- with the special permit that you are very
22 familiar with, that you and your father are familiar
23 with, to allow people not to build dwellings, but to
24 allow people to build their own dwellings and get
25 more bedroom space, get more kitchen space, get more

2 living space within the context of their actual lot
3 line--

4 MR. LOBEL: Uh-huh.

5 COUNCILMEMBER MOYA: And not to be multiple
6 dwelling.

7 MR. LOBEL: Uh-huh.

8 COUNCILMEMBER MOYA: And what this application
9 does, obviously is to create a multiple dwelling but
10 the-- to my knowledge, in going through the block,
11 and I'm on that block quite frequently, not as often
12 perhaps as those who live there, but I would assume a
13 little bit more than you, the block-- the properties
14 that are at, or there about to the height-- the
15 proposed height, are typically one-family homes that
16 have taken advantage of the R5 and built themselves
17 nice big houses. Are there multiple dwellings within
18 the immediate vicinity that would be anything the
19 width and bulk of this proposal?

20 MR. LIBERIS: Um, well yes. Right to the east,
21 there's a couple that appear to be conjoined multiple
22 dwellings.

23 COUNCILMEMBER MOYA: Those are the R-- those are
24 within the R6.

2 MR. LIBERIS: They're-- No, they're in the R5.
3 And they're right next to us, and they're-- I have
4 the thing right here. They're about 36 feet high,
5 and we would be going 45 feet high. And this also
6 brings up another issue, which is actually the
7 perceptible height. So I think if you were to stay
8 at four floors for the setback, you could-- you could
9 set this back on a fifth floor in a way which would--
10 which would not make it perceivable from any-- you
11 know, from any vantage point on the street, even were
12 you to put your back up, up against the opposite
13 street wall, and like really stretch.

14 COUNCILMEMBER MOYA: That's not what we saw.

15 MR. LIBERIS: That's not what you saw, but we--
16 we did an investigative version like this. We did
17 have a version like that which leaves a little bit of
18 FAR on the table--

19 COUNCILMEMBER MOYA: I'm in a little-- I don't'
20 mean to cut you, but I'm in a little bit of a
21 conundrum, because we did a hearing--

22 MR. LIBERIS: I hear you. I hear you.

23 COUNCILMEMBER MOYA: We did a hearing and you
24 showed us one thing.

25 MR. LIBERIS: I hear you. Yeah.

2 COUNCILMEMBER MOYA: We did another hearing and
3 you showed us another thing. We're here today and
4 you're showing us--

5 MR. LIBERIS: I know, but the overall point is
6 that we're not that-- we're not that much out of
7 context. Like we're maybe 10 feet higher of the
8 thing that's-- that's right next to us, and then the
9 thing that's, uh, the building over is about 30-40
10 feet higher than us.

11 COUNCILMEMBER MOYA: Let me just ask you--

12 MR. LIBERIS: So to say it is out of context is
13 not accurate.

14 COUNCILMEMBER MOYA: The purpose of the-- at the
15 time that you were proposing 60 units, you had
16 proposed 94 parking spots. When you proposed 46
17 units, you proposed 52 parking spot. Then you went
18 to 36 units and you proposed the same 52 parking
19 spots. Do you have a theory-- a reason why the
20 parking spots exceed the number of units?

21 MR. LIBERIS: Yes. Um, we had spoken to you at
22 the very beginning and it was something that you
23 asked us--

24 COUNCILMEMBER MOYA: One for one.

2 MR. LIBERIS: Uh, I don't remember your exact
3 words, but I think we had said that if we provide
4 more, it might be something that the community would-
5 -

6 COUNCILMEMBER MOYA: I mean that's always-- my
7 thing is always one for one.

8 MR. LIBERIS: Yeah, okay.

9 COUNCILMEMBER MOYA: Okay. One for one.

10 MR. LIBERIS: Yeah, so...

11 COUNCILMEMBER MOYA: I'm just asking to try to
12 elicit whether or not there's a plan for some-- some
13 use within the 46 that you're now hearing from the
14 Council proposing that would be different than
15 residential, and would require additional spots, a
16 community facility, doctors offices, grocery store, I
17 don't know.

18 MR. LIBERIS: No. No, no. It has always been
19 contemplated that it would be residential, one for
20 one. But we also know that some people have more
21 than one car, and there would be demand should people
22 want to get two spaces.

23 COUNCILMEMBER MOYA: All right. Um, Madam Chair.
24 I think that's it from me for now. I'd like to hear
25 from the neighbors.

2 CHAIRPERSON SCHULMAN: I now invite my colleagues
3 to ask questions. Councilmember Carr, do you have
4 any questions?

5 COUNCILMEMBER CARR: Um, during your testimony
6 you described the project as "roughly contextual."
7 Um, and frankly I understand something being
8 contextual is a binary state. It either is or it
9 isn't. And when you use a mitigating qualifier like
10 that, it says to me that it is not in context, and I
11 think some of the dimensional discrepancies that my
12 colleague was talking about between what you're
13 proposing and what's there kind of gives some
14 justification to my concern when I hear something
15 like that.

16 And so I would suggest that as, you know, you
17 walk away from today, that you really kind of figure
18 out a way to reengage with the community stakeholders
19 and my colleague and see what you can do to come up
20 with something that is a true compromise, right? And
21 I think that that's something that's really important
22 to me, as someone who believes in neighborhood
23 preservation that folks have an invested stake in the
24 neighborhood they've called for home for their whole
25 lives, generationally, even as families, but that's

2 crucially important. So take every opportunity you
3 can while the clock is ticking to continue to talk.
4 So that's all I'd really like to say at this time.
5 Thank you, Chair.

6 MR. LOBEL: Thanks Councilmember.

7 CHAIRPERSON SCHULMAN: Okay. Thank you There
8 being no-- I'm sorry. Councilmember Louis.

9 COUNCILMEMBER LOUIS: Thank you Chair. You
10 mentioned there is an alternative proposal that has a
11 setback. Did you share that with the Councilmembers
12 yet or the Community Board?

13 MR. LIBERIS: I don't think so, no.

14 COUNCILMEMBER LOUIS: Would you be able to send
15 it right away--

16 MR. LIBERIS: Yeah.

17 COUNCILMEMBER LOUIS: -- so that he is able to
18 see it?

19 MR. LIBERIS: Yeah. Sure.

20 COUNCILMEMBER LOUIS: And what about the CBA?
21 Are you willing to provide a CBA now?

22 MR. LOBEL: We would 100% be willing to provide a
23 CBA. In fact, you know, 10 or 15 years ago, CBAs
24 were not even utilized. But lately, I would say that
25 over 50% of the rezonings that we do have a CBA or a

2 restrictive declaration. And so we-- we got one
3 drafted. We would be happy to enter in-- I mean, we
4 would be thrilled to be at the point in these
5 proceedings where we could enter into a CBA.

6 COUNCILMEMBER LOUIS: All right. How soon would
7 you be able to send it over?

8 MR. LOBEL: Um, I think it's a little bit
9 dependent on-- on what comes out of this. But having
10 said that, the form of the CBA itself could be-- we
11 could send it over by the end of the week.

12 COUNCILMEMBER LOUIS: And it sounds like you
13 could probably give two options: The CBA that you
14 currently have now, and with the setback that you're
15 going to e-mail to the Councilmember.

16 MR. LOBEL: We could.

17 COUNCILMEMBER LOUIS: Okay.

18 CHAIRPERSON SCHULMAN: Okay. Go ahead
19 Councilmember Yeger.

20 COUNCILMEMBER YEGER: Thank you, Madam Chair.

21 Let me just follow up on Councilmember Louis's
22 question about the CBA. I appreciate that offer.

23 Um, do you-- do you represent, or are you able to
24 (and if not, that's okay, right? No is an acceptable
25 answer), but are you unable to reduce it down to four

2 stories, or is there a final place that it has to be-
3 - it has to have that fifth story.

4 MR. LIBERIS: I think it has to have a partial
5 fifth story.

6 COUNCILMEMBER YEGER: Okay. And when--

7 MR. LIBERIS: But it could be-- it could be such
8 that would not be seen from the street at all.

9 COUNCILMEMBER YEGER: I understand that. When--
10 when you mentioned earlier, um, that it didn't work
11 for the applicant in language along those lines, do
12 you mean financially?

13 MR. LIBERIS: Yeah. Yeah, just from like a
14 strict feasibility development perspective.

15 COUNCILMEMBER YEGER: In the sense that if it
16 were to be built, it would be a loss?

17 MR. LIBERIS: Um, it would be at a loss and it
18 would not be conventionally financiable.

19 COUNCILMEMBER YEGER: It wouldn't be...?

20 MR. LIBERIS: conventionally financiable.

21 COUNCILMEMBER YEGER: Conventionally financiable.
22 Okay. All right. Thank you Madam Chair.

23 MR. LOBEL: I'd also just like to-- with regard
24 to the CBA, of course, I have to-- the form above,
25 I'm happy to send to the Council. I'd of course have

2 to talk to my client with regard to the adoption of a
3 CBA, but we're happy to send what was drafted to the
4 Council.

5 COUNCILMEMBER YEGER: With the restrictive
6 covenant?

7 MR. LOBEL: Yes.

8 COUNCILMEMBER YEGER: Okay. Thank you. Thank
9 you, Madam Chair.

10 CHAIRPERSON SCHULMAN: Okay. Thank you. There
11 being no further questions, this applicant panel is
12 excused. Counsel, are there any members of the
13 public who wish to testify on 1233 57th Street
14 rezoning remotely or in person?

15 COUNSEL: Acting Chair Schulman, there are
16 approximately six public witnesses who have signed up
17 to speak. For members of the public here to testify,
18 please note that witnesses will generally be called
19 in panels of 3. If you are a member of the public
20 signed up to testify on the proposal, please stand
21 by. When you hear your name called and prepare to
22 speak when the chair says that you may begin. Please
23 also note that once all panelists in your group have
24 completed their testimony, if remotely, you will be
25 removed from the meeting as a group, and the next

2 group of speakers will be introduced. Once removed,
3 participants may continue to view the livestream
4 broadcast of this hearing on the website. We will
5 now hear from the first panel.

6 CHAIRPERSON SCHULMAN: Members of the public will
7 be given two minutes to speak. Please do not begin
8 until the Sergeant at Arms has started the clock.

9 COUNSEL: The first panel consists of Abbey
10 Klein, David Heissler, and Mr. -- sorry if I
11 mispronounce your name, H-R-E-R-O. The first name
12 seems to be R-E-L-- Relk? [inaudible]?

13 Please join the table.

14 CHAIRPERSON SCHULMAN: Okay, the panel-- I just
15 want to remind the panel, each of you has two minutes
16 to speak. Mr. Klein, do you want to go first? Just
17 put the-- make sure the mic is on.

18 MR. KLEIN: Hello? It's on? Um, I am-- was
19 sitting here listening to the panel presenting, and
20 then a little surprised, because they were under
21 oath, and respectfully, I am shocked at the things
22 that they have said. First of all, as far as this
23 particular lot, I just want to bring to attention
24 that work has commenced on this property as an R5

2 back last year. So if it worked then, it should
3 continue to work now.

4 Second, I find that the applicant has bent their
5 pretzel, in order to get to the R6 zone on 13th
6 avenue. They are skipping over two homes which are
7 R5. They are attempting to attach themselves to an
8 R6, which as of 2016, is no longer allowed. The city
9 has outlawed it by, I don't know how, but the
10 Department of Buildings. That six-story building
11 (not eight-story building) that the applicant is
12 referring to is no longer allowed these days because
13 it has no frontage on 13th avenue, which his an R6.
14 So it is disingenuous to attach to that building.
15 Um, it's not contextual at all. Every house on that
16 block is 35 feet at the most, maybe a little bit
17 more, 2 or 3 feet when the roof is pitched, and
18 that's all within the law. So this building would be
19 20 feet taller than every house on the block. So
20 it's almost double.

21 The neighbors whose lots they are trying to
22 include into their rezoning strongly objected because
23 they are losing light and air because they are losing
24 four feet, because they are coming within four feet
25 of their lot.

2 It is interesting to note that the only-- [bell
3 rings]

4 CHAIRPERSON SCHULMAN: Just summarize, and then
5 you also can submit further testimony and we'll--

6 MR. KLEIN: Right. The only thing in front of
7 City Council is an 8-story building. That's in the
8 application, and we urge you vote no against it,
9 because there's nothing else there.

10 CHAIRPERSON SCHULMAN: Thank you, sir. Mr.
11 Heissler?

12 MR. HEISLER: Actually, I'm representing my
13 parents to live on the block. They moved there and
14 purchased the property nine years ago. They moved
15 from a little section of Brooklyn called Seagate that
16 was very quiet, but it was a little isolated, so they
17 moved out. They wanted to have something a little
18 more in-- with more, you know, stores and stuff like
19 that, but they wanted the still nice quite feel.
20 They love the block. They love the neighborhood and
21 everything. It is quiet. It is clean. They just
22 love it.

23 This is nothing they asked for. When they
24 purchased the property, had they known it was going
25 to be an R6 right next door, back-to-back actually,

2 we're talking here that their property here and their
3 tower would be right on top of that. So it would be
4 extremely intrusive, extremely invasive. The garbage
5 that would be there, forget the rodents and
6 everything like that, and the blockage of sunlight.
7 But it is not what they asked for when they brought
8 the property. The people who brought the property
9 with the understanding that it was an R5
10 neighborhood.

11 Um, it was mentioned actually by the applicant
12 team that it's one of the nicest neighborhoods in the
13 borough. That was mentioned by him. He did say that
14 right further down, there's other developments that
15 are bigger. But that's the whole thing about Borough
16 Park is that you have a busy, busy street, and then
17 right next to it, you turn off a block, and it's nice
18 and quiet, and it's beautiful and everything like
19 that. So-- so that argument just-- you know, I don't
20 think that would really make sense. And as far as a
21 52-car parking lot. I mean, it's nice that there's
22 parking there, which is great, but a lot of people
23 have two cars per family. So I think that all those
24 52 cars that are there are probably going to be used
25 in the morning, Monday morning at 8 or 9 o'clock,

1 there's going to be a lot. And at night, I-- I'm on
2 the block, I'm going to visit my parents, there's
3 going with electric scooters up and down, bikes and
4 scooters and everything like that. To add 50 cars
5 going in and out, every single day, it just-- it just
6 sounds dangerous to me personally. Um, and that's
7 it-- that's really-- it would just be a really
8 serious downgrade of quality of life for the entire
9 neighborhood.
10

11 CHAIRPERSON SCHULMAN: Okay. Thank you, sir.

12 Next?

13 Good morning, honorable members. Good morning,
14 neighbors. Okay, sorry. Okay-- As was mentioned
15 previously, I'm here to iterate[?] and expand on the
16 issue of trust. We are a tight-knit community, and
17 we try to be accommodating to our neighbors and
18 friends alike. What we see here is something
19 completely different. We do not see any benefit to
20 our community or ourselves.

21 Most importantly the trust between the owners and
22 us neighbors have been breached. What we mean is we
23 have had several previous meetings. I would hesitate
24 to call them liars, God forbid, but with the utmost
25 respect, they are putting their benefits first, which

2 seems to blind their clarify here. We understand
3 these meetings are to try to come an agreement of
4 some mutual sort, but somehow when it does not suit
5 their ulterior motive, they pull the rug from under
6 us to start another new plan.

7 With all this being said, we would expect for our
8 Community Board ahead of us to heed our opinion, and
9 I really want to thank our Community Board member,
10 Kalman Yeger-- our Councilmember, Kalman Yeger, for
11 understanding our pain throughout. I was listening
12 to his questionnaire today, which was extremely-- I
13 was very proud that he literally looks out for us as
14 members.

15 We are here for that reason that affects us
16 personally and collectively as a community and
17 neighborhood, we ask to be kindly expected and to
18 uphold the original zoning so that we don't feel
19 betrayed and we can regain the trust we deserve when
20 we initially all sought to buy our properties.
21 Please listen with your heard and with all the
22 information we have provided up until today. We look
23 forward to restore the trust and maintain our
24 continuous loving and respectful community who cares
25 and looks to support each other. Please support us

2 too. We wish the owners and lawyers all involved to
3 reconsider their dreams while not turning ours into a
4 living nightmare. Thanks for your consideration and
5 cooperation. We look forward to having this resolved
6 and peacefully to continue on with our family and
7 community's life. Thank you. Thank you. Thank you.

8 CHAIRPERSON SCHULMAN: Thank you very much. Do
9 any of-- does anybody have any questions?
10 Councilmember Yeger, do you have any questions for
11 this panel?

12 COUNCILMEMBER YEGER: No Madam Chair, thank you.

13 CHAIRPERSON SCHULMAN: Okay. Anybody else? No?
14 Okay. Thank you for your testimony.

15 COUNSEL: This panel is dismissed, and the next
16 panel is Miriam, Moses Schlessinger, and Jacob
17 Seemol[ph].yyy

18 Are you Miriam? Okay.

19 And excuse me sir-- could you please sit--
20 Schlessinger?

21 And is Jacob Seemol[ph]...? Do we have Jacob
22 Seemol[ph] here?

23 Thank you.

24 CHAIRPERSON SCHULMAN: Thank you. I just want to
25 remind the people testifying that we-- there's two

2 minutes each. If you have longer comments, you can
3 submit testimony to the Committee, and it will be
4 added. So Miriam, do you want to start?

5 MS. MIRIAM: Good morning all. Thank you for
6 your time. As a homeowner residing on this block for
7 the past 35 years, I vehemently oppose this behemoth
8 project. Our block, nor the community is meant for
9 this type of housing. All the homes are maximum 3-
10 family and 3-story R5 zoned. Yes, we did get duped
11 into an R6 building at the corner with five stories
12 and promises of an underground parking lot that is
13 off limits for tenants who are now scrambling for
14 street parking.

15 When my home was built, it was illegal to build
16 four stories, and it shouldn't be any different
17 today. This is a quiet, tree-lined residential
18 street that has more than enough traffic and parking
19 issues on a daily basis. We have a busy church at
20 the corner with an overcrowded parking lot that
21 spills onto the street as well. A public school
22 opposite the church with school busses lined up
23 morning and afternoon. Next to the medical center
24 with ambulances and ambulettes double parking all
25 day. This is directly opposite this monster project.

2 Never mind the fact that the medical center promised
3 us a parking lot for employees, which is there, but
4 they are not allowed to use again.

5 Let me bring to your attention that 57th Street
6 is a city bus route as well. Let's not forget our
7 loads of private school busses that come rolling down
8 our streets twice per day to pick up and drop off our
9 precious children.

10 Now please visualize a morning where this 8-
11 story/4-story/6-story (I don't know what the heck he
12 is proposing anymore) and 85/45/65 apartments (I
13 don't know anymore what I'm coming for) with tenants
14 driving in and out of the same entry and exit points
15 on 57th street. Can you imagine the havoc. There
16 are kids that play on sides of the block. Do you
17 know-- if I had my kid to play down the street with
18 her friends down the street, there are cars coming in
19 and out of the place.

20 And please let's not forget the sanitation truck
21 that needs to pick up the garbage from this massive
22 building that comes about 8:00 in the morning as
23 well. I say it would probably take about 15 minutes
24 to collect the garbage. Now how pathetic will that
25 be?

2 As a business woman that runs a shoe company, I
3 fully understand profit and loss margins. I
4 understand-- Yes, I do understand. This developer
5 needs to get a lot of bang for his buck. Yes, he
6 paid \$3 million for each lot. But I can tell you,
7 there are lots of homeowners here from 56th Street,
8 57th Street, and 58th Street that have paid upwards
9 of \$3 million for their properties as well. [bell
10 rings] In all fairness-- I'm closing. In all
11 fairness, why this developer is rightfully expected
12 to receive any more rights in the way of zoning
13 changes than any other resident on this block is
14 unfair. Let him construct multi-3-family, 3-story
15 homes like the rest of us do so that we can maintain
16 the aesthetic look that 57th street and all the
17 neighboring blocks have. We don't want nor need this
18 eyesore in our neighborhood.

19 I'm hoping that I presented my opposition to the
20 zoning change in a fair and respectful manner. Thank
21 you so much.

22 CHAIRPERSON SCHULMAN: Thank you very much. Mr.
23 Schlessinger?

24 MR. SCHLESSINGER: Hello?

25 CHAIRPERSON SCHULMAN: Yup.

2 MR. SCHLESSINGER: Good morning. There is I
3 stand before you to express our community's deep
4 concerns about the rezoning proposal of 57th street.
5 We understand the need for growth. Therefore, for
6 the most part, every single family _____ is a 3-6
7 family homes within the existing zoning. But this
8 specific project has-- poses several issues. I will
9 list six I think stand out.

10 One, in a broken infrastructure the spot rezoning
11 of a certain lot to R6A in an R5 zone disregards the
12 existing _____ lane street with an 8-floor
13 development. The increased density is not suitable
14 to this location. The traffic study overlooks the
15 family needs.

16 Two, community mismatch. The project does not
17 align with the community's desires or needs, because
18 our community being ahead of the curve, the current
19 R5 was upzoned to 1.8, which already permits higher
20 densities than other R5s at 1.25 FAR, and a proposal
21 of 3.6 FAR simply goes to far.

22 Number three, the affordability aspect. Despite
23 claims of affordability, the project is likely to
24 increase land prices and hinder housing affordability
25 in our are. The speculative behavior of the

1 developer with _____ to the property is another red
2 flag that requires your attention.
3

4 Number four, environmental and open space issues.

5 The lack of open space in the project coupled with
6 false assumptions about nearby parks should not allow
7 this to move forward. We must consider our younger
8 generation, who deserve more than a mere wide
9 sidewalk mislabeled as a park.

10 Number five, alternative solutions. We are not
11 opposed to growth, but we must be responsible in
12 approving. Why not explore rezoning between 60th and
13 65th Street, where there are junk yards having been
14 environmental concerns for many years. That could
15 bring true improvement to our community.

16 Number six, a call for comprehensive studies.
17 Instead of allowing the shortsightedness of a single
18 developer, a more comprehensive area-wide study for
19 housing solutions should be considered.

20 In conclusion, we urge you to think of our
21 community's integrity and well-being. The proposal
22 on 57 Street lacks justifications, fails to meet our
23 needs, and will harm affordability and community
24 harmony. Developer plans to remedy this at \$45 per
25

2 foot while our current neighborhood rent runs half of
3 that.

4 Thank you for listening.

5 CHAIRPERSON SCHULMAN: Thank you. Do any of my
6 colleagues-- Councilmember Yeger, do you have any
7 questions for this panel?

8 COUNCILMEMBER YEGER: I just wanted to ask you
9 with regard to the-- to the bus route, ma'am, that I
10 think you mentioned. I believe that this-- is
11 anybody here from Hatzolah?

12 MS. MIRIAM: My husband is.

13 COUNCILMEMBER YEGER: Is a member of Hatzolah?
14 Okay. So I know that you're not there now, but you
15 can indicate to me with an answer, and I'll repeat
16 the answer, but Hatzolah uses that street as its
17 route through Borough Park directly to Maimonides
18 because that's the only clear route, is that...?

19 MR. SCHLESSINGER: Correct. They use it as a
20 beeline to Maimonides.

21 DISTANT BACKGROUND VOICE: One more thing, one of
22 the taller garages where they park their ambulances
23 on _____, that's the direct route. I remember those
24 _____ personal vehicles _____ the ambulance.

2 COUNCILMEMBER YEGER: Okay. So I'm going to
3 repeat that for the record. So when the members,
4 Madam Chair, as you know from your neighborhood in
5 Queens and Councilmember Carr knows from his
6 neighborhood in Staten Island, when a member goes
7 with their personal vehicles to switch out one-- one
8 responds to the call, one goes to the ambulance, they
9 go-- they are going to that corner, and it's my--
10 that's on my that I didn't mention Hatzolah Garage
11 earlier in my comments and my question, but that's an
12 important topic that we actually need to hear-- know
13 at the Council that the-- that route is almost in
14 essence an emergency route in our community. So it's
15 in essence of what you said, and I repeated it for
16 the record. Thank you. Thank you, Madam Chair.

17 CHAIRPERSON SCHULMAN: Thank you. Councilmember
18 Carr, any questions for this panel?

19 Okay. There being no more questions for this
20 panel, the witness panel is now excused. Thank you
21 very much for your testimony.

22 COUNSEL: The next and final panel is Brezo Eli
23 and Mr. Rivera.

24 CHAIRPERSON SCHULMAN: All right. I just want to
25 remind the panel that you have two minutes for your

2 comments. Mr. Brezo[ph] is it? Am I doing it
3 correctly? He wants it-- Okay. No, Mr. Brezo, you
4 go first please.

5 MR. BREZO[PH]: Thank you for the opportunity.
6 Basically, you heard this panel trying to explain to
7 the community why this project is good for us, but it
8 is an interesting idea because at all the public
9 opportunities when the community was asked is this
10 good or not good for them, there was zero positive
11 response for this proposal. So it's very insulting,
12 I believe, to the community when you have 3 people,
13 professionals, who are representing one individual
14 who basically stands to have financial gain for this
15 to develop at the cost of the whole community to try
16 to tell us what's good for us, when we all expressed
17 ourselves already many, many-- and any opportunity
18 possible that this is not good for us.

19 I want to just make it clear to the record again:
20 As a community, the proposal that they are telling us
21 is good for us, we are saying is not good for us.
22 And basically the whole application is based on what
23 we could call a self-created financial hardship.
24 This is an individual who overpaid, maybe anticipated
25 the market to go crazy, and it didn't happen. And

2 because he made a mistake in his business actions, he
3 is asking now the community to carry that load and do
4 some-- you know, create something in our community
5 that we don't want for him to be financially sound.

6 Businesses, sometimes you make money, sometimes
7 you lose money. Unfortunately, to me it seems like
8 this is a case that this gentleman should be losing
9 money.

10 And in a case where they tell us, well, we could
11 make a community center. If you could make it, make
12 it. This guy could have done it for ten years
13 already. He is sitting on this vacant property. And
14 then they tell us, "Oh, this is a vacant, un-
15 utilized." It's vacant and un-utilized because that
16 was the decision of the landowner. He could utilize
17 it. It doesn't have to be vacant. This place could
18 have been built ten years ago and make that community
19 center that says he could have made, but he's telling
20 you at the same time, "I can't do it because I can't
21 make money." So it's not fair for a person who made
22 a bad business decision to tell the community as a
23 whole, "Now you guys have let me do what I want,
24 because I can't lose money, and I don't really care
25 what's going to happen to the community as a whole."

2 CHAIRPERSON SCHULMAN: Thank you very much. Mr.
3 Rivera?

4 MR. RIVERA: Good afternoon. My name is Raul
5 Rivera. I'm a native from the Bronx. I'm a TLC
6 Driver Advocate. My testimony is not pertaining to
7 what is going on here, but we do support the Hasidic
8 Community as a native New Yorker. Um, but we came
9 here because several weeks ago, the Chair, Mr. Riley,
10 accused me of sending curse texts through my phone.
11 He accused me here on this floor. He said that I was
12 cursing at him via text. If he is going to say such
13 a thing, he should show his face, and he should show
14 proof. I'm a strong advocate in the taxi community,
15 and we're here to let the Councilmember know that he
16 cannot be doing that, he cannot defame my name like
17 that. He knows it's not right. We did not curse at
18 him. We advocate with truth. And when I see him
19 again, we will let him know. We thought he was going
20 to be here today, and he didn't show face. We thank
21 you for the time.

22 CHAIRPERSON SCHULMAN: Okay. Thank you, sir.

23 Okay, with that, anybody have questions for--

24 COUNCILMEMBER YEGER: Do you-- you live on the
25 block, is that it?

2 MR. BREZO[PH]: I live on the-- on 12th Avenue.

3 COUNCILMEMBER YEGER: On the corner around the--
4 okay. Um, the-- if you can, I mean I know you
5 referenced 10 years. Is that a precise number of how
6 long the lot-- the lots have been--?

7 MR. BREZO[PH]: No. It's not precise, but I'm
8 pass-- I live on that block on the corner. We could
9 ask people who live across the street, but I know
10 forever this place was empty.

11 COUNCILMEMBER YEGER: What was there before if
12 you recall?

13 MR. BREZO[PH]: Regular single homes, like old,
14 old-fashioned homes that typical that you see--

15 COUNCILMEMBER YEGER: One families.

16 MR. BREZO[PH]: --that's literally right next
17 door to this property. That's exactly what was there
18 before.

19 COUNCILMEMBER YEGER: One family-- one family
20 homes with driveways, back yards--

21 MR. BREZO[PH]: One family homes with driveways,
22 exactly.

23 COUNCILMEMBER YEGER: Thank you very much. Thank
24 you, Madam Chair.

2 CHAIRPERSON SCHULMAN: Councilmember Carr, any--
3 No? Okay. There being no more questions for the
4 panel, the witness panel is now excused. Thank you,
5 sir, for your testimony. All right, now I'm going to
6 ask Counsel to proceed.

7 COUNSEL: If there any members of the public who
8 wish to testify regarding 1233 57th Street rezoning
9 proposal remotely, please press the raise hand button
10 now, or if in person, please identify yourself to one
11 of the sergeants. The meeting will stand at ease
12 while we check for any newly-registered members of
13 the public.

14 CHAIRPERSON SCHULMAN: There being no other
15 members-- There being no other members of the public
16 who wish to testify on LUs 253 and 254 related to
17 1233 57th Street rezoning, the public hearing is now
18 closed and the item is laid over.

19 COUNSEL: We will be taking just a two-minute
20 recess and then we will proceed to the next hearing.

21 CHAIRPERSON SCHULMAN: I will now open the public
22 hearing on LU 250, 251, and 252 related to 893 Eagle
23 Avenue in Chair Salamanca's district in the Bronx.
24 The applicants seek to develop a new building that
25 would provide affordable and supportive housing units

2 with counseling offices. The proposal would involve
3 three land use actions: A rezoning and special
4 permit to provide more housing on the site by
5 modifying the bulk regulations associated with
6 community facility uses, and the mapping of a
7 mandatory inclusionary housing area. For anyone
8 wishing to testify on these items remotely if you
9 have not already done so, you must register online,
10 and you may do that now by visiting the Council's
11 website at council.nyc.gov/landuse. And once again,
12 for anyone with us in person, please see one of the
13 sergeant's to prepare and submit a speaker card. If
14 you would prefer to submit written testimony you can
15 always do so by emailing it to land use
16 LandUseTestimony@Council.nyc.gov. Counsel, please
17 call the first panel for this item.

18 COUNSEL: The first panel consists of Richard
19 Lobel, Noris Colon (sorry if I'm mispronouncing your
20 name), Ricardo Alguendo-- Alguendo, please excuse me,
21 and Tony Shitemy.

22 CHAIRPERSON SCHULMAN: Morning-- Afternoon. It's
23 afternoon. Counsel, please administer the
24 affirmation.

2 COUNSEL: Please raise your right hand and state
3 your name for the record.

4 MS. COLON: Noris Colon.

5 MR. SHITEMY: Tony Shitemy.

6 MR. LOBEL: Richard Lobel.

7 MR. ALGUENDO: _____.

8 COUNSEL: Do you affirm to tell the truth, the
9 whole truth and nothing but the truth in your
10 testimony before the subcommittee and in your answers
11 to all council member questions.

12 ALL: Yes.

13 COUNSEL: Thank you.

14 CHAIRPERSON SCHULMAN: You may begin.

15 Good afternoon, acting Chair Schulman and
16 Councilmembers. Once again, Richard Lobell of
17 Sheldon Lobell, PC, for the applicant. This is for a
18 series of actions which would result in an 11-story,
19 mixed-use, residential community facility building at
20 893 Eagle Avenue in the Bronx. I believe that Noris
21 would introduce HOGAR, the applicant for the project.
22 We will then discuss the zoning and land use items,
23 and Tony would supplement the discussion with regards
24 to the architectural aspects of the proposal. Noris?
25 And if you complete loads of load the slides

2 MS. COLON: Good morning everybody. My name
3 Excuse me. My name is Noris Colon. I am the founder
4 of _____. I started this organization back in 1996.
5 We're an organization-- it's a nonprofit organization
6 that serve as people with special needs, mental
7 illness, homeless, drug addiction, seniors, and
8 people living with the HIV AIDS virus. This
9 particular project-- I am currently retired. I
10 retired a year ago, but I'm still very active with
11 all the developments of-- of the organization. I
12 think I'll stay an active till maybe when this
13 project starts and gets finally approved.

14 We started 893 Eagle over five years ago, but due
15 to a lot of problems within-- within the organization
16 financially, and COVID came in, and everything was
17 put on hold. But we have continued working with this
18 project, and with the same team from the beginning.
19 It is a project that's going to service primarily
20 people living with HIV AIDS. Fifty units are going
21 to be dedicated for them, studio apartments. The
22 rest is-- people with low-income housing. It is
23 within a community that that's basically bilingual
24 and bicultural. My organization is bilingual and
25 bicultural. This is intended to be developing a lot

2 that's been vacant for over 50 years, and we have
3 been trying to develop it since, and we look forward
4 to the support of the city council. The Borough
5 President has supported us in this project, the one
6 that we have now, Vanessa Gibson, Ruben Diaz prior to
7 Vanessa, and we have been working very closely with
8 the City Council, the local city Councilman with this
9 project, who has also encouraged us to go forward
10 with this project.

11 We have made presentations to the local planning
12 board. A long, long time ago, Tony and I went before
13 we even have this final rendering that we have now,
14 and they seem to have interesting as going forward
15 with this project. So we feel that we have the
16 support of the community. And I hopefully, hopefully
17 have the support of you as Council for this project.
18 I have nothing else to say.

19 MR. ROBEL: Thank you, Noris. If you can advance
20 the slide. So as Noris mentioned, this is a
21 particularly problematic site. You can see the
22 existing site conditions which show outcropping of
23 rock. Tony will be able to talk about some of the
24 challenges posed by the site development and one of
25 the reasons that the rezoning is sought.

2 I'm going to skip over the information regarding
3 HOGAR, which was addressed by Noris.

4 If we can go to slide number five, which is the
5 project summary, I can talk to you a little about the
6 actions that are sought. That's the slide.

7 So we seek four actions, which were approved by
8 City Planning and now seek approval of the Council.
9 The first is a zoning map amendment for six lots,
10 four of which from the development site from an
11 existing R6 district to an R7-2, which would allow us
12 to discuss this new 11 story plus cellar and
13 subcellar community facility building with nonprofit
14 sleeping accommodations. This would have
15 approximately 55,000 square feet, 6.18 FAR, and a
16 total of 83 supportive and affordable units which
17 will be discussed later.

18 The second of course, is as with such rezonings,
19 an MIH text amendment to allow for options 1 and 2
20 within the rezoned area.

21 The third, for a special permit, which is
22 pursuant to 74-903, which would allow full
23 utilization of the community facility floor area for
24 the site.

2 And the fourth, a PAA, a Public Access Area,
3 which would be memorialized through a legal document
4 recording in some property, which would allow for a
5 staircase to span the development site, which Tony
6 will discuss as well.

7 The next slide are the numbers behind the
8 proposed development. Again, briefly 11 stories plus
9 cellar and subcellar, a 55,000 square foot 6.1 FAR
10 building, community facility. The number of units
11 which would be 100% affordable, would be at 83 (50
12 supportive units, as well as 33 affordable housing
13 units), which would be a mix of studios, one
14 bedrooms, and two bedrooms. There of course will be
15 a 50% preference for the local Community Board,
16 Community Board 3, and the entirety of the project
17 would be at or below 60% AMI.

18 I will leave the discussions regarding the
19 program design, including the entrances on East 161st
20 Street as well as the stairway and subcellar space to
21 Tony for his portion of the presentation.

22 The next slide is a zoning map.

23 And the next slide as well as the two slides that
24 follow demonstrate why, from a land use perspective,
25 taking aside the good works that are done by HOGAR,

1 why it makes sense to rezone this portion of Eagle
2 Avenue and East 161st.
3

4 So you can see in front of you the land use map.
5 The land use map demonstrates several aspects of this
6 site.

7 Number one is you can see the site itself in a
8 dotted area and the specificity. The project area is
9 denoted in a red outline towards the middle of the
10 map. So, right now, this is an R6 district.

11 Immediately adjacent to this district to the West is
12 a C4-4 district on the same block, bordering the
13 property that C4-4 district permits R7-2 equivalent
14 residential zoning. And so the R7-2 that is sought
15 at the site is exactly the same as already exists on
16 this block to the west of us.

17 In addition to the appropriateness, given the
18 existing context of this block, and the zoning which
19 exists next door, you also have R7-X zoning to the
20 south, rezoned in the St Anne's rezoning in 2007-8,
21 as well as R8 zoning, which was rezoned in 2007. So
22 the entire area is familiar with R7-2 type zoning and
23 allows for context of four to six stories and in some
24 cases 10, 12, or even 14 stories.

2 So the bulk of the building not only is permitted
3 as of-- as of right in many of these districts in the
4 surrounding area, but also, as Tony can talk about,
5 the total height of the building is somewhat
6 mitigated by the fact that there is a tremendous
7 change in grade in terms of the site itself, roughly
8 30 feet.

9 The next slide and the slides after it
10 demonstrate photos of the surrounding area. And with
11 Tony's permission, I would have you forward to the
12 project plans. Starting on the project, from an
13 eagle eye view of the project and the surrounding
14 building heights. I think maybe one more slide after
15 that. Correct. So Tony, if you want to discuss the
16 context of the area as well as the architectural
17 aspects of the building.

18 MR. SHITEMY: Thank you very much. Tony Shitemy,
19 Urban Architectural Initiatives, principal architects
20 for HOGAR. The design aims to respect the existing
21 heights of surrounding buildings. Although the new
22 building will be 11 stories tall, it will be set back
23 from the street along east 161st Street. The
24 building will drop two floors and then step up to
25 eight stories, acknowledging the existing five and

1 six story residences around. Aerial maps--
2 [background voices]. Oh, just hold on with this one
3 for a couple of seconds. Aerial maps indicate the
4 presence of 200 foot tall residences just two blocks
5 away up to the north and other similar heights in the
6 vicinity to the bottom right, as you can see.

7
8 And the next slide then.

9 So just overall, in summary, the proposed
10 development offers a design that respects the
11 neighborhood's existing building heights, again,
12 utilizes appropriate materials, enhances
13 accessibility, provides amenities for residences,
14 incorporates sustainable features, and addresses site
15 challenges.

16 So the location that you saw from the earlier
17 photographs indicates about a 30-foot step up between
18 east 161st street and Eagle Avenue which represents
19 some difficulty. The facade of the building will
20 predominantly feature and feature brick, which is the
21 dominant material in the neighborhood. Additionally,
22 glass-fiber reinforced concrete panels will be used
23 at the upper levels, and warm colors will be
24 incorporated to create a welcoming feeling. The
25 structure will be made of concrete block and plank,

possibly poured concrete as the structural engineer will determine.

Accessibility: At the most easterly end of the building new convenience stairs will be constructed, which you can see in the image to the right, the rendering to the right. This will allow residents along Eagle avenue to be able to access down to 161st rather than walking all the way around. These stairs will be well lit and equipped with cameras that will be monitored by HOGAR's 24-hour security desk staff. Furthermore, windows facing the stairs will enhance security.

The building has various amenities including a recreational courtyard, a multipurpose room, a fitness room, and a laundry room. Additionally, counseling offices will be provided to support the residents.

Our design aims to create a healthy living environment for residents by utilizing natural materials that do not emit fumes and have low carbon content. All heating and cooking equipment will be electric to lower carbon emissions. The building will prioritize energy conservation through a well-insulated exterior envelope, including high

2 performance fiberglass windows. And we discussed the
3 site challenges before.

4 The construction cost of the project is
5 influenced by the site's difficulties, primarily the
6 steep drop between the two streets, the construction
7 of new stairs adjacent to Eagle Ave, and these
8 challenges have made the site less attractive to
9 private developers, likely contributing to the
10 extended period of vacancy. Again, we think that
11 this building is right in line with what will be
12 helpful to the community.

13 MR. LOBEL: So thank you. In conclusion, we are
14 hopeful that the Council can see the value of this
15 rezoning, as did the local area. The Community
16 Board voted in favor of this application. We have
17 received support now from the Bronx Borough President
18 and City Planning as well. This takes a site which,
19 as Tony describes, is relatively unbuildable and
20 allows it to prosper with 83 units of both affordable
21 and supportive housing, as well as supportive
22 services, which would be available in the lower
23 levels. We are really excited about the opportunity
24 moving forward here. And with that, the entire
25 applicant team is happy to answer any questions.

2 CHAIRPERSON SCHULMAN: Thank you, I have a few
3 questions for the applicant team. Given the site's
4 unique condition, what steps are you taking to ensure
5 that construction does not interfere too
6 significantly with the surrounding community?

7 MR. SHITEMI: I think all the protectives that
8 are required by the City of New York, a construction
9 fence. We're also going to have to get DOT
10 approvals. It should be the normal procedures to
11 protect the community.

12 CHAIRPERSON SCHULMAN: Okay. How will
13 individuals be selected for the supportive housing
14 accommodations? Is there any community preference
15 for eligible individuals already living in the Bronx?

16 MS. COLON: The referrals for placement into this
17 project will come directly from HASA. And the choice
18 to live in the Bronx will be the individual's choice,
19 once they are screened out by HASA. If they don't
20 want to come and live in the Bronx, they will not
21 send them over to our project. But they have to be
22 diagnosed with the HIV AIDS virus, or living with the
23 HIV AIDS.

2 MR. LOBEL: We will also note that of the
3 affordable units in the project, there was a 50%
4 preference for residents of Community Board 3.

5 MS. COLON: Yes.

6 CHAIRPERSON SCHULMAN: Can we hear a little more
7 about the environmental design features of this
8 proposed project, especially in regards to the
9 Passive House operation?

10 MR. SHITEMI: Sure, absolutely. So we're-- the
11 materials that will use will aim to have low carbon
12 content. So the structure: We will look for low
13 carbon content concrete to be used. The envelope is
14 going to be very well insulated, R20 and R21. That
15 might not mean anything, but that's just a lot of
16 insulation, and that pervades to the roof as well,
17 which should achieve an R50. The windows will be
18 high performing, so that there's not too much
19 conductivity occurring in between. We're hoping to
20 have the heating and ventilating equipment, all
21 electrical. So that, again, we're reducing the use
22 of fossil fuels, reducing carbon emissions in the
23 Bronx. All light fixtures will be LED. Appliances
24 will be Energy Star. So those are-- those are some

2 of the ways in which we will reduce-- create a better
3 living environment.

4 CHAIRPERSON SCHULMAN: Okay, thank you. There
5 being no further questions. This applicant panel is
6 excused. Counsel, are there any members of the
7 public who wish to testify on the 893 Eagle Avenue
8 rezoning remotely or in person?

9 COUNSEL: At this time, there are no members in
10 person or online wishing to testify. We will make a
11 last call in just a few-- in a couple of minutes.

12 Acting chair there appears to be no other people
13 online or in person wishing to testify

14 CHAIRPERSON SCHULMAN: There being no other
15 members of the public who wish to testify on LU 250,
16 251, and 252 related to 893 Eagle Avenue rezoning,
17 the public hearing is now closed and the item is laid
18 over.

19 That concludes today's business. I would like to
20 thank the members of the public, my colleagues,
21 subcommittee Counsel, Land Use and other Council
22 staff, and the Sergeant at Arms for participating in
23 today's meeting. This meeting is hereby adjourned.

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 08/16/2023