

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 12, 2014
Start: 02:57 p.m.
Recess: 03:23 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:

DAVID G. GREENFIELD
Chairperson

COUNCIL MEMBERS:

- ANDREW COHEN
- ANNABEL PALMA
- ANTONIO REYNOSO
- BEN KALLOS
- BRAD S. LANDER
- DANIEL R. GARODNICK
- DARLENE MEALY
- DONOVAN J. RICHARDS
- INEZ D. BARRON
- INEZ E. DICKENS
- JUMAANE D. WILLIAMS
- MARIA DEL CARMEN ARROYO
- MARK S. WEPRIN
- MARK TREYGER
- PETER A. KOO
- RITCHIE J. TORRES

COUNCIL MEMBERS: (CONTINUED)

RITCHIE J. TORRES

ROSIE MENDEZ

RUBEN WILLS

STEPHEN T. LEVIN

VINCENT IGNIZIO

VINCENT J. GENTILE

YDANIS A. RODRIGUEZ

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

[gavel]

CHAIRPERSON GREENFIELD: Good morning.

My name is David Greenfield. Good afternoon actually. My name is David Greenfield. I'm the Council member of the 44th... district and I'm privileged to serve as the chair of the Land Use Committee. This is a Land Use Committee for Wednesday, November 12th. Apologies we're generally very much on time, today we're running a little bit over three hours late. That is because we are very pleased that we have reached an agreement with the developers, and the administration, and most importantly the council member on Astoria Cove. Well welcome my esteemed colleagues... members of the committee; Council Member Arroyo, Council Member Dickens, Council Member Garodnick, Council Member Mealy, Council Member Gentile, Council Member Rodriguez, Council Member Koo, Council Member Levin, Council Member Weprin, Council Member Williams, Council Member Richards, Council Member Barron, Council Member Cohen, Council Member Kallos, Council Member Reynoso, Council Member Torres. I would also like to thank the chairs of the sub-committees; Chair Weprin, Chair Koo, and

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2 Chair Dickens for their leadership as well. I want
3 to thank you all for your attendance. You will see
4 on the table before you several items relating to
5 the committee. First is the agenda prepared by the
6 committee staff containing those matters which have
7 had a hearing, been reviewed, and fully vetted by
8 the subcommittees, those are the matters on which
9 we will be acting today. Also before you the... Land
10 Use Committee and applicable subcommittee for each
11 item we're voting on today with the proposed
12 resolution for each item. What the committee is
13 voting on today is to approve each of the
14 resolutions before you for presentation and vote by
15 the full council. The resolutions reflect the
16 recommendations of the applicable subcommittee. And
17 today we are voting on several different
18 applications. Our first item is a series of
19 applications tied to one project in Queens
20 Community Board One. LUs number 126, 127, 128, 129,
21 130, and 131 are six applications submitted by 2030
22 Story Developers LLC. The grant of special permits
23 zoning... amendments, zoning map amendments,
24 waterfront authorizations, the city map changes in
25 connections with the new residential development

1 with approximately 1700 units retail and a public
2 school in Council Member Constantinides' district.
3 Before I turn it over to the council member for his
4 comments I want to make it clear to the committee
5 that we're voting to approve this application with
6 modifications to the zoning text and district
7 declaration and modifications to the plans. The
8 modifications taken in tandem would for the first
9 time mandate the construction of affordable
10 housing. That means that, and this is really
11 incredibly significant that the developer cannot
12 build unless they build affordable as well which is
13 something that we have actually never done before.
14 And so we have an agreement that we're proving a
15 historic level of affordability, 27 percent which
16 by my math is approximately 468 units. And to that
17 end we especially would like to thank all of the
18 party's involved, the developer for agreeing to
19 work with the community to reach a project that the
20 community is in full support of the administration
21 for their leadership, the outstanding staff much of
22 whom like myself spent our wonderful holiday
23 yesterday actually working so thank you all staff
24 for that. We are incredibly grateful for that. And
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2 of course the Council Member as well. It's also
3 important to point out that really what's unique
4 about this project is that this is an area that has
5 quite frankly been blighted for many years. And
6 there have been attempts in the past to make
7 improvements over here. And thanks to the
8 leadership of Council Member Constantinides and the
9 developer and the administration we're in a place
10 today where not only is there going to be 27
11 percent affordable housing which incidentally is
12 more affordable housing than any other project in
13 the history of New York City but also are going to
14 be good jobs that are guaranteed for those people
15 who will be working on the project and once the
16 project is completed as well. And that... is
17 incredibly significant. Plus I will also add, now
18 just on a, on a personal note that I dealt with
19 many many council members but Council Member
20 Constantinides was absolutely focused like a laser
21 in making sure that his constituents were
22 represented, that they in fact had the best deal
23 possible. And this agreement also includes many
24 improvements, improvements to a NYCHA senior
25 center, improvements to a public park, improvements

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2 to the public library, improvements to the
3 waterfront quite frankly most of which would not
4 have happened but for the Council Member's
5 determination I want to thank him for that. And of
6 course a long... dream for this community to have a
7 ferry is now going to be a step closer to reality
8 with the funding of the actual ferry dock. So all
9 around I just have to say that Costa, as we call
10 him around here because most of us can't pronounce
11 his last name, really did phenomenal work day and
12 night, weekends, evenings, with his son, with his
13 wife, he kept pressing and pushing and thanks to
14 his leadership we really are making history today.
15 And with that being said I turn it over to Council
16 Member Costa Constantinides.

17 COUNCIL MEMBER CONSTANTINIDES: Thank
18 you Chairman Greenfield and I'll begin by thanking
19 you because all those late nights, all those
20 weekends, all those calls were shared by you as
21 well as we were on the phone last night until I
22 think 11:23 in the evening not that I was counting
23 but... But was the first call I made in the morning
24 as well. So I definitely want to thank you for all
25 of your efforts in helping my community get what we

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2 needed to fully integrate that project... but it
3 would not have happened but for the efforts of your
4 hard work, Chairman Weprin, the great Land Use
5 staff of Raju [sp?], Ann, and Amy who just really
6 from day and night made, you know on Veterans Day
7 working you know pretty much 25 hours a day. I
8 appreciate it. And of course the administration for
9 their grand vision and their participation and
10 their great work and the developer for being a
11 partner and their candor and their partnership in
12 this effort. You know really just want to reiterate
13 my comments that was in the Zoning Committee this
14 is really an exciting time for our, our district
15 22. This fully integrates this project into our
16 neighborhood. We're able to take a commitment that
17 was originally set at 10 percent and bring it up to
18 27 percent affordable. This, you know in the zoning
19 tax, and that's exciting. And we were able to as
20 our neighborhood grows and, and our need for
21 interconnectedness in the city rose we were able to
22 secure a path to a ferry dock which is important to
23 make sure that we can connect as developments. We
24 need this, this, this development has, is going to
25 have good jobs and safe jobs, and the workers who

1 work on this job are going to get paid you know a
2 wage that is, that's necessary and is going to have
3 the highest safety standards. As well we have
4 things for our community. This has been as
5 reference one of the more isolated pockets of
6 poverty, being out on the Halletts Point peninsula
7 where there was no supermarket, no doctor's office,
8 no dentist office, no school... our, this particular
9 site was a, warehouses that were quite... blight on
10 our community. And through our efforts today with
11 the developer and through, with the administration
12 we're going to have a school here. We're going to
13 have open space. We're going to have a supermarket
14 that is going to be work towards a local
15 cooperative. We're going to have an upgrade to the
16 NYCHA senior center. We're going to have
17 improvements to our parks, improvements to the
18 local library. You know really working with our
19 NYCHA residents there to make sure that their lives
20 are improved and all boats rose from this passage
21 of this development. So I thank you Mr. Chair again
22 and I don't want to, throw in before I was remiss
23 in missing Ramone Martinez who never likes to be
24 thanked but I want to publically thank Ramone for
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2 all of his efforts as well. So thank you Mr. Chair
3 again for your great leadership.

4 CHAIRPERSON GREENFIELD: Thank you
5 Council Member. I would also like to note that
6 we've been joined by Council Member Mark Treyger. I
7 additionally want to note that we're proposing
8 modifications to the... declarations required
9 construction working group given all the expected
10 construction in this area. And I also just wanted
11 to state on the record that we have a commitment
12 from the administration together with the developer
13 to provide five million dollars for the ferry and
14 remainder of course will be raised by the council
15 members as well so I want to thank them for that.
16 And I also just would like to add that you know at
17 this point I think we're on a first name basis
18 especially with uh, with John and Meyer who we've
19 been speaking to for literally weeks. And I will
20 say that they are tough negotiators to their credit
21 but they are fair and they are community minded and
22 they're folks that have a long history... does in
23 Queens and especially in that neighborhood in
24 Queens. And they were always focused on doing the
25 right thing for the neighborhood and for the

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2 community and that certainly helped us get to where
3 we are today where we have this historic deal that
4 we've achieved so thank you John and Meyer for your
5 leadership as well. We're very pleased that we
6 could get here. We're also voting on three
7 applications from the Landmarks Public Siting and
8 Maritime Use Subcommittee... LU number 132 which was
9 lodge number 710 Brooklyn Community Board 4
10 designation by the Landmarks Preservation Committee
11 pursuant to Section 3020 of the New York City
12 Charter regarding the Landmark designation of
13 Ridgewood Lodge located at 1054 Bushwick Avenue as
14 a historic landmark. Also Land Use number 136, five
15 borough shop relocation site Bronx Community Board
16 1, application submitted by Department of Parks and
17 Recreation and the Department of Citywide
18 Administrative Services pursuant to Section 197-c
19 of the New York City Charter, for the site
20 selection and acquisition of property located at
21 850 East 138th Street, Block 2589, Lot 31, for a
22 repair, maintenance and storage facility in
23 Community District 1, Council Member Arroyo's
24 district. And finally LU number 137 The Green Wood
25 Cemetery Brooklyn Community Board 7 and application

1 submitted to the Green Wood Cemetery pursuant to
2 Section 1506 of the New York State Not-for-Profit
3 Corporation Law for approval of the acquisition of
4 land located at 242 25th Street, Borough of
5 Brooklyn, for non0burial purposes, Community Board
6 7 in Council Member Manchaca's district.
7 Subcommittees have recommended approval for all
8 these applications. The chair recommends an aye
9 vote on all these matters and would also like to
10 note that we are laying over Land Use number 135,
11 the... community justice center. Would anyone like to
12 make any other comments? Council Member Arroyo did
13 you want to speak on yo0ur project or are you good?
14 Anyone else wanting to make any comments or are
15 there any questions from any council members?
16 Hearing none I will ask the clerk to call the roll.

18 COMMITTEE CLERK MARTIN: William Martin
19 Committee Clerk. Roll call vote Committee on Land
20 Use. Chair Greenfield.

21 CHAIRPERSON GREENFIELD: I vote aye on
22 all.

23 COMMITTEE CLERK MARTIN: Torres.
24 Gentile.

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2 COUNCIL MEMBER GENTILE: Congratulations
3 to my colleague from Queens. I vote aye.

4 COMMITTEE CLERK MARTIN: Arroyo.
5 Dickens.

6 COUNCIL MEMBER DICKENS: Congratulations
7 to Council Members Arroyo and Constantinides on
8 Parks, what you were able to secure with Parks
9 Council Member Arroyo and for Costa for the work
10 that you were able to secure and the, the dedicated
11 support that you received from your community and
12 you stood tall to create affordable housing as well
13 as to secure jobs. It's, it's inclusive of labor.
14 You got a school. You got a awful lot and that's
15 what you are here to do as a Council Member. Land
16 Use is clearly the most important factor here at
17 the City Council, one of the most important factors
18 and you stood tall in doing that. And thank you.
19 And I vote aye.

20 COMMITTEE CLERK MARTIN: Garodnick.

21 COUNCIL MEMBER GARODNICK: Aye.

22 COMMITTEE CLERK MARTIN: Mealy.

23 COUNCIL MEMBER MEALY: Just want to say
24 congratulations and you did a great job for your
25 district. And I vote aye.

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2 COMMITTEE CLERK MARTIN: Rodriguez.
3 Rodriguez.

4 COUNCIL MEMBER RODRIGUEZ: I'd also like
5 to congratulate our council Member Costa and of
6 course like, the good things about the council is
7 that we also follow the guidance of the local
8 council member. So beside going over the details of
9 this legislation for... knowing that the local
10 council member is in favor, his supporter, he was
11 able to negotiate it. I just for record would like
12 to say that the 27 percent that a, in this process
13 has been able to be accomplished is not the model
14 for the citywide goal that we have. That even
15 though 27 is good for the local council member
16 because immediate... that he has in his district
17 because he being able so to negotiate all the thing
18 that is important for his district. In... such as
19 does have a 35 thousand... it would never fly a 27 or
20 25 percent because when you look at the market
21 price a community a district that is making 35
22 thousand dollars a year cannot survive with that
23 number. So for me as supporter because again we
24 chose a council member right for record the 27
25 percent affordable cannot be the standard for

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2 affordable housing plan. And also like to thank the
3 developer but also to... to let know that we want
4 also for them to a slow a little bit down when it
5 come to how they, how they also working in other
6 part of city, working with the tenants. So I think
7 that they have a great opportunity by being the
8 developer of this project. But I also would like
9 for... to look at other part in the city. How is that
10 you're doing with the tenants because we learn from
11 vantage, we learn from pinnacle and we cannot have
12 developer a company that is pushing people out.
13 With that I will aye.

14 COMMITTEE CLERK MARTIN: Koo.

15 COUNCIL MEMBER KOO: ...aye.

16 COMMITTEE CLERK MARTIN: Levin.

17 COUNCIL MEMBER LEVIN: Permission to
18 explain my vote?

19 CHAIRPERSON GREENFIELD: Mr. Levin to
20 explain his vote.

21 COUNCIL MEMBER LEVIN: Thank you Mr.
22 Chair. I want to congratulate my colleagues Maria
23 Del Carmen Arroyo, Antonio Reynoso on these Land
24 Use items. And a special acknowledgement and
25 congratulations to Council Member Constantinides

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2 who I've been watching throughout this process and
3 he has displayed grace under pressure throughout
4 and has been deliberate and considerate and has
5 never lost his cool and has shown a very effective
6 way to negotiate these sometimes very difficult and
7 very contentious and vexing land use items. And
8 he's done a, a stellar job. I want to congratulate
9 him. And I want to acknowledge his hard work with
10 my vote aye on all.

11 COMMITTEE CLERK MARTIN: Weprin.

12 COUNCIL MEMBER WEPRIN: Aye.

13 COMMITTEE CLERK MARTIN: Williams.

14 COUNCIL MEMBER WILLIAMS: Excuse... my
15 vote?

16 CHAIRPERSON GREENFIELD: Mr. Williams to
17 explain his vote.

18 COUNCIL MEMBER WILLIAMS: Thank you.
19 Just adding to what I had said earlier with two
20 things. I neglected to mention Council Member
21 Rodriguez mentioned one which is I, I reject the
22 notion that somehow this is a prototype where the
23 direction of the mayor's housing plan will be
24 going. I think we have to view all these projects
25 individually and what comes with the project, land,

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2 costs are different no matter where you, depending
3 where you go in the city. And we'll have to adjust
4 accordingly when adjusting what subsidies and what
5 other things are given to the developer. So I just
6 want to, that notion is out there, that this
7 particular project will define the direction that
8 the mayor's housing plan is going. And as a, a
9 chair of housing and buildings I completely
10 emphatically reject that, that notion. And second
11 making sure that we kind of define or redefine
12 affordable. I'm glad that there is income targeted
13 housing across the board. I wish it was more on the
14 low end but sometimes we use the word affordable
15 and think people believe that we're talking about
16 the lower income bands. And so while I'm happy at...
17 going... 125 percent of AMI I think those people also
18 need income targeted housing. It's not probably the
19 affordable housing that people are usually thinking
20 of, they're usually thinking of 40, 60 percent, 80
21 percent of AMI. So I know we use that turn to lump
22 the entirety of the 27 percent which again I
23 congratulate you on. I just want to make sure we're
24 clear on who it is and what it is that we're doing
25 here. Thank you. I vote aye.

COMMITTEE CLERK MARTIN: Richards.

COUNCIL MEMBER RICHARDS: I guess I will piggyback now off of Council Member Williams points. First of I want to, and this is not against Costa. You've done a phenomenal job with the cards you were given to get labor in there, to get schools, to get a supermarket, amazing. To get them from 10 percent to 27 percent is a, is a huge victory in your right but I want to reiterate once again that this should not be the overbearing standard that we utilize across the city. We're still dealing with a huge homeless population in New York City. And if we're going to really address this issue we have to make sure that we are really targeting these particular folks who don't have a leg to stand on as well, as well as the middle. But we also have a huge homeless population in the city and the only way to resolve that is to ensure that we are moving affordability, looking at the AMIs but also making sure that we're pushing for more. So this is an excellent victory for you. And I stand with you on that and we spoke last night and, and I will certainly want to be supportive of you

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2 in this effort but this should not be the overall
3 standard. Thank you. I vote aye.

4 COMMITTEE CLERK MARTIN: Barron.

5 COUNCIL MEMBER BARRON: Thank you Mr.
6 Chair. Thank you to Council Member Constantinides
7 for the hard work that you've done. I'm, I'm sorry
8 Mr. Chair I'd like to explain my vote.

9 CHAIRPERSON GREENFIELD: Of course.

10 COUNCIL MEMBER BARRON: Thank you.

11 CHAIRPERSON GREENFIELD: Council Member
12 Barron.

13 COUNCIL MEMBER BARRON: Thank you. Want
14 to commend you for the work that you've done
15 because we know that at the outset there was a
16 barrier which none of us who call ourselves being
17 reflective of what's going on in this city would
18 accept so I do want to commend you for what it is
19 that you've achieved. You've overcome some great
20 obstacles and you've made great outreach to the
21 community and to the NYCHA and to the other aspects
22 of what can be done to improve the community.
23 However I have to echo my concerns. As I understand
24 the area median income for your community is about
25 74 thousand dollars so as we look at the term that

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2 we use, affordable, we have to say affordable to
3 whom. So as we look at the fact that only five
4 percent is designed for people at 60 percent of the
5 AMI and 15 percent at 80 percent that we're now
6 looking at approximately 73 percent of the people
7 who are not within that band who are not eligible
8 to apply because they do not meet those
9 requirements. I'm also very concerned that this is
10 a housing development which is going up which has
11 no provisions for as has been said homeless or for
12 special needs population and those are two large
13 populations that we have to address. And I think
14 that we should look to see that we have models
15 which... of course this doesn't have a... but models
16 which distinguish who the clientele, who the
17 residents are who are living in this establishment.
18 So for those reasons and for the exclusion of
19 people below the 60 percent AMI I will be
20 abstaining on this vote and I'll vote aye on the
21 others.

22 COMMITTEE CLERK MARTIN: Cohen.

23 COUNCIL MEMBER COHEN: Aye.

24 COMMITTEE CLERK MARTIN: Kallos.

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2 COUNCIL MEMBER KALLOS: Permission to
3 explain my vote?

4 CHAIRPERSON GREENFIELD: Yes, Council
5 Member Kallos.

6 COUNCIL MEMBER KALLOS: I just want to
7 congratulate Council Member Constantinides for
8 getting affordable housing and getting so much more
9 affordable housing that was initially on the
10 drawing board for making sure that everything being
11 built is being done sustainably at a living wage
12 with benefits and training for quality buildings,
13 for investing in local infrastructure and parks and
14 schools for getting transportation alternatives
15 like ferry service that will not only benefit his
16 district but other districts including mine. Having
17 you... is a benefit to every other member here and I
18 am lucky to have you as my neighbor to the east. I
19 vote aye.

20 COMMITTEE CLERK MARTIN: Reynoso.

21 COUNCIL MEMBER REYNOSO: Permission to
22 explain my vote?

23 CHAIRPERSON GREENFIELD: Yes, Council
24 Member Reynoso.

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2 COUNCIL MEMBER REYNOSO: So I just want
3 to thank, I want to congratulate Costa
4 Constantinides, Council Member from Astoria. And I
5 just want to say that I, I'd asked a couple of
6 questions during the last hearing regarding AMI and
7 Astoria's AMI is at 72 percent and the average uh
8 income is less than 67 thousand dollars a year,
9 it's more like 60, 62 64 so I just wanted to make
10 sure I was on the right... that we finally got it..
11 Costa, amazing job, way to work hard, and, and I'm
12 more than happy to be voting aye on this. Thank
13 you.

14 COMMITTEE CLERK MARTIN: Treyger.

15 COUNCIL MEMBER TREYGER: Permission to
16 briefly explain my vote?

17 CHAIRPERSON GREENFIELD: Yes, Council
18 Member Treyger.

19 COUNCIL MEMBER TREYGER: Just want to
20 echo the, the congratulations to my colleague Costa
21 for working hard to, to meet the needs of this
22 district. You know and I, as, as a new member to
23 the council I appreciate the fact of the support
24 that the council gave to Costa. I think that speaks
25 volumes. And his leadership played, was very

1 important here because this affects his district.
2 I'll also say that the council and working with
3 Costa as well will make sure that everything that
4 was promised to the district actually happens
5 because the council will be watching that as well,
6 working with you. Congratulations again and I vote
7 aye on all.

9 COMMITTEE CLERK MARTIN: Land Use items
10 132, 136, and 137 have now been adopted by a vote
11 of 18 in the affirmative, zero in the negative, and
12 no abstentions. And Land Use items 126, 127, 128,
13 129, 130, and 131 have been adopted by a vote of 17
14 in the affirmative, zero in the negative, and one
15 abstentions. Thank you.

16 CHAIRPERSON GREENFIELD: Thank you Mr.
17 Clerk. I just want to clarify an important point
18 which is that the level of affordability is
19 actually very significant. The original proposal
20 that the administration negotiated would have had a
21 requirement of a 10 percent of the affordability
22 which is half of the affordability be at 80 percent
23 and the rest could have been higher. And the total
24 potentially would have just been 20 percent at 80
25 percent AMI. And in fact this, or it could have

1 actually been in a much higher level at 175 AMI.
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3 And this deal that was negotiated actually provides
4 for five percent at 60 percent which is actually a
5 fairly low AMI for a family of, for a couple that's
6 approximately 40 thousand dollars a year and rents
7 on a one bedroom is around 950 dollars. 15 percent
8 at 80 percent AMI which is very significant because
9 the 20 percent has now been locked in below 80 and
10 an additional seven percent at the 125 level. And
11 I, I do want to make it clear because I think folks
12 have... about this, there, there is honestly no
13 single standard for building affordable housing in
14 the city because every project is site specific
15 because every neighborhood is different and every
16 issue is different and every income level is
17 different and the economics of every deal is
18 different. Certainly a deal on the upper west side
19 is going to be different than a deal in Astoria
20 Queens. And if there was I would have nothing to do
21 all day as chair of the Land Use Committee because
22 we would have cookie cutter deals. And so that's a
23 good thing. So I don't think that we have set a, a,
24 a standard in terms of the percentage of
25 affordability. I will say that we actually have

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2 created a very good model in terms of going forward
3 in the future of what it is that we would like to
4 accomplish and that is good jobs which have been
5 locked in. 100 percent of these jobs are going to
6 be good high paying quality jobs. Affordable
7 housing in a significant way and a significant
8 increase. 35 percent more than was offered to the
9 administration which I think is incredibly
10 significant. And finally improvements to the
11 community which saw many significant improvements
12 here to the community ranging from supermarket to a
13 brand new school, to an improved library, to an
14 improved park, to an improved NYCHA senior center.
15 And certainly in every process we could always, we
16 could always strive for more. But I will just say
17 on the record that this is my 5th year on the city
18 council and we have not had a better deal than this
19 one. This is the best deal we have made to date in
20 my five years in the city council on a land use
21 zoning application in front of this committee. And
22 for that I once again, I want to thank council
23 Member Costa Constantinides, I want to thank the
24 speaker for her support. She was unwavering in her
25 support... Council Member. I want to thank the

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2 administration for stepping up to the plate. I want
3 to thank the staff. And I also want to thank the
4 developers for working with the council member and
5 their community to achieve, to achieve this
6 results. The Committee on Land Use is hereby
7 adjourned.

8 [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 November 14, 2014