

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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May 16, 2017
Start: 10:22 a.m.
Recess: 1:13 p.m.

HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS: Daniel R. Garodnick
Jumaane D. Williams
Antonio Reynoso
Ritchie J. Torres
Vincent J. Gentile
Ruben Wills

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

Harry Nathan Callion, Esquire
Representing Ruby's Midtown, LLC

Tim Sykes, Partner & General Manager
Ruby's Midtown, LLC

Chris Wright, Zoning Attorney
Simons & Wright

Paul Tocci
Constellation Group

Marty Kattell
Pink Architects

Nick Hawkins, Land Use Attorney
Greenberg & Traurig

Rick Parisi, MPFP Landscape Architect

Dan Bernstein, Architect
Kutnicki Bernstein Architects

Katie Naplatarski
Friends of Transmitter Park

Acacia Thompson
Greenpoint Resident

Sarah Lilly
North Brooklyn Resident

Steve Chesler, Chairperson
WNYC Friends of Transmitter Park

Sante Miceli, Steering Committee Member
Friends of Transmitter Park

Joe Mayock, Executive Director
Open Space Alliance from North Brooklyn, OSA

2 [sound check, pause] [gavel]

3 CHAIRPERSON RICHARDS: Alright, good
4 morning. I'm Donovan Richards, Chair of the
5 Subcommittee on Zoning and Franchises and this
6 morning we are joined by Council Members Gentile,
7 Garodnick, Williams, Palma, and also Mendez. We'll
8 be holding a public hearing on several applications
9 today, two sidewalk cafes, Land Use Items No. 633 and
10 634. The 13-15 Green Point Avenue Text Amendment
11 Land Use Item No. 635 and 251 Front Street, two
12 preconsidered applications for a rezoning and text
13 amendment. We will start with Land Use Items No. 634
14 Ruby's Midtown Sidewalk Café. This is an application
15 for approval of a revac-revocable consent to
16 establish and maintain an unenclosed sidewalk café
17 located at 442 3rd Avenue. This café would be
18 located in Council Member Mendez's district, and we
19 will now call it up, and before we begin, I allow
20 Council Mendez if she wishes to say a few words. We
21 now call up the applicant Harry Nathan Callion (sp?)
22 Esquire from Ruby Midtown, LLC. Council Member
23 Mendez.

24 COUNCIL MEMBER MENDER: Thank you, Mr.
25 Chair. I originally called this up because there was

2 some numbers on their plans that were inaccurate.
3 That's been redacted and correct, and also I had
4 concerns about the fact that some tables and chairs
5 were going to be over a basement door on the
6 sidewalk, and—but I understand that that is legal.
7 So, I still have concerns about it, but since the
8 city says it's legal, then that's what it is, and so
9 I approve of this, and I'm glad that the—Ruby's
10 Midtown is here to talk about this. Thank you.

11 CHAIRPERSON RICHARDS: You may begin.
12 Please say—state your name for the record and who
13 you're representing as well. The button. Alright,
14 here we go.

15 HARRY CALLION: Good morning all, good
16 morning counsel—counsel members and staff. My name
17 is Harry Callion (sp?). I'm the attorney for this
18 applicant. This is the General Manager, Tim Sykes.
19 We filed this application. We worked with the
20 Community Board as well as with the DCA in order to
21 amend the plans to come into compliance and to also
22 make members of the community happy. This is a good
23 operator. They've been business downtown for a
24 number of years, and this is their second location.
25 This is a café. It's a quiet neighborhood spot.

2 They're very good operators. So that's it. If the
3 operator has some things to say about being in the
4 neighborhood, and—and I'll let him do it.

5 TIM SYKES: [off mic] Yes, sorry. Hi
6 there. Yeah, we've—we've been operating out there
7 for just under a year.

8 COUNCIL MEMBER MENDEZ: Can you state
9 your name for the record, please?

10 TIM SYKES: Sorry. My name's Tim Sykes,
11 I'm--

12 COUNCIL MEMBER MENDEZ: [interposing] Mr.
13 Chair, I'm sorry.

14 TIM SYKES: Sorry. My name's Tim Sykes.
15 I'm one of the—the General Managers and partners in—
16 in Ruby's. We've got a spot that's been downtown for
17 12 years, which is obviously one of—one of the local
18 favorites since the longevity to it because we feel
19 that we are very respectful to our neighbors and in
20 compliance with—with all the regulating bodies, and
21 yeah, if you guys have any questions, be more than
22 happy to answer them.

23 CHAIRPERSON RICHARDS: Can you just go
24 through your hours of operation?

2 TIM SYKES: Yeah, we're open from 9:00
3 a.m. until 10:30 in the evening.

4 CHAIRPERSON RICHARDS: Okay, and will you
5 have in the event of complaints is there a point
6 person that the Council Member can give to in the
7 event of any complaints.

8 TIM SYKES: That would be myself yeah.

9 CHAIRPERSON RICHARDS: Alright, so she's
10 going to get all your direct information?

11 TIM SYKES: Yeah, I think I've given most
12 of it to a lady works there, Rose Perez.

13 CHAIRPERSON RICHARDS: Okay.

14 HARRY CALLION: We've—we've coordinated
15 with—with Rosie from the Data Administrator from the
16 City Council's Office. DCA has all the information.
17 The Community Board has their information and you
18 have my information as well, and I can always
19 communicate that to the licensee.

20 CHAIRPERSON RICHARDS: Okay, Council
21 Member Mendez, any more questions?

22 COUNCIL MEMBER MENDEZ: Just a statement
23 just to say that I don't have any complaints from the
24 community that I get from other places in terms of
25 noise or underage drinking or anything like that.

2 So, I just want to thank you for running a good
3 business. Thank you.

4 TIM SYKES: Thank you.

5 CHAIRPERSON RICHARDS: Alright, thank
6 you.

7 HARRY CALLION: Thank you.

8 CHAIRPERSON RICHARDS: Thank you for your
9 testimony. Are any other members of the public who
10 are here to testify on this issue? Alright, seeing
11 now, I will close the public hearing on Land Use Item
12 No. 634. We will now move onto Land Use Item No. 63,
13 Mamak Sidewalk Café. This is a—this is an
14 application for approval of a revocable consent to
15 establish and maintain an unenclosed sidewalk café
16 located at 174 2nd Avenue. This café is also located
17 in Council Member Mendez's district. We need to
18 create a subcommittee for you, and we're also joined
19 by Council Member Reynoso as well. I don't think the
20 applicant is here. So, we'll ask if there's anyone
21 here from the public who wishes to testify on this
22 issue. [background comments] Alright, don't—you're
23 the rep? Are you going to speak on this issue or no?
24 It's up to you.

2 COUNCIL MEMBER MENDEZ: Well, I don't
3 think he has to. I spoke to the owner last night at
4 7:00 p.m. It--this is just--in the interest of
5 disclosure, this is a business that I have frequented
6 since 2005. I remember it well because I was running
7 for office and it was the best Chinese food near my
8 house, and they were located on 11th Street. Now,
9 they are on a much bigger space on 2nd Avenue. So, I
10 went there last night to actually visibly see, and I
11 have pictures that the ATM will--was removed. So,
12 the--the--the plans were not in compliance. Because of
13 the ATM they need--they would need to have less tables
14 and chairs. He wanted to remove the ATM, and it was
15 removed. I saw it last night, and now they're just
16 waiting for the glass to be installed. The pictures
17 have been sent to Rosie Perez of the Land Use
18 Committee here, the staff person, and so I--I want to
19 thank his representative for being here today. He
20 usually buys fresh vegetables in Chinatown. So
21 that's why he's not here. I told him he didn't need
22 to come if he needed to work. So, I'm--I have no
23 problems now that they've complied with removing the
24 ATM. Thank you.

2 CHAIRPERSON RICHARDS: Okay, can you tell
3 us how to general source, checking those and checking
4 fried rice? [laughter] Although I'm going to have a
5 hard time.

6 COUNCIL MEMBER MENDEZ: It is bad with a
7 whatever, you know, [laughter] three letters I can
8 say on the record.

9 CHAIRPERSON RICHARDS: [interposing] Do
10 you mean it's that bad-good/bad?

11 COUNCIL MEMBER MENDEZ: Yeah, bad-baddie.
12 Baddie.

13 CHAIRPERSON RICHARDS: Okay, alrighty,
14 bad meaning good. Okay, got it.

15 COUNCIL MEMBER MENDEZ: And the dumplings
16 are off the hook fried or steamed-

17 CHAIRPERSON RICHARDS: Okay.

18 COUNCIL MEMBER MENDEZ: --with all, you
19 know, meat or shrimp or vegetables.

20 CHAIRPERSON RICHARDS: Okay.

21 COUNCIL MEMBER MENDEZ: Yeah, maybe we
22 should all just meet there one--

23 CHAIRPERSON RICHARDS: Yeah.

24 COUNCIL MEMBER MENDEZ: --and I can treat
25 everyone to really good meal. (sic)

2 CHAIRPERSON RICHARDS: [interposing] Off
3 the hook means really good as well?

4 COUNCIL MEMBER MENDEZ: Yes.

5 CHAIRPERSON RICHARDS: Translation.
6 Alrighty--

7 COUNCIL MEMBER MENDEZ: [interposing]
8 Thank you, Mr. Char.

9 CHAIRPERSON RICHARDS: --are there--oh,
10 thank you. Thank you for that in-depth conversation.
11 Alrighty, are there any other members of the public
12 who wish to testify on this issue? Alrighty, seeing
13 none I will now close the public hearing on Land Use
14 Item No. 633. [pause] Okay, so we'll take a pause
15 for a quick moment waiting for Council Member
16 Salamanca to come, and then we will begin again.
17 [pause for break] Alrighty, we are going to begin
18 again. Alright, so we are now going to take a pause
19 to vote on several applications we--we talked and
20 discussed earlier and several others that were laid
21 over from our last meeting. We're going to be voting
22 on the following actions. The first one to recommend
23 approval of Land Use Items No. 633 and 634 to two
24 sidewalk cafes we just held hearings on. Secondly,
25 we will recommend approval of Land Use Items No. 608

and 609 at 600 East 156th Street Rezoning in Council Member Salamanca's district. We'll recommend approval with modifications for Land Use Items No. 610 and 611, Westchester Mews Rezoning. We'll voting to modify the text amendment to restrict the development to Mandatory Inclusionary Housing Option No. 1 and limit the applicability of the floor area and lot covered adjustments to MIH Area 1 in Community Board 9 of the Bronx. We will also recommend approval of Land Items No. 627, an Article 11 tax exemption for the property to be developed in the Westchester Mews application, and a preconsidered Land Use Item application for another Article 11 tax exemption related to 600 East 156th Street rezoning. Lastly, we will be voting on a motion to file Land Use Item No. 607, an unenclosed sidewalk café application that was withdrawn. These actions are all supported by the local Council Members. I would like to congratulate both Council Member Salamanca and Palma on two great projects for their districts, the 156th Street development will bring much needed deep affordability and a new housing chart, new charter school. These two developments together will bring 380 units of new housing affordable to the

2 Bronx for families making from 30% AMI to 80% of the
3 Area Median Income, and before we vote these out, are
4 there any questions from members of the subcommittee,
5 and then I'll go to statements from both Council
6 Member Palma and Salamanca. Alrighty. So we will
7 first go to Council Member Annabel Palma. Sorry, the
8 baby was up at 5:08 a.m. this morning asking for
9 milk.

10 COUNCIL MEMBER PALMA: Thank you, Mr.
11 Chair. I'm just going to be brief. I want to thank
12 you for all the work around this project that—the
13 work that the committee has done as well as the Land
14 Use staff. I think this project is going to add much
15 needed affordable housing for my district. I'm
16 confident that the developer as I've seen in the past
17 has done the right think by making sure that he
18 engages the community and that he works to—to create
19 prevailing wages for those workers who are site. So,
20 I'm extremely excited, and I know that the community
21 will benefit from such a project. So, thank you so
22 much.

23 CHAIRPERSON RICHARDS: Council Member
24 Salamanca.

1 COUNCIL MEMBER SALAMANCA: Well, good
2 morning. I just wanted to—Mr. Chair, I wanted to
3 thank you for your help on this negotiation. I know
4 that there was—there was concerns for myself on this
5 project on 156th Street. I want to thank Phipps and
6 Chair Greenfield as well for assisting me. You know,
7 I—I was advocating. I wanted to ensure that his
8 project was affordable and that residents in my
9 community were able to maximize in the amount of
10 units that they can get, and there was major concerns
11 on my part in terms of the Our Space Program. I'm
12 happy to know that the administration heard me out
13 and were able to reduce the Our Space down to 7%,
14 which I was asking for, and the other concern that I
15 have was in terms of good paying jobs, and affordable
16 health insurance that the—that the employees can—can
17 afford, and I'm happy to hear that—that Phipps was
18 able to address those concerns that I have. So, with
19 that said, I ask my colleagues to please approve this
20 Land Use item. Thank you.

21 CHAIRPERSON RICHARDS: Alright, awesome.
22 I will now call a vote for Land Use Items No. 633,
23 634, 608, 600 and 627 and the Preconsidered Article
24 11 Text Exemption—Tax Exemption application approval
25

2 with modifications for Land Use Items No. 610 and
3 611, and a motion to file Land Use Items No. 607.
4 Counsel, please call the roll.

5 LEGAL COUNSEL: Chair Richards.

6 CHAIRPERSON RICHARDS: Once again,
7 congratulations to both Council Member Palma and
8 Salamanca on two phenomenal projects that really
9 speak to the vision of this committee and reaching
10 real affordability for residents, good jobs and
11 other amenities that are going to benefit
12 communities. So, all around these are great projects
13 that are going to benefit the Bronx big time. So, I
14 want to say congratulations to once again and to the
15 developers and all the partners who made this day
16 possible and I vote aye on all.

17 LEGAL COUNSEL: Council Member Gentile.

18 COUNCIL MEMBER GENTILE: Congratulations
19 to all. I vote aye on all.

20 LEGAL COUNSEL: Council Member Williams.

21 COUNCIL MEMBER WILLIAMS: Excused to
22 explain my vote.

23 LEGAL COUNSEL: Yes, sir.

24 COUNCIL MEMBER WILLIAMS: Thank you. I
25 just want to congratulate Council Member Palma and

2 Council Member Salamanca on great deals. Again, I
3 think it's unfortunate that it's left up to certain
4 communities and certain Council Members to feel the
5 brunt of the affordable housing crisis. I am
6 thankful that the administration is now beginning to
7 mandate it in some of the programs that they have. I
8 wish they had done that at MIH. So, we should
9 rethink that, but I think everything that comes
10 before this committee should have similar mandates
11 put forth so that we spread the brunt of the weight
12 that is felt. But again, congratulations to them,
13 and aye on all. [pause]

14 LEGAL COUNSEL: Council Member Wills.

15 COUNCIL MEMBER WILLS: Congratulations to
16 both of the Council Members. Aye on all.

17 LEGAL COUNSEL: Council Member Reynoso.

18 COUNCIL MEMBER REYNOSO: Excused to
19 explain my vote?

20 LEGAL COUNSEL: Yes, sir.

21 COUNCIL MEMBER REYNOSO: I just want to
22 say that we don't drastically change the process by
23 which we do rezonings In the City of New York
24 especially here in the Land Use Committee. We're
25 going continue to see the same trends that—that we've

2 seen since I've been a Council Member for 3-1/2 years
3 now where all the affordable housing continues to be
4 built in poor districts and it continues to-to build
5 upon the segregation that already exists in the
6 school. So, of course, Council Member Palma and
7 Council Member Salamanca did an amazing job at
8 maximizing the amount of affordable housing that they
9 need for their residents. So, I applaud them for
10 that. I will be voting aye, but it seems to be two
11 different standards in this committee when it comes
12 to neighborhoods that look Rafael or like Council
13 Member Salamanca and Council Member Palma's and
14 everywhere else. So, again, thank you for the work
15 that you do in continuing to push the citywide effort
16 for affordable housing and I vote aye. [applause]

17 CHAIRPERSON RICHARDS: Alrighty, we will
18 now--

19 LEGAL COUNSEL: By a vote of 5 in the
20 affirmative, 0 in negative and 0 abstentions Land Use
21 Items 608, 609, 627, 633, 634 and Preconsidered Items
22 6085 are approved and Land Use Items 610 and 611 are
23 approved with modification and Land Use Item 607 is
24 approved motion to file. All items are referred to
25 the full Land Use Committee.

2 CHAIRPERSON RICHARDS: Alrighty, we will
3 move onto two related Preconsidered land use items
4 for a rezoning and text amendment to facilitate the a
5 development located at 251 Front Street in the
6 Vinegar Hill Neighborhood of Brooklyn. The Rezoning
7 will establish an R6-A District instead of the
8 existent R6-B zoning and text amending would
9 establish an MIH area that require approximately 18
10 units of housing to families making an average of 60%
11 AMI. I will now own the public hearing for these two
12 preconsidered Land Use items and—and Council Member
13 is here. So we will ask that—the Counsel to call the
14 roll.

15 LEGAL COUNSEL: Continued vote. Council
16 Member Garodnick.

17 COUNCIL MEMBER GARODNICK: Thank you.
18 Apologies. I stepped into the hallway. I vote aye.
19 Thank you.

20 LEGAL COUNSEL: The vote stands at 6 in
21 the affirmative, 0 in the negative and 0 abstentions.

22 CHAIRPERSON RICHARDS: Alrighty. So I
23 will call our first panelist, Paul—I can't make out
24 your last name here, from the Constellation Group I
25 believe; Chris Wright, 251 Front Street, and Martin

2 Kattell, Architect. You have handwriting like me.

3 I'm trying to make it out. You may begin. [pause]

4 Alright, and yeah, you'll just state your name for

5 the record as well and who you're representing to

6 sort of make like you're here. So, hit the mice.

7 [background comments] Okay, alrighty. Just give her

8 one minute. [pause] [background comments, pause]

9 Alright, you may begin.

10 CHRIS WRIGHT: Okay. Good morning

11 members of the Council Subcommittee. My name is

12 Chris Wright. I'm the Zoning Attorney from the firm

13 or Simons & Wright. I have with me Paul Tocci who

14 represents the applicant, Marty Kattell who's the

15 Architect. We'll be a three-part presentation on-as

16 to the project in front of you. This is an

17 application. There's two pieces to it. It's a-it's

18 a map change from R6B to R6A, which would increase

19 the FAR from 2.0 to 3.6, and then there's a text

20 change to create an MIH district for this piece of

21 property. It's for rezoning of a single piece of

22 property, but it's fairly large lot. It's a 20,000

23 square foot lot. You can see it on the map above me.

24 It's located in the Vinegar Hill neighborhood, and I

25 want to point that its' right in the middle of the

2 Brooklyn Tech Triangle, which is—consists of the Navy
3 Yard to the east and Dumbo to the west and downtown
4 Brooklyn to the south. You know we all know that
5 Brooklyn Tech Triangle is an area for strong economic
6 growth, and we think the housing created by this
7 project will enhance that. As an MIH—I'll just give
8 you the—the basic numbers. By going to R6A, the
9 project would—would generate a 72,000 square foot
10 project of which 25% or 18,000 square feet will be
11 dedicated to affordable housing. It would be
12 permanent affordable housing and the AMI band would
13 be an average of 60%, and that is the—the basic
14 breakdown of the affordable housing project. Now,
15 this next map is a close-up, and it shows a
16 comparison of what we want to do as what's there.
17 What now you can see the pointer. Yes, this is where
18 our property is located. It—it has three—three
19 frontages on Gold, Water and Front. It's also R—
20 zoned R6B. The proposal would be to zone this, our
21 piece of property, the project site, which is 20,000
22 square feet to R6A, and think what's important to
23 point out on this map if you—if you look at the
24 Vinegar Hill neighborhood, it's sort of divided with
25 two zoning districts along Front Street here. The

1 northern half is R6B. As you can see here it's an
2 R6B neighborhoods. The southern half is an R6A
3 neighborhoods, and we would link this project—it
4 would be linked to the R6A. It would not be an
5 isolated zoning site, but it would actually become
6 this property, which is a large site, and we think
7 it's more consisted with the R6A portions of the
8 Vinegar Hill neighborhoods. It would be linked to the
9 R6A piece of Vinegar Hill, and then there's one
10 important difference, though, between the R6A that we
11 would have is that this shows the text amendment to
12 create an MIH district on top of the 20,000 square
13 foot site, which I said would generate the 25%
14 affordable housing, 18,000 square feet with an AMI of
15 60%. This is a close-up of the project, and you can
16 see it's this large—it's three street frontages,
17 Water, Front and then Front down here, Water and
18 Gold. It's two street corners, and as you will see
19 later on, these are major intersections in the
20 Vinegar Hill/Dumbo neighborhoods so we're—this is a
21 large site. It's on major transportation corridors
22 in the neighborhood. So we think this is a
23 justification for the—for the upzoning, and the black
24 is sort of a mix it's of zoning. This R7A at this

2 end, which is part of the Dumbo rezoning, in the
3 middle of the R it's R6B, which would be maintained,
4 preserving these series of brownstone historic
5 houses, and then at the eastern end is our proposed
6 R6A rezoning. And then this map I think really shows
7 the-the-the nature of the neighborhood, and we'll get
8 more information on that. The-the R6B area of
9 Vinegar Hill is in small-small lots, small of 10 x
10 100-foot lots. This-our piece of property the
11 project site is a very large site of 20,000 square
12 feet, and we think it's more consistent to move it
13 into the-within the R6A portion of the whole
14 neighborhoods which has, currently has R6A here. It
15 has an R6-a large R6A development here. It has a
16 commercial overlay here, and so we think this is one
17 of the reason why this makes sense is to move it down
18 into this neighborhood. And, I also want to point
19 out that this is, you know, within this surrounding
20 neighborhood not only are picking the lowest AMI
21 amongst the various options, which we think is a good
22 thing, but there is really no other, there is not
23 other affordable housing project anywhere within this
24 neighborhood, anywhere within this map. And we would
25 be the first in this neighborhood, and we think

1 that's a positive step. [background comments] And
2 then the last--the last chart I'm going to show as
3 part of my presentation is--and this--I think it's very
4 important. This shows the breakdown between the as-
5 of-right and the affordable component we're going to
6 add. As-of-right, we have--with 20,000 square of 2
7 FAR we can--we can generate a 40,000 square foot
8 affordable market rate housing and no affordable
9 housing. Instead, we think we would do--we're looking
10 for this opportunity--we would get--the project would
11 get more FAR at 3.6 than the 2.6, but of that--of that
12 additional FAR, the additional 1.6, 56% of it would
13 to affordable housing and 44% would go to market rate
14 housing. So, with the--the extra FAR, the higher
15 percentages goes to affordable housing and as I said
16 at AMI. We think this a--a win for both the
17 neighborhood and a win as well for the projects, and
18 an opportunity to--to become consistent with the
19 city's program of generating affordable housing for
20 the site. The next slide. Okay, that really
21 completes it for the zoning overview and the basic
22 numbers that we're trying to generate here, and now
23 Mr. Tocci will go through some of a land use analysis
24 to show how the building into the new neighborhood.
25

2 PAUL TOCCI: Good morning. I'm Paul
3 Tocci from the Constellation Group. So this map shows
4 you basically where it's located and as Chris pointed
5 out, the project is located like kind right in the
6 middle of the Brooklyn Tech Triangle and also close
7 to lots of jobs, which is important not only for the
8 market rate housing, but also for the deep affordable
9 housing because these people can live right near
10 their jobs, and they can go right to work, and be
11 right in the middle of everything, and as Chris
12 pointed out, it's a good neighborhoods that we can
13 start at affordable housing. And now we can see that
14 there are two main spines, two main gateways located
15 right at our corner. The Front Street and the Gold
16 Street, and basically those two streets as you can
17 see the corridors, those are the only streets that go
18 all the way through to Downtown Brooklyn and all the
19 way through to the Brooklyn Bridge because you have a
20 lot of barriers Con Ed, the Brooklyn Navy Yard, the
21 BQE, and the Manhattan Bridge. And here you can see
22 the site. As Chris pointed out, it's 20,000 square
23 foot, so it's a large lot, and this building right
24 here is also 20,000 square feet, and it is an entire
25 block front. It has exposures on three sides, which

creates a lot of light and air and easy ingress and egress. This slide will show you that the buildings in red all have an FAR of at least 4.0. We're requesting 3.6. So we're well under that, and the buildings in pink are at least 14 stories in height. And there are other buildings in the immediate area similar or greater in size and scale to the proposed project. If you look at 230 Water Street, it has a land area of 22,000 square feet, and a 93,000 square foot floor area with an FAR of 4.16 and a height of 97 feet. This is where that building is and this where our site is. The 231 front has a land are of 10,000 and a gross floor area of 77,000, an FAR of 5.8 and a height of 84, and that is right over here close to ours. And 99 Gold also 22,000 square foot land area. Ours is 20. So you can see the relationship, a floor area of 110,000 square foot, FAR of 4.9 and height of 87 feet. And 206 Front Street has a land are of 8,000 square foot, floor area of 37,000, an FAR of 4.6 and a height of 79 feet. So, all of these are above what we're requesting and you can see these are not far away. They're all right there for our project, basically I just wanted to take you through a couple of slides

2 and show you the varied context of the area so you
3 can see what the neighborhood is kind of all about.
4 Right now, you can see this 100 feet of frontage
5 directly across from the site. So, this is the site
6 over here this tin fence, across from it we have 100
7 feet of frontage here. This is exactly 100 feet
8 directly across the street from the site. Here again
9 you have 99 Gold. This just shows you that it's
10 diagonal from the site. It has no affordable housing
11 and an FAR of 4.9, which exceeds what we are asking
12 for the site. 265 Front is 100 foot of frontage on
13 Gold Street directly across from the site. 56 Gold
14 is 142 feet of frontage directly across the street
15 from the site. We have 100 foot of frontage on this
16 side and that's 142 feet. 49 to 55 Gold is directly
17 across from the proposed site and part of the large
18 Con Ed Council.

19 CHAIRPERSON RICHARDS: [interposing] I'm
20 just going to ask you to pause for one second. I
21 just have to let Council Member Torres vote quick.
22 Counsel, please call the roll.

23 LEGAL COUNSEL: Council Member Torres.

24 COUNCIL MEMBER TORRES: Aye on all.

2 LEGAL COUNSEL: The final—the final vote
3 is 7 in the affirmative, 0 in the negative and 0
4 abstentions.

5 CHAIRPERSON RICHARDS: Thank you. You
6 may continue.

7 PAUL TOCCI: Thank you. 231 Front is on
8 the same block and has an FAR of 5.8 and a floor area
9 of 77,000 square feet, which is higher than ours and
10 a height of 84 feet. And this is 289–299 Front. It
11 has floor area of 75,000 square foot and a height of
12 103 feet and 5.8 FAR. Well, actually, you can see on
13 this slide, too. It shows you a little bit more
14 about the area. It's really varied. There are
15 different buildings. There are large buildings,
16 small buildings, commercial, everything kind of mixed
17 together, and this 229 Front, 93,000 floor area, FAR
18 of 4.16, a height of 97 feet. This zoned R7A, which
19 exceeds the R6A zoning proposed for the site. This
20 is 275 Front Street, just to give you a—a frame of
21 reference for the commercial buildings that are
22 located there, and this is 47 Bridge. This is a
23 newly constructed building that was zoned R7A. It
24 was not developed for a long time, but once it got
25 done R7A about two years ago, it got built, but it

2 does not have any affordable housing in it. It was
3 an optional affordable and it chose not to include
4 the affordable. 37 Bridge has an FAR of 4.7 and a
5 height of 79 feet. 255 Water also zoned R7A down the
6 block. 206 Front street. This is right on our
7 block. It has an FAR of 4.6 and a height of 79 feet.
8 190 York is one block from the site. That's one of
9 the 14-story public housing, and 202 Front--202 York
10 four buildings, one block from the site, and this 109
11 Gold Street, which was built by my company as well,
12 and this 85 Hudson Street, Hudson Avenue, which is
13 down the block and which we built as well. 224--

14 CHAIRPERSON RICHARDS: The FAR on that
15 one?

16 PAUL TOCCI: Excuse me.

17 CHAIRPERSON RICHARDS: What's the FAR on
18 that one?

19 PAUL TOCCI: This one actually we built
20 as R6B because it was an infill site right in between
21 two small buildings. So we thought it was more
22 appropriate and we just built it as-of-right. We
23 didn't ask for anything. This is 220 Water Street,
24 one block from the proposed site zoned R7A, 173,000
25 square feet. This is also one block from the site

2 zoned R7A. This is 85J development site, and it's
3 one block from the proposed site zone R8. You get a
4 nice sense of where the site is from this photo
5 because it's a nice aerial photo, and you can see the
6 relationship to the other large lots, which have
7 similar FAR, and this is 177 Front, FAR of 7.14.
8 This is 205 Water, zoned R7A, one block away, and
9 this just kind of shows you that a lot of the
10 buildings are not all old historic buildings. This
11 is 100 and 102 Gold. They're down the block from the
12 proposed site, and here's a photo of the site as it's
13 currently underutilized and it could be a part of the
14 solution to the housing crisis. Now, I'll turn it
15 over to Marty.

16 MARTY KATTELL: I'm Marty Kattell from
17 PINK Architects-- Architects for the project. Before
18 I start to talk about the project in specific terms,
19 I'd like to address the points that were brought up
20 by Congress--sorry, Council Member Reynoso and Council
21 Member Williams about the location and the equity of
22 distribution of affordable housing within the City of
23 New York. I think Vinegar Hill has become enclave in
24 recent years transitioning from an industrial--
25 primarily industrial neighborhoods to a primarily

1 higher end residential neighborhood. Because of the
2 site and the location of the site, the size of the
3 site within the district, this probably presents the
4 best opportunity for affordable housing to be
5 provided within that community and the location of
6 the Tech Triangle as—as Paul had mentioned before.
7 That being said, we designed the building that
8 attempts [background comments] that attempts to fit
9 into the neighborhoods. The building as it fronts on
10 Front Street and on Gold Street maintains a street
11 wall of 40 feet, which is the minimum base height, as
12 opposed to the maximum base height that would be
13 allowable under the R6A zoning, and, in fact, the 40-
14 foot height is exactly the same height and street
15 wall, which is the maximum street wall under the R6B,
16 which is the underlying current zoning district,
17 which it's in. This is voluntary and the point of
18 it—the points of it is to maintain the continuity of
19 building height, to maintain the characteristics of
20 the neighborhoods in terms of building mass. So what
21 the building design attempt to do is three things.
22 (1) To maintain that continuity of massing and bulk
23 in the district; (2) to maintain the continuity of
24 materiality; and (3) to kind of create a link, which
25

1 takes the disparate parts of the historic district
2 and knits them together through the siting of the
3 building. So, the building if you look at it on the
4 screen, it maintains that 40-foot street wall and all
5 three frontages and facades of the building. It's a
6 brick building that links the—the lower scale
7 historic houses both on Front Street and on Gold
8 Street. It links the Historic District together,
9 which is now separated into three kind of distinct
10 districts: Those houses on Front Street, the houses
11 on Gold Street, and bulk of the neighborhood, which
12 is on Hudson Avenue. So, the building as its
13 conceived is meant to be—provide that continuity
14 between the low scale residential structures and
15 create that continuity throughout the district. Next
16 slide, please. And this building—this image is
17 showing the four-story height along Front Street, and
18 showing it in relationship to the heights of the
19 existing residential buildings in the Historic
20 District to the left. Next slide, please. Okay, and
21 a larger view of that Front Street elevation showing
22 how the building integrates itself into the
23 neighborhoods both in terms of its materiality, its
24 scale, and also in terms of providing ample green
25

2 space both in the rear of the building, but the base
3 of the building and at the root of the building.

4 That's really about it.

5 CHRIS WRIGHT: I think that completes our
6 presentation, and we'd be happy to take any questions
7 the Council Members have.

8 CHAIRPERSON RICHARDS: Alrighty, before I
9 turn it over to Council Member Levin. So, if we did--
10 so right now without the zoning changes you're in
11 your right to build correct?

12 CHRIS WRIGHT: It's as-of-right on
13 certain things.

14 CHAIRPERSON RICHARDS: It's about how is
15 it?

16 CHRIS WRIGHT: It's a 2.0 FAR--

17 CHAIRPERSON RICHARDS: [interposing] A
18 2.0

19 CHRIS WRIGHT: --as-of-right with no
20 affordable housing.

21 CHAIRPERSON RICHARDS: Okay, without
22 these zoning changes what would you build? Can you
23 give an example of what you would?

24 CHRIS WRIGHT: Well, the site I mean has
25 been vacant and the owner has had it for 20 years and

2 has not seen the incentive to-to build on it just the
3 size of the lot and where it's located call out for
4 higher zoning and-and it has a worth, but you would-
5 you would be a-you would build a 5-story building.
6 Basically, that's the height limit.

7 CHAIRPERSON RICHARDS: And no affordable
8 housing?

9 CHRIS WRIGHT: And it would be, yeah, the
10 height limit is-is five feet total height a street
11 level is 40. You have to back yards and it would be
12 with no affordable housing.

13 CHAIRPERSON RICHARDS: So, with this
14 change you're proposing to go up to eight stories,
15 correct?

16 CHRIS WRIGHT: Yes, under R6A, you can go
17 to eight stories street height and-but we-we are
18 trying to put the bulk in the back towards the
19 manufacturing part of Vinegar Hill and-and keep lower
20 bulk as Marty pointed out around the historic houses.

21 CHAIRPERSON RICHARDS: And can you give a
22 breakdown of the unit counts? So, how much market
23 versus affordable?

24 CHRIS WRIGHT: Approximately, I mean it's
25 a 72,000 square foot building. So, we-we average

2 1,000 square foot unit. You know, there would be
3 some 1-bedroom studios and 2-bedrooms. They're
4 working on the exact split there.

5 CHAIRPERSON RICHARDS: Split with the
6 building.

7 CHRIS WRIGHT: But general-general
8 average. So, if you have--so that's about 72 units
9 but 18,000 is--goes towards affordable housing. So,
10 let's say that's 18 units although it may be slightly
11 more because like, you know. The apartments would
12 probably more because those units are little bit
13 smaller, but 18,000 square feet must be affordable
14 housing. So, there's 18 units are probably more, and
15 then other 54,000 would be market rate leasing an
16 average of 54 units and then--

17 CHAIRPERSON RICHARDS: [interposing] And
18 what--and what the AMIs averaging on?

19 CHRIS WRIGHT: The AMIs--

20 CHAIRPERSON RICHARDS: The market.

21 CHRIS WRIGHT: --at least in the
22 affordable would be--it's--it's an average A--an average
23 of 60% AMI, and we have to do three bands, and right
24 now, it's preliminary, but we're looking perhaps at a
25

2 third, 40% AMI, a third 60%, and a third 80% AMI to
3 keep it down to the lower AMI rates.

4 CHAIRPERSON RICHARDS: Do you know on the
5 market rate?

6 CHRIS WRIGHT: Market rate housing. [off
7 mic] What about it.

8 CHAIRPERSON RICHARDS: I mean what—what
9 would the average amount that's on the market rate?

10 CHRIS WRIGHT: We—I don't know the AMI
11 for the Vinegar Hill neighborhood off the top of my
12 head. I don't have that information. [coughs] But,
13 I'd, you know, consider it to be a, you know, a
14 higher end neighborhood. I don't—I do not know what
15 the average AMI is for the Vinegar—but as—as Marty
16 was pointing out, though, this a real opportunity to
17 generate low-income housing in a neighborhoods that
18 doesn't have it, that clearly is not a low-income
19 neighborhood, and we thank that's positive.

20 MARTY KATTELL: And I think the other—the
21 other point that your question brings up is what
22 would be—in terms of what would be built there. I
23 think the history of the site in the last 25 years of
24 ownership under the same entity is that it probably
25 would mean that that use would continue because

2 development under the 6B has been proven to be
3 financially feasible, and probably wouldn't--

4 CHAIRPERSON RICHARDS: You're saying
5 without the zoning changes it wouldn't be financially
6 feasible?

7 MARTY KATTELL: I think it's proved not
8 be, and probably will continued to be so. It seems
9 to me again as an architect not as the owner that the
10 City created MIH as an incentive to create affordable
11 housing and to create a win-win situation in which
12 developers such as Paul could see a modest increase
13 in the amount of market rate housing in exchange for
14 the creation of affordable housing, it seems that
15 what we are proposing with the distribution and
16 design of the building and its location is a win-win
17 situation both for the city, for the neighborhoods
18 and for developer as that program was created to do.

19 CHAIRPERSON RICHARDS: And you couldn't
20 get down to 40% AMI as well?

21 MARTY KATTELL: Well, we picked, you
22 know, we picking the option 1, the Zoning Resolution,
23 which was the lowest of the--any average AMIs and the
24 different options up to 25.

2 CHAIRPERSON RICHARDS: You're going to
3 average 60. So any-

4 MARTY KATTELL: Going to average 60.

5 CHAIRPERSON RICHARDS: So, you're not
6 anticipating any subsidy from the city on this?

7 MARTY KATTELL: No.

8 CHAIRPERSON RICHARDS: So you are paying
9 for the 60 and an 80?

10 MARTY KATTELL: Yes.

11 CHAIRPERSON RICHARDS: And you haven't
12 been in talks with HPD to--?

13 MARTY KATTELL: No.

14 CHAIRPERSON RICHARDS: Okay.

15 MARTY KATTELL: And to make this in
16 perpetuity. (sic) Right, there's no cost to the city
17 and it would be permanent.

18 CHAIRPERSON RICHARDS: We're getting
19 somewhere. Okay. I'm going to turn it over to
20 Council Member Levin in a second. I know William has
21 questions, and Reynoso has a question on it, and just
22 go through, and I know there are some concerns about
23 bulk and density in the surrounding neighborhood.
24 Can you speak to those concerns a little bit?

2 CHRIS WRIGHT: Well, we've—we've tried to
3 show we think there's a variety of bulk and uses in
4 the neighborhood. It's a very diverse neighborhood.
5 We've—we've some discussions with members of the
6 community, and they've expressed concern about bulk.
7 It was—the reason we have an R7A, it's not our 6A.

8 CHAIRPERSON RICHARDS: The request.

9 CHRIS WRIGHT: At, you know--

10 CHAIRPERSON RICHARDS: The request had
11 been originally and R7A.

12 CHRIS WRIGHT: It originally came in as
13 an R7A, but there is a fair amount of concern. So,
14 now it's been—we've downzoned significantly from 4.8
15 to 3.6 a little less affordable housing, a lot less
16 bulk, but and a lower height until we—we—we—when we
17 went and—so, we're hopeful that that's positive
18 [coughs] in terms of the community's concerns. I've
19 tried to point out that we think Vinegar Hills is
20 protected with the R6B with this northern half of
21 Vinegar Hill with the R6B and the historic districts,
22 and we're sort of linking to the southern half of
23 Vinegar Hills and R6A, but we—we understand their
24 concerns and we will—we are happy to continue to have
25 conversations with the community over their—those

2 concerns, but we've listened very carefully to them
3 at the various hearings, and the project has had a
4 significant down zoning from the original proposal.

5 MARTY KATTELL: And not only down zoning,
6 but I—I think particular manipulation of the bulk of
7 the building in order to maintain the as-of-right
8 bulk, but to mitigate its impact on the street, and
9 that's all part of the dialogue that we've had with
10 the community.

11 CHRIS WRIGHT: And we've sent this
12 revision to the community groups that are concerned
13 because we want a friendly city. The Community Board
14 and Borough President was shown R7A. So they now
15 have seen this presentation, and they've seen the
16 book that you see in front of you.

17 CHAIRPERSON RICHARDS: Alright, we'll go
18 to Council Member Levin.

19 COUNCIL MEMBER LEVIN: Thank you very
20 much, Chair. So, the first question is [coughs]
21 you're looking at the Zoning Map right now. From the
22 Gold Street is a—do you consider Gold Street a—a wide
23 street or a narrow street?

24 CHRIS WRIGHT: Technically speaking?

25 COUNCIL MEMBER LEVIN: Yeah.

2 CHRIS WRIGHT: A narrow street.

3 COUNCIL MEMBER LEVIN: A narrow street,
4 right. So-so, do you consider-do you consider Front
5 Street a wide or a narrow street?

6 CHRIS WRIGHT: They're all narrow
7 streets.

8 COUNCIL MEMBER LEVIN: They're all narrow
9 streets. Okay, so I'm-I'm-I'm wondering why-why does
10 this belong-if-if you were to look at a map and-and
11 say okay, we're going to think about the context of
12 the Vinegar Hill, right. What is Vinegar Hill?
13 Vinegar Hill is a neighborhoods right. Vinegar Hill
14 is a neighborhoods of low-rise development with as
15 you-as you point it was a very thoughtful
16 presentation some out of-some-some out-of-context
17 buildings north of Front Street that-that were
18 grandfathered in, I think. If you look at 231 Front
19 Street, right, that's got to be a-hold old is that
20 building?

21 CHRIS WRIGHT: Yes, many of those
22 buildings are grandfathered in.

23 COUNCIL MEMBER LEVIN: Right that pre-
24 dates--

2 CHRIS WRIGHT: Pre-dates the zoning
3 change.

4 COUNCIL MEMBER LEVIN: Pre-dates the
5 zoning, 289, 299 Front Street pre-dates zoning.
6 Obviously, 220-229 I think also probably predates
7 zoning, 229, 230 Water, 52 Bridge. That's number-
8 letter H, right. That probably-that probably pre-
9 dates zoning as well, but that did actually get-that
10 got brought into the R7-the Dumbo R7A district in
11 2009?

12 CHRIS WRIGHT: Yes.

13 COUNCIL MEMBER LEVIN: Right, but that
14 aside because that I guess is considered Dumbo I
15 guess right?

16 CHRIS WRIGHT: Yes.

17 COUNCIL MEMBER LEVIN: But Vinegar Hill
18 being, you know, your-your site is clearly Vinegar
19 Hill. It's not Dumbo. Vinegar Hill has-it is a
20 neighborhood, right. It's a small neighborhood, but
21 it is a neighborhood nonetheless, and there is-
22 there's some-there's some building on the south side
23 of Front Street I suppose, but-but, you know, the-
24 the-what I would consider like the historic
25 buildings, and I have to look at the-the Historic

2 District, but it's north of—it's north of Front
3 Street including east of Gold Street. So, across the
4 street from your—across Gold Street from your—from
5 your lot is part of the Historic District. So,
6 there's brownstones I think. One thing, why does
7 this belong to the zoning district. Why does your
8 site belong to the zoning district south of Front
9 Street as opposed to zoning district north of Front
10 Street?

11 CHRIS WRIGHT: Well, I think the—the
12 reason is the size of the lot, being a 20,000 square
13 foot lot. We see it more consistent with the—the R6A
14 lots, which are larger, and I mean that's why I show
15 this map. This is an R6A development, this and
16 grandfathered more or less R6A development here.
17 This is the school as you know.

18 COUNCIL MEMBER LEVIN: Uh-huh.

19 CHRIS WRIGHT: And—and so you'll see
20 this—this and—and—and our sense was that you can see
21 the lots in the—the historic portion of Vinegar Hill,
22 which are much smaller than the lots, and so we don't
23 think-- You know, there are some concerns about
24 other developments of this type in this—this
25 neighborhood, and there are no other lots of our size

2 that could possibly take on this kind of--this kind of
3 project. So, that's--that's the--we see the link to
4 R6A portion. We see there's a lot that is unique in
5 the--if you look at the historic portions of--that I
6 can call that a Vinegar Hill.

7 COUNCIL MEMBER LEVIN: Uh-huh.

8 CHRIS WRIGHT: It's unique in terms of
9 its size, and it's--it's got two street frontages, and
10 so that's--that's why we think and--and--and it's an
11 opportunity to create some MH--MIH and some more
12 affordable housing. So that's--that's our--one of our
13 thoughts, one of our thinking is that it doesn't--
14 connects to a neighborhood that exists.

15 COUNCIL MEMBER LEVIN: Right, but I mean
16 doesn't the--I mean if you--so the--the block to the
17 east of Gold Street is an M1--and M1-2 right?

18 CHRIS WRIGHT: Yes.

19 COUNCIL MEMBER LEVIN: And that has a--
20 does that also have a residential combined. I mean a
21 resident overlay to it?

22 CHRIS WRIGHT: No, it's--it's just pure.
23 It's been there, it's pure M1-2, it's a series of
24 low-rise and manufacturing buildings--

25 COUNCIL MEMBER LEVIN: Right, okay.

2 CHRIS WRIGHT: --that's maintained in
3 that mix. It's maintained itself. It's purely M.
4 There's no residential component.

5 COUNCIL MEMBER LEVIN: Okay. FAR2, though
6 and your R6B is an FAR2, right. So, it's like the FAR
7 across New York going from, you know, a-a quarter of
8 the way into your block and then all the way east to
9 Hudson Avenue is all-is all an FAR2 even though there
10 are-I mean you pointed out. I mean they are old
11 grandfathered buildings that are totally way
12 overbuilt, as you showed. I mean the FAR5. Something
13 and-but it-it does, you know, it-it kind of is
14 concerning, and then I, you know, just-just for-just
15 for the record this site was at one point from, you
16 know, 1860 to 1980 something, you know, Saint Ann's
17 Church, Roman Catholic Church, right?

18 CHRIS WRIGHT: Yes, it was.

19 COUNCIL MEMBER LEVIN: Historic-
20 historicish, not designated church, but it is
21 historic in-in-in, you know, in any-by any other
22 definition.

23 CHRIS WRIGHT: Right. May I-may I just
24 say, I mean, it was a church.

25 COUNCIL MEMBER LEVIN: Yeah.

2 MARTY KATTELL: This—the-it was
3 abandoned. It was sold by Diocese. It was put on
4 the market. I had a—they had walked away from it
5 with all due respect--

6 COUNCIL MEMBER LEVIN: Yeah.

7 MARTY KATTELL: --so Tocci bought the
8 property, and he was not in the church business, and--
9 and I understand that a lot of folks felt it was an
10 important building, but the people who lived in the
11 important building had walked away from it.

12 COUNCIL MEMBER LEVIN: Yeah.

13 MARTY KATTELL: And so that's—that's the
14 nature of real estate movement and so Mr. Tocci is
15 not a—a person who is going to run a church. So, he
16 did take it down. It was not an historic building.
17 I know a lot of members of the community are
18 concerned about that, but I think there's a certain
19 reality there as Steve recognized.

20 COUNCIL MEMBER LEVIN: Right, but if
21 you were to ever—I mean if you, you know, were, you
22 to Google church it was—it was a—it added—in terms of
23 what it added to that structure of that—that
24 neighborhood, it was a—you know, it added a certain

2 character, and it was a beautiful red brick church
3 that--

4 MARTY KATTELL: I know. Churches are
5 beautiful. I understand.

6 COUNCIL MEMBER LEVIN: Uh-huh, and you've
7 been engaged with the—I mean just one thing about the
8 Vinegar Hill community, I think it's a little bit
9 lost and I want to make this clear is that, you know,
10 it is a—a lot of people there are—it's—it's a—for—if
11 anyone hasn't been there, you should go down. It's a
12 very interesting little neighborhood because it's
13 only a couple of blocks mostly of these historic
14 fabric buildings, and a lot of the people that live
15 there are—are not, you know, newcomers. They're—
16 they've invested in their homes, you know, in the 70s
17 and 80s, and—and have fixed up their homes, and
18 fought for historic designation. You know, have
19 fought for maintaining the historic character of
20 whether it's the, you know, the carriage house doors
21 of the—or the Belgian block streets, you know, it's
22 maintained a certain—it's a very quiet neighborhood.
23 You know, it doesn't have, you know, it doesn't have
24 the capacity to take on, you know a high-rise
25 development. When I talk to the neighbors, you know,

2 I said—At one point when I first got elected I said,
3 Hey, you know, it will be really interesting when
4 they—when they, you know, rezone that—that Con Ed
5 facility and it was like blasphemous because, you
6 know, that would—you know, right now there's this
7 large Con Ed facility. It—it, you know, ensures that
8 the neighborhoods remains a quiet low-rise
9 neighborhood. They're right over Con Ed's plants and
10 then a, then like a, you know, large like 30, 40-
11 story building. So [cell phone chimes] they've
12 obviously been in communication, as you mentioned.
13 If you were to characterize their position at this
14 point, how would you do that?

15 MARTY KATTELL: I don't like speaking for
16 the other groups. I really, I mean, you know,
17 they're concerned about the heights, and I really
18 don't—I really prefer not speaking their concerns. I
19 don't want to—to put words in their mouth. We tried.
20 We've listened to them very carefully. We've tried
21 to respond very carefully. I think that's why it was
22 significantly down zoned to an R6A. As I mentioned,
23 I understand the character of the sort of northern
24 part of Vinegar Hill. This—this—the R6B will stay in
25 place. The Historic Districts will stay in place,

2 which covers most of that area. So, I think there
3 are very strong zoning and regulation protections
4 that will maintain the character of that
5 neighborhood. We're the only site of this size in
6 that portion of Vinegar Hill, but we understand their
7 concerns and we've listened very carefully, and we
8 can—we are continuing to have dialogue with them.

9 COUNCIL MEMBER LEVIN: You mentioned the—
10 the—that there's a 40-foot street wall along the
11 perimeter of the—of the whole project is that right?

12 MARTY KATTELL: Front Street and Gold
13 Street at the southern end to try coordinate with the
14 row of houses on Front Street. Right, so the bulk of
15 the building where it exceeds the four—the 6B is
16 pushed to the corner across from the M district and
17 bordering the 7A district.

18 COUNCIL MEMBER LEVIN: Right, but on
19 that—on—on Gold Street there are that—that row of
20 historic, you know, a part of the Historic District--

21 MARTY KATTELL: On the opposite side.

22 COUNCIL MEMBER LEVIN: On the opposite
23 so-

24 MARTY KATTELL: Right.

2 COUNCIL MEMBER LEVIN: --but that's, over
3 there that's not--is that a 40-foot street wall or
4 that's a--

5 MARTY KATTELL: It's 40-foot street wall
6 that steps back.

7 COUNCIL MEMBER LEVIN: How--how far is it
8 stepping back.

9 MARTY KATTELL: I believe it's 15 feet, a
10 15-foot setback.

11 COUNCIL MEMBER LEVIN: A 15-foot setback
12 on that northern--on the northwest--

13 MARTY KATTELL: The northwest corner, uh-
14 huh.

15 COUNCIL MEMBER LEVIN: --or the east
16 corner of the property.

17 MARTY KATTELL: The--the northern corners,
18 but towards--towards the Gold-Gold Street Houses.

19 COUNCIL MEMBER LEVIN: Alright.

20 MARTY KATTELL: I got you, thank you.

21 COUNCIL MEMBER LEVIN: So, it's a whole
22 full 15 feet setting back?

23 MARTY KATTELL: That's correct.

24 COUNCIL MEMBER LEVIN: Okay, and then it
25 rises to?

2 MARTY KATTELL: 80.

3 COUNCIL MEMBER LEVIN: Okay.

4 MARTY KATTELL: That's the Zoning Regs.

5 That's the lowest street wall. So, we try to come to
6 the lowest possible street. It could go a bit
7 higher.

8 COUNCIL MEMBER LEVIN: [interposing] Uh-
9 huh. I'm sorry, can you bring up the rendering
10 again. I'm sorry. [pause] Do you have a-a
11 perspective from that northwest perspective,
12 northeast perspective? So like from the corner of-of
13 Gold and Water Street?

14 MARTY KATTELL: We do not. You can see it
15 in the-in the small diagram here. You were talking
16 about this area right here, I believe, correct?

17 COUNCIL MEMBER LEVIN: Yeah, and so
18 that's 15 feet setting back right there? It goes up
19 40 feet and then it goes back 15 feet?

20 MARTY KATTELL: Then it goes up. That's-
21 that's required by zoning.

22 COUNCIL MEMBER LEVIN: Okay.

23 MARTY KATTELL: Well, it's not required
24 at 40 feet, but we're doing it at 40 feet.

25 COUNCIL MEMBER LEVIN: Uh-huh.

2 MARTY KATTELL: It's required at 60 feet
3 I believe. I think you can do—you build a street wall
4 over 60 feet, but we're doing 40 feet to try to
5 coordinate with the housing across the street and
6 then set back to 15, which is--

7 COUNCIL MEMBER LEVIN: Uh-huh.

8 MARTY KATTELL: --we must go back at
9 least 15 feet in the zoning and then up to 80 feet.

10 COUNCIL MEMBER LEVIN: Okay, I mean, I've
11 expressed my—my concerns around, you know,
12 interrupting the R6B, you know, going from west to
13 east, you know, that—that quarter of the way into
14 your block and then, you know, across Gold Street
15 and—and then over towards Hudson Avenue. So, you
16 know, it's something that we should, you know,
17 continue to talk about. I want to engage with—with
18 you over the coming days. You know, obviously, you
19 know, I've heard—I can—I'll characterize their—their
20 position and the neighborhood association remains in
21 opposition to this proposal even though it was
22 brought down from 7A to 6A, and, you know, those are
23 long-time residents that, you know, have—have along
24 with Mr. Tocci I mean you guys have been neighbors
25 for a long time.

2 PAUL TOCCI: [off mic] We've been there
3 for 50 years, and we've been really trying our best
4 to engage with the community from the very start, but
5 we served by—we met with them, we hired Pink
6 Architecture, we--we tried to point to them what
7 would happen, and I think we were saying to them I
8 hope we were, and we want to make a building that
9 fits in with the community. We don't want to put
10 something that doesn't fit into the community. The—
11 the—the area has a lot of different residents, not
12 only the—the people that live in the townhouses.
13 There are a lot of people that live in some of the
14 larger buildings that are there, too. There are some
15 young and vibrant things going on in the area. We
16 hope to be part of that.

17 COUNCIL MEMBER LEVIN: I'd say that you
18 and members of the community probably know each other
19 better than I know either of you. So, you know, this
20 is—

21 MARTY KATTELL: It's true, I think.

22 PAUL TOCCI: That's probably true. I
23 just don't want them to be perhaps upset over 25
24 years ago that the church was knocked down. For
25 instance if I sold this developer X who then came in

2 and he wasn't the one who knocked it down or he would
3 they'd be in favor.

4 COUNCIL MEMBER LEVIN: Right, right, I
5 understand. I was more that I just wanted to make
6 sure that I was on the record.

7 CHAIRPERSON RICHARDS: Right, he wants to
8 make sure they're not going to throw eggs at you when
9 you build.

10 MARTY KATTELL: Yeah, look, we've—we've
11 had a lot of conversations with the community. We've
12 reached out to them. We continue to reach to them.
13 We've sent this 6A. They've seen it now. We're
14 going to have a dialogue with them, and we understand
15 they are opposed. We understand they have concerns,
16 but we are hoping to continue to work with them and
17 to work—to reach out with a project that's good for
18 all neighborhoods. We understand this thing.

19 PAUL TOCCI: One—one point is that we saw
20 that they were opposed to that 7A, but our
21 representatives have reached out. Once we did—
22 lowered to 6A to have—engage with them, but we
23 haven't pulled back to them as far as having a
24 discussion about what the project is like, that the
25 smaller one.

2 COUNCIL MEMBER LEVIN: Okay. So, we'll
3 make sure that we, you know, that that--the dialogue
4 is sometimes a factor, you know--

5 MARTY KATTELL: Yes.

6 COUNCIL MEMBER LEVIN: --at this juncture.

7 MARTY KATTELL: Absolutely.

8 COUNCIL MEMBER LEVIN: We're moving
9 forward. Okay, thanks.

10 CHAIRPERSON RICHARDS: Thank you.
11 Alrighty, oh, we're going to go to Council Member
12 Williams followed by Reynoso.

13 COUNCIL MEMBER WILLIAMS: Thank you, Mr.
14 Chair. I thank you for your testimony. I have a few
15 questions. One I do want to applaud you for choosing
16 the first option to do this--do this affordability in
17 a flawed MIH tool that we have, but that probably is
18 the best one that does mandate a certain amount
19 afforded to AMI, but you could go deeper if you'd
20 like. But I do have some questions. So, first I just
21 want to get some better understanding of the numbers.
22 So, it's 44% market rate housing, 18-56% affordable
23 housing. I mean I always think that's a misnomer
24 because even the market rate is affordable to
25 someone, and so it's always about what income is

1 targeted that. So, you said it's 40,000 available
2 affordable. So, is that—that 40,000 square feet is
3 going to be built also?
4

5 CHRIS WRIGHT: Yes, what we're trying to
6 show is that the 40,000 is what we can build today
7 as-of-right. As of right, and then when add the
8 additional—you go from 2.0 FAR to 3.6, we're adding
9 1.6 FAR it generates another 32,000 square feet of—
10 buildable space. So, this 18,000 goes to—to
11 affordable and 14,000 goes to market. So, if you add
12 the 40,000 and the top do the 14 you end up 54,000
13 square feet of market rate and 18,000 square of
14 affordable housing. That's what this—this diagram,
15 but the real reason we showed it was to show that of
16 the additional floor area that we're getting, more of
17 it goes to affordable than market.

18 COUNCIL MEMBER WILLIAMS: Air, I mean but
19 at first notice could be fooling you in thinking—
20 these numbers add up 100%, but this is not 100% of
21 the units. So, I actually try to look at all of the
22 units and the property risk that is going on. So,
23 56% of the units will not actually--
24
25

2 CHRIS WRIGHT: [interposing] No, yeah,
3 that's—the 5644 is breakdown of the newly created
4 units but, it's, yeah, we're not trying to mislead--

5 COUNCIL MEMBER WILLIAMS: Sure.

6 CHRIS WRIGHT: --anybody.

7 COUNCIL MEMBER WILLIAMS: So, now, just—
8 you said it's about a 1,000, each unit is about a
9 1,000 for square foot.

10 CHRIS WRIGHT: About. That's an average
11 for the market rate.

12 COUNCIL MEMBER WILLIAMS: So, we have—so
13 it's—it would be roughly 55 units at market rate?

14 CHRIS WRIGHT: 54.

15 COUNCIL MEMBER WILLIAMS: 54 units at
16 market rate.

17 CHRIS WRIGHT: Yes.

18 COUNCIL MEMBER WILLIAMS: And 18 at
19 affordable I mean what you're calling affordable.

20 CHRIS WRIGHT: Although likely to be more
21 because we don't think the affordables will
22 necessarily 1,000 square feet each, but, you know,
23 we—that's our rough numbers.

24 COUNCIL MEMBER WILLIAMS: Do you think
25 the affordables will be smaller than the market?

2 CHRIS WRIGHT: We—we don't know yet.
3 We're—we're still looking, but I think right now we
4 are taking the position that it's 54 market and 18
5 affordable of the same average, though from the same
6 average size.

7 COUNCIL MEMBER WILLIAMS: And it's 25?
8 Any more?

9 CHRIS WRIGHT: It's—and it's 25% of the
10 whole project. Right, so, 18,000 is 25% of the--

11 COUNCIL MEMBER WILLIAMS: [interposing]
12 And so you said seven will be at 40%?

13 CHRIS WRIGHT: The average will be 60.

14 COUNCIL MEMBER WILLIAMS: Yeah.

15 CHRIS WRIGHT: And we're working at
16 three, but you have to do three band literally, and
17 so primarily where we're still looking at this is to
18 do a third at 40, a third 60 and a third 80 where you
19 would hit the 40 exactly, 60 I'm sorry.

20 COUNCIL MEMBER WILLIAMS: 60.

21 CHRIS WRIGHT: 40, 60, 80 and divide it
22 equally between the three groups.

23 COUNCIL MEMBER WILLIAMS: So, six groups
24 of 40, 6 and 6?

25 CHRIS WRIGHT: Yeah, six of each.

2 COUNCIL MEMBER WILLIAMS: Okay.

3 CHRIS WRIGHT: Roughly.

4 CHRIS WRIGHT: Yeah, that's kind of
5 rough. So, yeah--

6 CHRIS WRIGHT: Yes, yes.

7 COUNCIL MEMBER WILLIAMS: So I don't--so
8 I'm trying to understand. Since the floor area--

9 CHRIS WRIGHT: Yes.

10 COUNCIL MEMBER WILLIAMS: --is 72,000
11 square feet.

12 CHRIS WRIGHT: Uh-huh.

13 COUNCIL MEMBER WILLIAMS: So, wouldn't
14 that mean seven--seven you're talking about?

15 CHRIS WRIGHT: You're--you're correct. I
16 mean you're correct that actually of the--it would be
17 72,000 and we'd have--I think 7,200 would have to be
18 at the--at the 40%.

19 COUNCIL MEMBER WILLIAMS: Uh-huh.

20 CHRIS WRIGHT: So, that number won't be
21 exact. SO, it will be slightly more at the 40 and a
22 little bit less at the 60 and 80 to get the three
23 bands, but you're correct.

24 COUNCIL MEMBER WILLIAMS: Okay. So,
25 getting back to some of our concerns, which I'm

2 actually sympathetic a little bit to the concerns of
3 my colleagues, and the community, but I want to get a
4 better understanding. So, I'm looking at Front
5 Street now. I'm not good at the Rs and details
6 (sic). So I like to talk stories. You know, how
7 many stories is—is your project going up? How many
8 stories is it?

9 CHRIS WRIGHT: The—the highest will be
10 eight stories.

11 COUNCIL MEMBER WILLIAMS: Eight stories
12 and then on the lowest one it's in the front.

13 CHRIS WRIGHT: The street wall is four
14 stories.

15 COUNCIL MEMBER WILLIAMS: Four stories.
16 Now, I don't know how far this is from my—from my
17 sheet it's on the left hand side there's another
18 building there. It looks like it's pretty high.

19 CHRIS WRIGHT: [background comments]
20 Okay, let me look at it. I'm going to pull it up
21 here.

22 COUNCIL MEMBER WILLIAMS: There's no
23 numbers on this.

24 CHRIS WRIGHT: Is there a letter on it?

2 COUNCIL MEMBER WILLIAMS: It says
3 Elevation C, Front Street.

4 PAUL TOCCI: This the building I believe
5 you're that you're referring to.

6 COUNCIL MEMBER WILLIAMS: Yes, it might
7 be.

8 PAUL TOCCI: It's 84 feet.

9 CHRIS WRIGHT: He's looking at the
10 elevation.

11 COUNCIL MEMBER WILLIAMS: Okay that's the
12 building? [background comments]

13 PAUL TOCCI: It is the building

14 CHRIS WRIGHT: [interposing] On the--on
15 the left--

16 COUNCIL MEMBER WILLIAMS: Okay, yes.
17 [coughs]

18 CHRIS WRIGHT: Now, the left that's a--an
19 existing--

20 COUNCIL MEMBER WILLIAMS: Structure?

21 CHRIS WRIGHT: --structure.

22 COUNCIL MEMBER WILLIAMS: How tall is
23 that?

24 CHRIS WRIGHT: 84 feet.

25

2 COUNCIL MEMBER WILLIAMS: Stories, in
3 stories?

4 CHRIS WRIGHT: Eight.

5 PAUL TOCCI: Eight stories, eight
6 stories,

7 COUNCIL MEMBER WILLIAMS: So, the eight-
8 story building close to where you're building are a
9 way of recommending to build this eight-story
10 building?

11 PAUL TOCCI: Yeah, the same-same height.

12 COUNCIL MEMBER WILLIAMS: How far away is
13 that?

14 PAUL TOCCI: About—the attorney has
15 written 30 feet I want to say.

16 COUNCIL MEMBER WILLIAMS: And is there
17 another building behind it that looks like it has
18 scaffolding on it?

19 PAUL TOCCI: I believe that is this
20 building right here.

21 COUNCIL MEMBER WILLIAMS: I don't see the
22 scaffolding but maybe this is the back, and how tall
23 is that building?

24 PAUL TOCCI: 97 feet.

25 COUNCIL MEMBER WILLIAMS: Stories.

2 PAUL TOCCI: Ten.

3 COUNCIL MEMBER WILLIAMS: Ten stories,
4 and that's—is that—what—is that the north or south?
5 What side is that?

6 CHRIS WRIGHT: That's the—that's the
7 western portion of the block and that's zoned R7A.

8 COUNCIL MEMBER REYNOSO: Probably you're
9 naming stories that can go up or actual stories that
10 he has.

11 PAUL TOCCI: That he has.

12 COUNCIL MEMBER WILLIAMS: He has them now.

13 CHRIS WRIGHT: These are just—these are
14 all existing buildings.

15 COUNCIL MEMBER REYNOSO: Seven stories?

16 PAUL TOCCI: They're extra high floors.

17 COUNCIL MEMBER REYNOSO: Right, I get
18 that. They're high floors and they're still seven
19 stories, and he's talking about stories.

20 COUNCIL MEMBER WILLIAMS: Oh, so you're
21 right.

22 PAUL TOCCI: And then ten—eight stories.

23 Sorry. (sic)

24 COUNCIL MEMBER WILLIAMS: That's okay. So
25 seven stories at 96 feet, you said?

2 CHRIS WRIGHT: Yes.

3 COUNCIL MEMBER WILLIAMS: And your—your
4 structure is how many feet at eight stories?

5 CHRIS WRIGHT: 80 feet and eight stories.

6 COUNCIL MEMBER WILLIAMS: 80 feet. Yeah,
7 this high, 96 feet straight up versus 80 feet up.
8 So, that—that's building is already 96 feet up and
9 you want to go 80 feet up, and the one—the other one
10 that's eight stories how many feet you said? The
11 other one, the first one? The F there. He had an F.
12 [pause]

13 CHRIS WRIGHT: 84 feet high.

14 COUNCIL MEMBER WILLIAMS: And this is the
15 west one, and so yours is on—and so yours is on. So
16 this is on the eastern, the one you're trying to do
17 easements for, the eastern side?

18 PAUL TOCCI: If you look at this little
19 map right here, you can see the blue is ours and
20 then--

21 COUNCIL MEMBER WILLIAMS: What is yours?

22 PAUL TOCCI: See that blue.

23 COUNCIL MEMBER WILLIAMS: Oh, I see.

24 PAUL TOCCI: That's ours and that orange
25 is that building.

2 COUNCIL MEMBER WILLIAMS: So, is the
3 complaint that we already—the structures already
4 existing are all on the left side, and there's none
5 on the right side? Is that what the community is
6 complaining?

7 PAUL TOCCI: [off mic] Well, I mean,
8 there—there has been talk of if a building is pre-
9 existing and it's high that it does not create
10 context, but we have hired a zoning planning, a
11 company who has its own study, and they have
12 explained to us that if a building is high, the is
13 the context, because that's already there, and that's
14 what context is all about if that is—[on mic]
15 That's what context is all about because if it's pre-
16 existing that means that the definition of context,
17 and Jerry—Jeffrey Weiner, who we hired has discussed
18 this and explained that these building create the
19 context because they are bigger. But there is a new
20 building, which exceeds—which is right on our block
21 which is built higher in FAR than what we're
22 proposing, it's this one. This is a 4.6 FAR and
23 we're only asking a 3.6, and that's new.

24 COUNCIL MEMBER WILLIAMS: How many
25 stories is that going to go up?

2 PAUL TOCCI: That's already there.

3 COUNCIL MEMBER WILLIAMS: Oh, how many
4 stories and how many feet?

5 PAUL TOCCI: Roughly 80 feet, which is
6 the same height as ours.

7 CHRIS WRIGHT: And R6A as-of-right.

8 PAUL TOCCI: And you—you can see down the
9 block the white building, too, which is the other
10 building, which we talked about, and ours is right
11 across from that white building.

12 COUNCIL MEMBER WILLIAMS: [interposing]
13 But listen, I see where your buildings—I'm going to
14 step up over here.

15 CHRIS WRIGHT: Sure.

16 COUNCIL MEMBER LEVIN: So, Council Member
17 Williams, can I just interject for one second here.
18 So--so the M building as--as I was saying is south of
19 Front Street So it's on your block?

20 COUNCIL MEMBER WILLIAMS: It's on Front.

21 COUNCIL MEMBER LEVIN: It's south--south
22 of there--I mean it's south--on the south side of Front
23 Street.

24 COUNCIL MEMBER WILLIAMS: Oh, okay.

25

2 COUNCIL MEMBER LEVIN: So, it's on the
3 other side of the street.

4 COUNCIL MEMBER WILLIAMS: [off mic]
5 Explain to me is there anything around this area?

6 CHRIS WRIGHT: [off mic] Well, this is
7 all Zone N. This is a kind that just implants, and
8 there's nothing up there. (sic)

9 COUNCIL MEMBER WILLIAMS: [off mic] So,
10 for Air I mean like from this point on. Because it
11 seems like all tall buildings were originally were in
12 this group, and there are some buildings other than
13 that group.

14 CHRIS WRIGHT: Oh, there are.

15 COUNCIL MEMBER WILLIAMS: [off mic]
16 Where?

17 CHRIS WRIGHT: Well, first of all, they
18 are actually across from the building owner. This
19 one here.

20 COUNCIL MEMBER WILLIAMS: [off mic] This
21 one here, this is the-over-it has more bulk. It's
22 just this here.

23 PAUL TOCCI: That's right, across. You
24 can see the blue and the orange.

2 COUNCIL MEMBER WILLIAMS: How many
3 buildings is that? I mean how many stories and how
4 tall is that?

5 PAUL TOCCI: 87 feet.

6 CHAIRPERSON RICHARDS: Speak to the mic
7 when you speak to Council Member Williams.

8 PAUL TOCCI: 87 feet high, 110,000 square
9 feet.

10 COUNCIL MEMBER WILLIAMS: And that's six-

11 PAUL TOCCI: That's six floors.

12 COUNCIL MEMBER WILLIAMS: Six floors.

13 Okay. So, I-I-I'm-I definitely want to confer with
14 my colleague because it's-it's his district and just
15 understand, and get a better understanding of why
16 this is not contextual if those buildings already
17 exist. They don't full get--?

18 COUNCIL MEMBER LEVIN: So, what I would
19 say-excuse me, if the other buildings that-the
20 building that's F that you spoke to before the eight-
21 story building?

22 COUNCIL MEMBER WILLIAMS: Yes.

23 COUNCIL MEMBER LEVIN: That's a
24 grandfathered in building. It's-it was built probably
25 around the turn of the Century I guess and-and so,

2 when—when the Department of City Planning went and
3 zoned the block, the rest of the block, that was—that
4 was then an out of context—the zoning was an R6B.
5 That was understood to be an out-of-context building
6 technically within the zoning. I mean it exists.
7 They're not going to tear it down.

8 COUNCIL MEMBER WILLIAMS: And number 3 is
9 a cross—a cross diagonal.

10 COUNCIL MEMBER LEVIN: But that's—but
11 that's south of—I know but that's—that's also, that's
12 south of Front Street and so on this—if you were,
13 what I was trying to say before is if you were to—
14 the—the really—the contextual dividing line in—in my
15 opinion is right down the middle of Front Street.
16 South of Front Street has a higher zoning. North of
17 Front Street has a lower zoning--

18 COUNCIL MEMBER WILLIAMS: [interposing] I
19 see.

20 COUNCIL MEMBER LEVIN: --but for the out-
21 of-context grandfathered in buildings, and number one
22 that's on there is according to the zoning that
23 happened in 2009, not even considered part of this
24 neighborhood. It was kind of drawn into the 2009
25 Dumbo zoning. So, it—it really is in—in the eyes of

2 City Planning belongs zoning wise to-to the other
3 neighborhood.

4 CHRIS WRIGHT: No City Planning voted to
5 make it 6A, and they agreed with us that 6A was
6 correct.

7 COUNCIL MEMBER LEVIN: Right and at the
8 time. When they-when they did the 2009 Zoning No. 1
9 was rezoned as a 7-as 7A, but that-but that was, that
10 was with the-the-the other zoning area then to the
11 west.

12 CHRIS WRIGHT: Yes, that was-that was-

13 COUNCIL MEMBER LEVIN: Anything to the
14 east is-was-was maintained as 6B Zoning except, of
15 course, for the buildings that pre-date zoning and
16 were grandfathered in, and then our just out of
17 context.

18 CHRIS WRIGHT: We understand the building
19 that are grandfathered in, but the think it's a slow
20 part of the context. We don't think we're suddenly
21 creating a building that just sticks out like a sore
22 thumb from anything around it. I understand the
23 concerns about the brownstones maybe next to us and
24 the southern-the northern part Vinegar Hill. We
25 understand that protection there and we want-we try

2 not to intrude upon that, and we think, though, the-
3 the grandfathered buildings are all bigger and taller
4 and I think they should be mentioned because we're
5 suddenly the first big boy on the block, and-and-and
6 while, you know, I agree the line in front is a line
7 drawn there, the southern part of Vinegar Hills was a
8 6A, it is producing bigger buildings and we think
9 because of the size of lot, I mean I said this
10 before, and I'll just, but we don't disagree with
11 what you're saying, but we believe that we should be
12 part of that R6A because of the size of our lot, and
13 because we do connect to it, and we don't think we
14 will intrude upon--

15 COUNCIL MEMBER WILLIAMS: [interposing]

16 Council Member, just so I--

17 CHRIS WRIGHT: --the protections of
18 Vinegar Hill.

19 COUNCIL MEMBER WILLIAMS: --understand,
20 the boundary of Vinegar Hill is Front and Water?

21 COUNCIL MEMBER LEVIN: If you're to look
22 at the historic--I mean I can bring up the Historic
23 District map. I'm going to look it up. It's not in
24 your presentation, right?

2 COUNCIL MEMBER WILLIAMS: So, north of
3 Front Street are there any buildings that are as high
4 as you are?

5 COUNCIL MEMBER LEVIN: We guess that
6 Building F.

7 COUNCIL MEMBER WILLIAMS: Besides those--
8 besides those two---

9 CHRIS WRIGHT: These two buildings here.
10 If-if you go further north, you go into a
11 manufacturing zone and then the Con Edison plants.

12 COUNCIL MEMBER WILLIAMS: Alright, I see.

13 CHRIS WRIGHT: So, that-that sort of
14 becomes a whole other world.

15 COUNCIL MEMBER WILLIAMS: So, we're
16 basically trying to keep that one block from--

17 COUNCIL MEMBER LEVIN: Well, anything
18 north of Front Street that's new development I guess
19 would be the-the argument.

20 COUNCIL MEMBER WILLIAMS: I see.

21 COUNCIL MEMBER LEVINE: It's--because G as
22 well, which is a block over that is also--that's 103
23 feet, but again, you know, FAR predates any-any
24 zoning framework.

2 MARTY KATTELL: But I—I think it's
3 important to point out, too, that the site that we're
4 talking about is not in—it has been excluded from the
5 Historic District designation.

6 COUNCIL MEMBER LEVINE: Well, there was
7 nothing to designate at the time. I mean--

8 MARTY KATTELL: [interposing] I know.

9 COUNCIL MEMBER LEVIN: --I would—I would
10 probably have said had the church still existed when
11 the historic designation happened for Vinegar Hill,
12 the church would have probably been part of the
13 Historic designation.

14 COUNCIL MEMBER WILLIAMS: All right,
15 okay, that's all--

16 MARTY KATTELL: But the truth is that as
17 it stands right now, the site is not in the historic
18 district.

19 COUNCIL MEMBER WILLIAMS: My—so my—my
20 only other thing is I normally think we kind of have
21 to build up where we can, and we try to do it as
22 conceptually as possible, but my other sort of
23 reservation, and I'm not sure the amount of
24 affordable units that we're getting are worth all the
25 change that we're asking for because it's only going

2 to amount to 18 units. So, I'm not sure if that's
3 worth all the extra stories above and all the
4 confusion it's causing for the community. But, I-I
5 just want to think about it and discuss it some more
6 with my colleagues, but I ask-I thank you very much
7 for your testimony.

8 CHRIS WRIGHT: We appreciate the good
9 questions.

10 PAUL TOCCI: May I just also point out
11 that our EIS shows that there were no significant
12 negative implications of the project as far as
13 shadows as far as visual impacts or no negative
14 impacts.

15 COUNCIL MEMBER WILLIAMS: But what? I'm
16 sorry what was that?

17 CHRIS WRIGHT: With the Environmental
18 Assessment Statement it was his-it has to show that
19 there is no impacts on pedestrian traffic, schools,
20 shadows in order to get certified, and doing the EIS
21 and it showed no measurable impacts in the--

22 COUNCIL MEMBER WILLIAMS: [interposing]
23 Someone's sight line is probably going to be changed,
24 but--

2 CHRIS WRIGHT: Yes, all tall buildings
3 add something to that, but there was nothing that it
4 reached the threshold of being an EIS concern.

5 COUNCIL MEMBER WILLIAMS: Thank you.

6 CHRIS WRIGHT: That's all we're trying-
7 the point we're trying to make.

8 CHAIRPERSON RICHARDS: Well, thank you.
9 Thank you for your testimony for a very- Oh,
10 Reynoso.

11 COUNCIL MEMBER REYNOSO: yes.

12 CHAIRPERSON RICHARDS: This has been one
13 of the most exciting topics that we've had in this
14 hearing in a long time.

15 COUNCIL MEMBER REYNOSO: So, I count
16 about 25 pages worth of pictures, back and front,
17 left to right, buildings that you believe are more
18 contextual to yours. Then when it comes to your
19 rendering, I've got three pictures of which none
20 point to the rear portion of the building or what
21 they call the north-the northern portion of the
22 building. That really speaks to the concern about
23 the context of the building. So, you would-it would
24 behoove you to put forth a picture of your highest
25 portion of your building to compare it to what you

2 think that is contextually significant to or aligning
3 to not the smallest or the shortest part of your
4 building where you have three pictures that are
5 exactly the same practically. I just think it's
6 deceiving, and I think you could have done with two
7 more pages maybe or eliminated half of the pages out
8 of the 25 in the tall buildings. I want to say that
9 first, and I---just the presentation, and you're-
10 you're an architectural firm so you're doing your
11 job. But we have a job to look at things
12 comprehensively in the large scope, and we hope that
13 outside of Council Land Use, that the architect will
14 help us do that as well. So, that didn't happen here
15 so I can't really look at what this eight-story looks
16 like. You said 14--after 40 feet it goes back 15. On
17 your rendering that's just not something that we see.
18 It looks like it goes back maybe five feet max, then
19 it goes up another three stories and then it goes
20 back 10 feet I think and there is another one. Is
21 that correct what I just said?

22 MARTY KATTELL: It's been a while, let me
23 look, please.

24 COUNCIL MEMBER REYNOSO: Just got to the
25 last page. It's the only rendering we have that is--

2 that can help us here on the last of the computer.
3 One more, one more. Then you go. So, looking at
4 this, we have to use the little one, the little
5 picture on the right side. When you look at it,
6 there's no way you're—you're going—if you're going
7 back 15 feet that after those four stories that
8 that's a 15-foot gap right there.

9 MARTY KATTELL: [off mic] You're right,
10 the total is 15 feet.

11 COUNCIL MEMBER REYNOSO: The total is 15.

12 MARTY KATTELL: Yes.

13 COUNCIL MEMBER REYNOSO: So, we're
14 looking at maybe 70—70 feet worth of straight up on-
15 the street, like on the street buildings. There's no
16 setback really, there's five feet on that building.
17 Am I—am I right

18 MARTY KATTELL: It's at that.

19 COUNCIL MEMBER REYNOSO: What is that
20 little setback, the first one after the 40?

21 MARTY KATTELL: I have to say I'm not
22 sure.

23 COUNCIL MEMBER REYNOSO: Alright, I'm
24 going to say—I'm giving you five and that's a lot.
25 I'm going to say that.

2 CHAIRPERSON RICHARDS: I just want to-
3 sorry to cut you off.

4 COUNCIL MEMBER REYNOSO: No, go ahead.

5 CHAIRPERSON RICHARDS: Is there a concern
6 of shadow or shadows being cast on this, or did that
7 come up in this.

8 PAUL TOCCI: Not to that, that triggered
9 an EIS factor. We know it's-it's a concern of the
10 community, but it's nothing that triggered an EIS
11 concern.

12 CHAIRPERSON RICHARDS: Okay, we know that
13 EIS is sometimes inaccurate.

14 PAUL TOCCI: I understand. [laughs]

15 COUNCIL MEMBER REYNOSO: No, we're not-
16 we're not fans of EIS. They do the bare minimum.

17 PAUL TOCCI: We did the-we did the
18 analysis and it showed no impacts when we got it.

19 COUNCIL MEMBER REYNOSO: So--so, my-my
20 thing here is that if you live in-in-like I want to
21 build as much affordable housing as possible, which
22 I'm actually going to ask you if you would be willing
23 to be a part of the ELLA program to get more
24 affordable housing out of the project? If you would
25 be willing to consider that? I want to see what

2 Council Member Levin says, but I would like to see
3 that you use subsidies from the City of New York to
4 maximize how much affordable housing you could build.
5 Not the thing 25% and going lower necessarily but
6 just building more affordable housing overall? I
7 want to see how open you are to that because a big
8 part of your narrative is how much you're doing for
9 affordable housing, and I'm telling you that you're
10 doing the bare minimum. You're doing what we're
11 mandating you to do, and MIH is always supposed to be
12 the floor and not the ceiling. I just want to make
13 sure you understand that you're not doing us any
14 favors. I believe we're doing you favors by giving
15 you height, a significant amount of height in Vinegar
16 Hills. That--that percentage that you have here,
17 sorry I got to get to the 25 pages of pictures. So,
18 yes. [laughter]

19 PAUL TOCCI: Yes we--we--

20 COUNCIL MEMBER REYNOSO: Sir, let's get
21 this part, this part. That 44% the amount of money
22 you're going to make on that 44% is--is you--you could
23 build another 18,000 square feet of affordable
24 housing and get it done. You're converting from an
25 M2R. You're not converting from--

2 PAUL TOCCI: It's an M. I'm sorry.

3 COUNCIL MEMBER REYNOSO: No, no, I know,
4 but I know it's hard.

5 PAUL TOCCI: Okay.

6 COUNCIL MEMBER REYNOSO: But what was it
7 before. It was-it's an empty lot. What was it
8 before it was an R6?

9 PAUL TOCCI: It's been an R6B for 20
10 years I think.

11 CHRIS WRIGHT: I think I know what--

12 COUNCIL MEMBER REYNOSO: Well, before 20
13 years what was it?

14 PAUL TOCCI: Yes, it was-it was part of
15 the Vinegar Hills rezoning and it was an M before
16 that.

17 COUNCIL MEMBER REYNOSO: It was an M and
18 who owned it right then? You owned it. Correct. So
19 it's an M2R.

20 PAUL TOCCI: Yes.

21 COUNCIL MEMBER REYNOSO: You've made no
22 purchase on a spec-you didn't make any speculative
23 purchase here. You've been a long term and this is
24 a-this a good thing. You're a long-term person
25 business owner or property owner that has been-they

2 would have benefit from the changes in this community
3 not because you're speculating but because you've
4 been there such a long time. So just wanted to make
5 reference to that that you probably purchased the
6 property pennies on the dollar, but you're about to
7 make regarding this rezoning, which I am not against.
8 It is your right and we're in America.
9 Congratulations, but you have to understand that an
10 M2R change makes it so that maximum square footage,
11 and you guys don't even have a manufacturing lot.
12 You have like a parking lot right now, which means
13 you're probably making less than \$18--\$18 a square
14 foot compared to about the \$250 you're about to make
15 from the residential one.

16 PAUL TOCCI: Right.

17 COUNCIL MEMBER REYNOSO: The 250 that
18 you're building it on, you're probably have to
19 charge, you're going to charge even more than that
20 for the work. So, if the M-to me it's an M2R, 18,000
21 square feet is the bare minimum. You are going up in
22 the rear--in the northern portion of this. You have
23 shown us no pictures of what that would look like.
24 The setback is only at best five feet from the houses
25 on-- [pause] It does not work.

2 PAUL TOCCI: On Gold, yeah.

3 COUNCIL MEMBER REYNOSO: Those are—those
4 are houses that traditionally didn't see an eight-
5 story building in front of them, right? Now, they're
6 going to see that. So, given how much you're asking
7 for here, in my eyes, I think we could do better than
8 18,000 square feet of affordable housing, and then I
9 would love to have a conversation with you about how
10 we enlisted that, then this project will get—but I'm
11 not going to go against the community for the bare
12 minimum what I do consider a contextual—a
13 significant, a significant—a contextually
14 significant—we're changing the context significantly
15 of this community. So, I have no questions outside
16 of are you willing to jump into the ELLA program to
17 provide more affordable housing on this project.

18 CHRIS WRIGHT: It's something we'll
19 consider. That's what I can say right now.

20 COUNCIL MEMBER REYNOSO: Thank you very
21 much.

22 CHAIRPERSON RICHARDS: Council Member
23 Williams.

24 COUNCIL MEMBER WILLIAMS: Thank you and I
25 thank Council Member Reynoso for his comments because

2 it kind of got to the heart of what I was trying to
3 figure out. So, on Gold Street are there—are there
4 any buildings as high as what you're suggesting on
5 Gold Street?

6 CHRIS WRIGHT: There's one grandfathered
7 building.

8 MARTY KATTELL: It's not that much.

9 CHRIS WRIGHT: Well, not on Gold.

10 COUNCIL MEMBER WILLIAMS: Is south of
11 there. (sic)

12 CHRIS WRIGHT: On Gold?

13 COUNCIL MEMBER WILLIAMS: On Gold north
14 of Front? [pause]

15 CHRIS WRIGHT: I'm sorry. This is on
16 Gold-

17 COUNCIL MEMBER WILLIAMS: So, it's just
18 that this is that one building diagonal.

19 CHRIS WRIGHT: Yeah, the Diagonal--

20 COUNCIL MEMBER WILLIAMS: [interposing]
21 That's the only one.

22 CHRIS WRIGHT: --is the—is the only
23 building. Next to that is the school.

24 COUNCIL MEMBER WILLIAMS: I mean I can
25 see why residents would be a little upset about that

2 being put there based on what's there now, but I also
3 want to agree with my colleague Council Member
4 Reynoso. I'd like to know what you're thinking about
5 ELLA, and I'm not sure that the 18 units you're
6 suggesting make sense in comparison to what you're
7 asking the community, the type of changes you're
8 asking them to deal with. It just doesn't seem like
9 it balances out, but thank you.

10 CHRIS WRIGHT: Okay.

11 CHAIRPERSON RICHARDS: Alrighty, and I
12 want to thank the public for being so patient. I
13 know we have one more item to go. Alrighty, thank
14 you. Council Member Levin, you're good.

15 COUNCIL MEMBER LEVIN: I'm good.

16 CHAIRPERSON RICHARDS: Okay are there any
17 other members of the public who wish to testify on
18 this particular application? Alright, seeing none,
19 we will close the public hearing on 251 Front Street
20 Applications and we are laying over both LU 635 and
21 251 Front Street. [background comments] Oh, wait.
22 Let me call him.

23 CHRIS WRIGHT: Thank you, very much
24 Council Members.

2 CHAIRPERSON RICHARDS: Okay. I think we
3 are going to the yes. Yes, I aware. Okay, I knew
4 that. [laughs] Okay, alrighty. So thank you.

5 CHRIS WRIGHT: Thank you very much.

6 CHAIRPERSON RICHARDS: Alright.

7 Alrighty, no one from the public on this one
8 application. Okay, good. Alright, we are now going
9 to move onto public hearing—a public hearing on two
10 applications in Council Member Levin's district. The
11 first is Land Use Item No. 635, 13-15 Greenpoint
12 Avenue. This application is for text amendment that
13 would create Section 62-356 of the Zoning Resolution
14 governing bulk regulations for zoning lots adjacent
15 to public—to public parks the text amendment would
16 allow the lot line separating the development site on
17 the park to serve as street line for a wide street
18 for purposes of applying bulk regulations. This
19 would affect the application of Regulations governing
20 rail yards, the distance between windows and lot
21 lines among others. This text amendment would
22 facilitate the development of an 11-story mixed-use
23 building. I will now open the public hearing for
24 Land Use Item No. 635, and we'll hear from the
25 applicants Nick Hawkins, Greenpoint, LLC, Rick Parks—

2 Paris-Parisa. Okay, 26 Kent and then Bernstein 1315
3 Greenpoint, Kent Greenpoint, LLC as well. You may now
4 begin. [pause] State your name and who you're
5 representing for the record before you speak as well.
6 Thank you. [pause] Turn your mic on.

7 NICK HAWKINS: Alright. Good morning,
8 Chair Richards and Council Members. My name is Nick
9 Hawkins, and I'm a Land Use Attorney at Greenberg &
10 Traurig, representing the owners of the property at
11 1315 Greenpoint Avenue in connection with an
12 application for an amendment to the text of Section
13 6235 of the Zoning Resolution to modify the special
14 bulk regulations applicable to parcels in the BK1
15 Waterfront area. I'm here this morning with Dan
16 Bernstein from Kutnicki Bernstein Architects who's
17 the project architect and Rick Parisi from MPFP who
18 is the Landscape Architect for the project. The
19 property is on the block bounded by Kent Street, West
20 Street, Greenpoint Avenue and WNYC Transmitter Park.
21 It's in an R6 Residential zoning district with a
22 partial C2-4 commercial overlay. It's part of the
23 Brooklyn Greenpoint Waterfront Action Plan for which
24 special zoning regulations apply. And the property
25 includes a 66-foot wide through lot portion. That's

2 this portion here and 102-foot wide interior lot
3 portion along Ken Street. The proposed text
4 amendment will not increase the permitted floor area
5 or the permitted base and building heights allowed on
6 the property. Rather, the text amendment would
7 permit the proposed development to have legal windows
8 facing toward the park in addition to Kent Street and
9 Greenpoint Avenue, and allow for a more efficient
10 building floor play by designating the lot line that
11 separates the park and the property to be a street
12 line for purposes of applying the bulk regulations
13 for the Zoning Resolution. Absent the text amendment
14 [coughs] a 60-foot rear yard equivalent would be
15 required in the center of the through mod, and
16 basically you'd be required to build two separate
17 buildings with two separate building cores, have a
18 much higher, a much taller building that's out of
19 scale along Greenpoint Avenue, something in the range
20 of 13 or 14 stories, and be wasting floor area on
21 elevators floors and stairs rather than space for
22 people to live.

23 COUNCIL MEMBER LEVIN: I hate to
24 interrupt, but I have to run upstairs to take a vote
25 in the Landmarks Committee, but I've seen the—I've

1 seen the presentation so I'll—I'll be right back but
2 I just got to—I've got to vote.

3
4 DAN BERNSTEIN: [coughs] Based on the
5 current scheme, which I'll discuss in a minute, the
6 project would contain about 65,000 square feet of
7 zoning floor area of which about 4,300 square feet
8 would be ground floor commercial use along Greenpoint
9 and Tenth Street, and [coughs] and about 77
10 residential rental apartments above. Thirty percent
11 of the units or about 23 or 24 would have some type
12 of income restriction. Under the Inclusionary
13 Housing Program that's applicable in this district,
14 7.5% of the residential floor area works—works out to
15 about seven or eight units would be reserved for low-
16 income households earning 80% of AMI and another 16
17 or 17 units would be reserved for workforce
18 households earning up to 130% of AMI under the newly
19 re-enacted 421-A program. With the text amendment,
20 the residential portion of the building would have a
21 six-story base, which would then set back and rise to
22 11 stories along Kent Street and the northern part of
23 the park and [coughs] have a one-story commercial
24 space fronting along Greenpoint Avenue. Based on
25 input from the Parks Department, the text amendment

2 requires the building to be set back a minimum of
3 eight feet from the park with no balconies in the
4 setback area. So that's the [coughs] that's the, the
5 certified version of the project. The Land Use
6 Committee of Community Board 1 voted to recommend
7 approval of the proposed text amendment in December
8 unanimously with one extension. At the full board
9 hearing several speakers from Friends of Transmitter
10 Park expressed concerns regarding how the building
11 would interface with the park. In particular, the
12 proximity of the residential entrance to the park
13 [coughs] the visibility of the children's playground
14 in the park from the lobby, the desire for a more
15 distinct visual and physical separation between the
16 development site and the park, and the need to make
17 capital and/or maintenance contribution to the park.
18 The full board voted to recommend disapproval of the
19 amendment. We took the concerns that were expressed
20 to heart and at the meeting in coordinating with the
21 Friends of Transmitter Park as well as staff from the
22 Parks Department, City Planning, the Borough
23 President's Office and Council Member Levin's Office.
24 Based on these discussions we came up with a revised
25 plan [coughs], which we think meets many of the—many

2 of the issues that were raised. The building would
3 be set back approximately 20 feet to 30 feet from the
4 park boundary line. Residential [coughs] excuse me.
5 The residential entrance would be back 46 feet from
6 the park line and then a dense row of planning would
7 be--would separate the park boundary line from the
8 property line, and I'll you a few pictures of that.

9 CHAIRPERSON RICHARDS: And before the
10 zoning change, what would that look like?

11 DAN BERNSTEIN: Before the zoning change,
12 it would be--it would look like this.

13 CHAIRPERSON RICHARDS: Right.

14 DAN BERNSTEIN: t would be on the park.

15 CHAIRPERSON RICHARDS: So, it would
16 literally be in the park?

17 DAN BERNSTEIN: t would be right on the
18 park, windows would be right on the park. The
19 building could be set back two feet. We have a
20 balcony on the park.

21 CHAIRPERSON RICHARDS: So two feet from
22 the park.

23 DAN BERNSTEIN: From the park, any on the
24 after--

2 CHAIRPERSON RICHARDS: And with the zoning
3 change 20 to 30.

4 DAN BERNSTEIN: [interposing] And with
5 the zoning change 20 to 30 feet.

6 CHAIRPERSON RICHARDS: Okay.

7 DAN BERNSTEIN: Right. [pause] So that's
8 an--this is a sonic metric with the setback area.
9 That's the ground floor. You see the--you see the--the
10 30-foot wide green space. Yeah, there you go.
11 That's better and the--and the lobby is set back even
12 further. Little retail spaces on Kent Street and on
13 commercial.

14 CHAIRPERSON RICHARDS: And so with the
15 building being flipped, the--the entrance of the
16 building is adjacent to the park. So, you would come
17 in--? How would residents enter?

18 DAN BERNSTEIN: The entrance to the
19 building is right there. So, it's about--it's about
20 46 feet from the park boundary. Oh, shoot. Let me--
21 let's--I haven't gotten there yet, but I'll go--I'll
22 got it now. [background comments] No, that's okay.

23 CHAIRPERSON RICHARDS: Limitation in your
24 row. (sic)

2 DAN BERNSTEIN: I'm happy to--[background
3 comments] Okay, so this--this is an example a
4 rendering of what the original design would have
5 looked like. You can see there's a canopied area
6 that's close to the park boundary line, and the
7 massing of the building is--begins eight feet from the
8 park and the entry--the--so the one that you were
9 pointing to that's the commercial, that's the one-
10 story commercial. Right, the other entrance is on
11 the other side the residential entrance. Well, under
12 the original it was--I mean not in the park but on the
13 street adjacent to the park. It was on Tenth--it was
14 Tenth Street. The commercial zone in Greenpoint, the
15 entrance is on Tenth Street, and then this is the--
16 this is the revised massing, which is set back. As I
17 said, that--that residential base where the orange
18 brick is--is--is 30 feet from the park boundary line,
19 and the copper looking one-story commercial is 20
20 feet, and then--[background comments]. And Rick is
21 going to talk about the--the landscaping.

22 RICK PARISI: Okay, Rick Parisi, MPFP
23 Landscape Architects. I think this--this drawing
24 shows clearly where that entrance is, right. So,
25 it's right here. That's the residential entrance,

1 right, and—and just to give you kind of a sense of
2 the—the—the typography here, the park is about
3 elevation 7. Our entrance that was shown here at 13
4 is going to be between 12 and 13, right. So what we
5 have in between that is a terraced landscape in that
6 35 to 40-foot range of setback, which varies as you
7 can see, and then when we get to the retail portion,
8 we have a level condition. We're at Elevation 75,
9 the park is at elevation 7, and we have a buffer and
10 then we have, you know, access at street level. So,
11 what we've done with the landscape is we took our
12 cues basically from Transmitter Park. It's a very
13 soft landscape, organic, and you can see that in
14 forum. So, we tried to bring that up into this
15 stepping, and what we've done is try to create, you
16 know, kind of a—an experience that looks like the
17 park extends up into our rear yard. And as you can
18 see we step up from—we go up to 8. One thing I
19 didn't mention is the existing fence is 7 feet high.
20 So it's at elevation 14 and change, right, and—and
21 just to keep that in context when you look at the
22 section, you'll see that we're standing in our rear
23 yard. We're standing at elevation 11-1/2. So, we're
24 standing, you know, above that. So, next. These are
25

2 some of the sections here. So, the first section on
3 the left is right at the playground. You can see
4 this expansive setback like we're—we're what? 35
5 feet to the—to the face of the building in the step
6 landscape, and then next section on the right is—is a
7 little bit throwing it to the other side closer to
8 Greenpoint Avenue, and we can see how we're stepping
9 up there with a series of walls and plantings, and
10 it's a mix of evergreen trees and deciduous trees and
11 shrubs. Those two sections here this is—the first
12 section is the section through the retail portion.
13 So, it shows that 20-foot setback as a 4-foot
14 planting area with some deciduous trees and some
15 evergreen shrubs, and then a terrace. And this is
16 just a planting that's showing, you know, some of the
17 species we're using, and the next picture is of those
18 plants. So, it's really a mixture of River Birch,
19 Honeywell (sic) some evergreens and flowering shrubs
20 and some natural native grasses, and that's it.

21 CHAIRPERSON RICHARDS: So, I'm assuming
22 some of the concerns are around the park?

23 RICK PARISI: Correct.

24 CHAIRPERSON RICHARDS: Can you just speak
25 to that a little bit. So, will this building cast a

2 shadow on the park or has the D-what has the EIS
3 shown as change?

4 RICK PARISI: So the EIS didn't show any
5 shadows impacts and we studied that very carefully.
6 One of the reasons that you're not going to have
7 shadow impacts here is that-is that the-the park is
8 to the west of the-of the building. So this-the-so,
9 and the sun rises in the east. So, the-the only time
10 that the sun is behind the building and the building
11 was casting shadows in the park is in the early-is in
12 the early morning. There's a shadow---

13 CHAIRPERSON RICHARDS: So there will be
14 shadows cast on them.

15 NICK HAWKINS: They will be cast--

16 CHAIRPERSON RICHARDS: Okay.

17 NICK HAWKINS: --but there would be with
18 as-of-right development.

19 CHAIRPERSON RICHARDS: And you said what
20 time in the morning.

21 NICK HAWKINS: Early morning primarily.

22 CHAIRPERSON RICHARDS: What is early
23 morning?

24 NICK HAWKINS: So, it be gone by 10
25 o'clock or--

2 CHAIRPERSON RICHARDS: By 10:00 a.m. So,
3 no sunshine in the park until-

4 NICK HAWKINS: Not the entire park, just
5 in little areas of the park.

6 CHAIRPERSON RICHARDS: Okay.

7 NICK HAWKINS: Just in--

8 CHAIRPERSON RICHARDS: Okay.

9 NICK HAWKINS: --little areas like mostly
10 they're barely more than boundary.

11 CHAIRPERSON RICHARDS: I just say that's
12 not to be joke--you know, joking, but--

13 NICK HAWKINS: Right.

14 CHAIRPERSON RICHARDS: --you know, I
15 always laugh at these EIS Impact, you know, Impact
16 Statements.

17 NICK HAWKINS: Right, but it's--but it's--
18 it's in--it's in different areas, and it's mostly in
19 and it's mostly and it's mostly in the morning, and
20 the as-of-right actually because it's two buildings
21 and closer to the park, actually casts more shadows
22 into the park than the--than the devised design would.

23 CHAIRPERSON RICHARDS: Your--so you work
24 with the Friends' Group and you work with the Parks
25 Department or--

2 NICK HAWKINS: Yes.

3 CHAIRPERSON RICHARDS: Alright, so you're
4 investing in improvements to this park?

5 NICK HAWKINS: Yes, we're—we're talking
6 with the Parks Department about how to structure a
7 contribution that would allow this funding either at
8 the Parks discretion or maintenance or for capital
9 improvements.

10 CHAIRPERSON RICHARDS: Right, I was going
11 to ask you about maintenance. Will there be a
12 maintenance agreement between your or--

13 NICK HAWKINS: We have—we'll—we'll take
14 care of maintaining our side, and Parks will maintain
15 their side of things.

16 CHAIRPERSON RICHARDS: Okay. Alright,
17 let's just go through the affordability quick. So,
18 can you speak to that again?

19 NICK HAWKINS: Sure thing. There's two
20 affordable programs. This is in a—this is in a
21 special inclusionary housing designated area. It was
22 actually the first inclusionary housing designated
23 area that the City Planning Commission and the
24 Council adopted. So, it's an R6 and the bonus is
25 that you go from 2.43 to 2.75. It's a very small

2 bonus, and because of that the affordability
3 requirement is 7-1/2% affordable as opposed to the
4 typical 20%. So, 7-1/2% of the residential floor
5 area will be restricted for 80% of AMI and less.

6 CHAIRPERSON RICHARDS: And how many units
7 is that?

8 NICK HAWKINS: That works out to about
9 eight units.

10 CHAIRPERSON RICHARDS: So, eight units
11 out of 77.

12 NICK HAWKINS: [interposing] Out of 77,
13 and then this is a rental project, and in order for a
14 rental project to be viable, you have to do 421-A,
15 and so we'll be doing 421-A, and that has a 30%
16 affordability requirement.

17 CHAIRPERSON RICHARDS: 30% at?

18 NICK HAWKINS: At 130 of AMI.

19 CHAIRPERSON RICHARDS: Is that true
20 affordable housing?

21 NICK HAWKINS: It's workforce housing.

22 CHAIRPERSON RICHARDS: Okay. I'm not
23 saying there's not a need for it, you know,

24 NICK HAWKINS: It's workforce. It's a
25 mix, it's something.

2 CHAIRPERSON RICHARDS: Well, I won't get
3 started on that conversation, but I will say that,
4 you know, in time when there's a homelessness crisis,
5 and people are being priced out neighborhoods, 130 is
6 absolutely not the sort of housing that I would be
7 looking for here. Are you in conversations with the
8 city on anything else? Can these numbers change?
9 Can we get any more affordability in here?

10 NICK HAWKINS: We haven't had any
11 discussion. It's a small project. It's 77 units,
12 and we haven't—we haven't had any conversations with
13 HPD yet about any kind of--

14 CHAIRPERSON RICHARDS: So, are you open?
15 So, there will no conversation or you're just
16 proceeding?

17 NICK HAWKINS: We're not planning on it
18 at this point.

19 CHAIRPERSON RICHARDS: Okay, and I'll
20 just say this for listeners in the city that we
21 definitely look forward to looking at these programs
22 again and inclusionary—and—and obviously the
23 volunteer program as well. So, it's something that
24 this Council will certainly be looking at as we move
25

2 forward. Go through retail if you can. Can you go
3 through the retail and what type of retail?

4 NICK HAWKINS: Sure. It's a—I mean this
5 is a—it's—something—there is--on Kent Street there's—
6 there's two smaller retail spaces. They're each
7 about 800 to 900 square feet that's required under
8 zoning and then on Greenpoint Avenue there's a—
9 there's a larger space. It's about 26, 2,700 square
10 feet, and that could retail. It could be a restaurant
11 or café, right, you know, any kind of local
12 commercial service use.

13 CHAIRPERSON RICHARDS: I appreciate the
14 plantings. I think it looks—I think it looks good,
15 and tell me about your energy efficiency standards in
16 the building?

17 DAN BERNSTEIN: Well, right now we
18 haven't actually designed the building, but we are
19 looking at making this a very efficient building.

20 CHAIRPERSON RICHARDS: What does that
21 mean?

22 DAN BERNSTEIN: We're working with
23 bioswales--

24 CHAIRPERSON RICHARDS: Oh, bioswales,
25 okay.

2 DAN BERNSTEIN:--along--along the park
3 where--where as we design it, we'll get into, you
4 know, how we can make it a net zero building if
5 possible. So, we're looking for a very energy
6 efficient building.

7 CHAIRPERSON RICHARDS: And I know the
8 Borough President and--and his public reviews spoke of
9 no C of O shall be issued until HPD--HPD gives a
10 completion notice that DOB has inspected the
11 affordability. So that is happening?

12 DAN BERNSTEIN: Sure, we're on board with
13 it.

14 CHAIRPERSON RICHARDS: You're on board
15 with it. Oh, and just speak into the microphone as
16 well. Just--

17 RICK PARISI: Right, we're on aboard with
18 it.

19 CHAIRPERSON RICHARDS: Alrighty and then
20 I think--I think you've answered my question on the
21 planting and you're working with the Friends Group.
22 So, I'll got Council Member Levin now.

23 COUNCIL MEMBER LEVIN: Thank you very
24 much, Chair Richards. I want to thank this
25 development team for meeting with us numerous times

2 and for meeting with members of the community, and so
3 now we're at this stage? So, I think that the
4 concern that's come up from members of the community
5 as I understand it, and I am—I'm sympathetic to this
6 view is that the new orientation as proposed blurs
7 the line between public and public and private space
8 more than the as-of-right development scenario. So
9 the as-of-right scenario as—as you, you know, laid
10 out in the—in the rendering and, you know, obviously
11 this is one rendering of an as-of-right scenario, but
12 it is a clear—there is a clear break between HARP and
13 development. And what I've heard from the community
14 over the last few months is, you know, this is a
15 community that's really bearing the brunt of
16 development, going back to the 2005 the Greenpoint
17 rezoning, but as you know, two blocks to the north
18 the first development in Greenpoint under that
19 rezoning is nearing completion. A few blocks north
20 of that Greenpoint Landing with Brookfield is doing
21 their first high-rise. You know, within a—within a
22 few years, you know, assuming the economy maintains
23 some-some healthiness, we're going to see more and
24 more large scale residential development than— You
25 know, Greenpoint will one day look like Long Island

2 City. That's just it's zoned now, and this park was,
3 you know, the one exclusively passive park to come
4 out of that rezoning. This was--this was tangentially
5 related to the rezoning. It was actually promised
6 before that, but regardless the--the other space
7 that's going to be part of the rezoning, Barge Park
8 is at the end of Greenpoint along the inlet of the
9 Newtown Creek and the Box Street, which is a little
10 bit further in are going to be--slated to be active,
11 mostly active park space, ball fields and things like
12 that. So, this--this becomes this kind of de factor
13 sanctuary for the community in terms of passive
14 space. And so, the concern that they have raised is
15 that, you know, while this is--I don't think anybody
16 like this including you, obviously. You're coming to
17 the rezoning here, but--but this, you know, is a--is a
18 very clear break and--and the proposal now is--is--is
19 less so. It's more integrated into the public space.
20 And so, I think that the concern that they have
21 raised is--is really about maintaining that break.
22 You know, allowing the public space to remain public
23 to the greatest extent possible. So, could you speak
24 a little bit to how--because I know that you have
25 obviously considered this question, how you have

2 considered this question that we've done so many
3 times.

4 DAN BERNSTEIN: We, yes, I mean we've—
5 we've taken that very seriously, and—and I think one
6 of the main ways that we've done it is that we've set
7 the building back 20 to 30 feet from the park
8 boundary line in order to provide the largest
9 possible buffer that could be built there, and during
10 as-of-right, you would be—it's true you would have a
11 wall at the park line, but you could also have
12 secondary windows, and in your rear yard equivalent
13 in the center you'd have large recreation amenities.
14 So you would actually uses that were much closer to
15 the park than what we're proposing. What we're
16 proposing is half the width of the narrow street,
17 which is a pretty wide area. You've moved the
18 residential lot, but one particular issue of concern
19 was the entrance to the residential building that it
20 removed away from the park boundary line, and it's
21 now 45 feet away from the park boundary line.
22 [coughs] And the lobby itself at the ground level is
23 also [coughs] concave along here so that [coughs]
24 you're really, you know, really creating as much
25 separation as possible. And then I think we've hired

2 a top flight landscape architect for this to think
3 about—come up with a scheme that people like provide
4 as dense planting and barriers make sense in between
5 the two areas so that you really have a visual break
6 also.

7 RICK PARISI: I—I think also as I
8 mentioned before the green change really establishes
9 a break. The park is an elevation 7 and the space
10 that we're actually going to stand is that we're an
11 elevation of 11.5 and 12. So, we do terrace
12 landscape stepping up. So, it's really breaking from
13 the park, you know, visually and—and there's no sense
14 of connection. Besides there's seven-foot fence and
15 between a very clear seven-foot around the park.

16 COUNCIL MEMBER LEVIN: Yeah, I mean so I
17 went down there this weekend. So, I—I was
18 contemplating this—this question, and so I went down
19 on Sunday afternoon and walked around, and kind of
20 walked up and down the park. You know, I've been
21 thinking about this in terms of, you know, there's a
22 visual component to it, and there's like an auditory
23 component to it. So, the biggest concern—I think,
24 you know, it's not the biggest concern, but the—the
25 concerns that are more in forefront in—in recent days

2 has been around the—the retail space fronting on the
3 park and Greenpoint Avenue. So, the, you know, the
4 ones to the south there, and the idea that, you know,
5 there could be outdoor restaurant seating that goes,
6 you know, along that kind of north/south access at
7 the edge of the retail space in the building. So, I—
8 I went over there, and there was a guy playing his
9 guitar on—on this bench actually. I just like there
10 on Sunday afternoons. So, I—I stood over by where I
11 estimated that the, you know, where—where people
12 would be sitting, and you know, I could—I could hear
13 him. It wasn't like, you know, it was an acoustic
14 guitar. It wasn't like an electric guitar that's
15 real loud, but it was—it just, you know, I could hear
16 it. It was the sound carries, you know, that
17 distance With the current level of planning there
18 now. So, you know, that was concern to me because,
19 you know, I think that, you know, you won't be able
20 to break the visual. You know, you could with
21 plantings break the visual between the park and—and
22 that—and that commercial space mostly, you know,
23 with—with—depending on how dense the planting is, but
24 very dense planting could break it. You know, you
25 won't be able to break the—that between the two for

2 the—for the residential tenants. I mean the—the
3 great value that this development is going to be
4 getting as the—as the result of this action is that
5 people will be able to look out of their living room
6 window or bedroom window now at the city, at
7 Manhattan at that beautiful line that there's nothing
8 else that could be built then, you know, between your
9 building and the river. So, you're going to have an
10 unimpeded view, but that also means that—that the—the
11 direct sight line from anything above probably second
12 or third story into the park and vice versa. You
13 know, so like, you know, I don't know if people. I,
14 you know, I don't if people that like go to the park
15 on like a Saturday morning like want to like, you
16 know, turn around and see somebody in their bathrobe,
17 you know, like looking out the window. Because it's—
18 and it's, you know, and it's their park. They had a
19 right to be there. It's a public park. So, you
20 know, so that—that's certainly an aspect of this is
21 that that visual break is—is really I mean this will—
22 this will—this will break down that visual break
23 certainly. And so then thinking back to like the
24 sound break I mean one of the issues that they
25 brought up, the communities brought up is—is

2 constructing some type of-of walk in-you know, along
3 the fence line in between your property and the park
4 to-to kind of more clearly break the space, and they,
5 you know, they thought of some really interesting
6 ideas of living walls and, you know, getting ideas
7 from, you know, the Brooklyn Botanical Gardens and,
8 you know, the-there's all types of living walls, you
9 know, plant-vertical planting and stuff like that
10 that-have you contemplated that. I don't know how-
11 how you're looking at that idea right now?

12 RICK PARISI: You know, again I'll go
13 back to the elevation of that, basically our real
14 yard, right. The fence is seven feet. I know you
15 can see through the fence, but the planting that
16 we're proposing is much taller than that. So, if we
17 did -if we did a six-foot wall and we grew vines on
18 it, you know, to-to become, you know, a green wall,
19 you would get some sound break there. But, you know,
20 it's not-it's not a ten-foot wall.

21 COUNCIL MEMBER LEVIN: But let me-let me
22 jus-the elevation change on the retail side that
23 there-there isn't the elevation change that you spoke
24 of earlier?

2 RICK PARISI: [interposing] No. Yeah,
3 yeah, yeah, but it's still a--it's a still a six-foot
4 wall.

5 COUNCIL MEMBER LEVIN: Right and do you
6 confirm that with them, you know--

7 RICK PARISI: Yeah, that's--that's Zoning.
8 That's Zoning.

9 COUNCIL MEMBER LEVIN: Because it's a
10 rear yard, that's considered a rear yard and it's--

11 RICK PARISI: Yeah, it's a standard, you
12 know.

13 COUNCIL MEMBER LEVIN: Even though it's--
14 even though it's--that's fronting on the--because it's
15 your--it's, you know, it's the front of your building
16 right?

17 RICK PARISI: Yeah, there's--there's--
18 there's no provision I know of--of any wall bigger
19 than that--

20 COUNCIL MEMBER LEVIN: Okay.

21 RICK PARISI: --in the zoning.

22 DAN BERNSTEIN: And front yards are
23 usually four feet maximum.

24 COUNCIL MEMBER LEVIN: Okay.

25

2 DAN BERNSTEIN: Corner lots you can do
3 six feet.

4 RICK PARISI: So, so, you know, I don't-
5 everybody likes to go and jump on the green wall and
6 wagon. Like we can put a 30-foot green wall and
7 everything is going to be great. You have to be
8 really careful with that. You know, I'm a landscape
9 architect. I like to have everything green, right,
10 but-but they're not so sustainable that could, you
11 know, some of those walls it's the best, the best
12 type of wall you can do is one where you're growing
13 vines on. That will really become, you know a
14 sustainable system, green walls with the small pocket
15 places are, you know, incredibly intensive to
16 maintain, and-and there's a cost, a yearly cost of
17 it. So you have to, you have to think about all
18 those things, you know, it's-it's six feet.

19 COUNCIL MEMBER LEVIN: Yeah.

20 RICK PARISI: We-we could do that. We
21 could grow vines on it. It could be beautiful, but
22 it's only six feet.

23 COUNCIL MEMBER LEVIN: Yeah, yeah.

24 [pause] Okay, it's certainly something that, you
25 know, we'd like to continue to consider I think as-as

2 we move forward here. And then there is other
3 recommendations that the community has put forward
4 to-to you guys. Have you considered any of those in-
5 in recent weeks, like it's been off year and you've
6 not found anything? (sic) Or is there anything that-
7 that you guys can speak to at the moment?

8 NICK HAWKINS: No, I don't think it's the
9 moment. I mean I think we've incorporated many of
10 the requests. We're still-I mean as we testified
11 earlier, we're still taking to the Parks Department
12 about structuring a contribution to the Parks
13 Department for either capital or maintenance
14 improvements for the park at their discretion.

15 COUNCIL MEMBER LEVIN: The-the area above
16 the commercial space--

17 NICK HAWKINS: Yep.

18 COUNCIL MEMBER LEVIN: is that-is that
19 available to-for people to be walking on it. Is it
20 ready be finished?

21 DAN BERNSTEIN: For-for tenants of the
22 building, not for [coughs] it's not so you can't-and
23 the zoning you wouldn't be allowed to use that for
24 commercial use. So, it would only-it would be a
25

2 residential amenity space, an outdoor residential
3 amenity space.

4 COUNCIL MEMBER LEVIN: So, how far back
5 are the-the setbacks right now on--

6 DAN BERNSTEIN: [interposing] Yes.

7 COUNCIL MEMBER LEVIN: --the commercial
8 side?

9 DAN BERNSTEIN: That's 20 feet.

10 COUNCIL MEMBER LEVIN: And on the
11 residential side?

12 DAN BERNSTEIN: Thirty feet, a minimum
13 of 30 feet. Yeah, the ground floor is more than
14 that, but the building is built over that. So 30
15 feet.

16 COUNCIL MEMBER LEVIN: Uh-huh. Do you
17 know anything about that-is-is there a-are you
18 allowed under the zoning right now or under the
19 proposed zoning to have like a total glass wall in
20 the commercial on that retail component facing the
21 park?

22 DAN BERNSTEIN: Sure.

23 COUNCIL MEMBER LEVIN: Is there any
24 mechanism by which that-that was limited under
25 zoning?

2 DAN BERNSTEIN: Under zoning no, no. but
3 you have that under the As-the-Right. You have to
4 put in units of safety glass and spring facing things
5 like that, but--

6 COUNCIL MEMBER LEVIN: Uh-huh. Could you
7 speak for just a moment about the--the mechanicals,
8 the HVAC system where--where that's placed and how
9 that's placed, and what do you expect the noise of
10 that to be?

11 DAN BERNSTEIN: So mechanical systems are
12 located in the rear of the building the furthest away
13 from the park to the east of the park. So, and most
14 of mechanical systems these days are fairly quiet.
15 So I know it's like the--where they're going to be
16 generating noise that's going to be observable from
17 the park.

18 COUNCIL MEMBER LEVIN: Uh-huh, and if you
19 can speak a little bit about what the considerations--
20 what--what effort you're making right now in
21 considerations on--on energy efficiency and--?

22 DAN BERNSTEIN: Well, we're--we're looking
23 to be a net zero building if we can. So--

24

25

2 COUNCIL MEMBER LEVIN: [interposing] What
3 is that? Just for everybody's education, what does
4 that mean?

5 DAN BERNSTEIN: We're trying to not use
6 any additional energy and have--see what kind
7 passive(sic) system we can put in here.

8 COUNCIL MEMBER LEVIN: Is that in--were
9 there any efforts in terms of green roofs on this?

10 DAN BERNSTEIN: We have green roofs at
11 almost every level.

12 COUNCIL MEMBER LEVIN: So, this would be
13 the--the--the top roof would be--

14 DAN BERNSTEIN: A green roof, green
15 roof, a green roof back here.

16 COUNCIL MEMBER LEVIN: Uh-huh. Um, if you
17 can just--sorry going back to the efficiency that Net
18 Zero or the--what--what is that in terms as you're
19 designing it what does that entail exactly versus
20 when that would be?

21 DAN BERNSTEIN: Heat recovery, heat
22 recovery, see what kind of passive devices we can
23 use, glazing. It's a--it's an integrated building
24 system.

2 COUNCIL MEMBER LEVIN: It's integrating
3 the heating and the cooling system.

4 DAN BERNSTEIN: The--the side of the
5 building, the glazing and the mechanical system.

6 COUNCIL MEMBER LEVIN: Okay, so over the next
7 couple of weeks I look forward to continuing to
8 engage with you. Certainly, I've been hearing from,
9 as you have, members of the community that have
10 expressed I think legitimate concerns and again, you
11 know, going out there, you know, on a--on a nice
12 quiet, it was not very busy on Sunday afternoon, and
13 it was, you know, it was a--it was a--it was, you know,
14 it's the definition of a passive park, people
15 enjoying, you know, nice weather. You know, the
16 loudest noise was the guy strumming a guitar and, you
17 know, there--I think the concern is that there's--there
18 would be the impact particular from the commercial
19 space where there's amplified music, just, you know,
20 50 people at once talking and, you know, with their
21 outdoor voices after having, you know, a Mimosa and,
22 you know, so that gets a little--the volume goes up a
23 little bit sometimes when people do that. So, you
24 know, that--that's the least, and it's a--I mean it's a
25 legitimate concern even between the--even with the

2 setback of 20 feet plus probably around another 20
3 feet to where people would be like sitting in the
4 park. The sound, you know, is not entirely muffled
5 between that—that space, you know, under the status
6 quo and so we'll continue to talk. Okay, thank you.

7 CHAIRPERSON RICHARDS: Thank you. Thank you
8 for your testimony. We'll call the first panel.

9 Okay, **

10 , okay, it's a K. Alrighty. Vante
11 Macelli? No. [laughter] Sarah Lilly and Akasia
12 Thompson. Yes, and Friends Of Transmitter. Everyone
13 is part of Friends of Transmitter Park. So, I'll
14 make sure I assay this again in case I butchered
15 your name. Katie Naplatarski, Sante Miceli, Akasia
16 Thompson, Akisha, Akasia Thompson. Sarah Lilly and
17 we'll put three minutes on the clock, Mr. Sergeant-at
18 Arms. [background comments] Alrighty, we'll call
19 more. Are there only going to be two people on this
20 panel? Three? Two, three. We can call one more.
21 Sarah Lilly I think I said. You're Sarah. Alright,
22 come on down. [background comments] Alright, come on
23 down here, right. I sound like the Price Is Right.
24 And I'll just remind you to talk into the mic and to

2 please state your name for the record and who you're
3 representing before you begin.

4 KATIE NAPLATARSKI? Thank you. My name
5 is Katie Naplatarski. I'm with Friends of
6 Transmitter Park. I'm part of the steering
7 committee. I just want to say and maybe somebody
8 else will bring it up. I just want to make the point
9 that the 30-foot setback is really nice just to point
10 out by virtue of that 30-foot setback they were able
11 to get many more windows on the park because they
12 reconfigured the building. My name is Katie
13 Naplatarski. I'm a 35-year Greenpoint. I've seen all
14 the changes. A long-time parks advocate I've worked
15 on Transmitter Park all stages from beginning to now.
16 [coughs] We are asking that the City Council
17 advocates for the benefit of the community so long
18 devoid of green. The owners of the development, if
19 you do vote to allow this text amendment, will great
20 advances, waterfront views from lobby to restaurant
21 to rooftops. One building core versus two, a park as
22 a front yard and the corresponding immense increased
23 profit plus the tax abatement—abatements, and what we
24 get? Disadvantages, six-hour shadows, restaurant
25 noise, a huge looming tower, private merging into

2 public safe like a sieve tot the-sieve into the
3 sanctuary this little bit of park space all benefit
4 for the developer, none for the public, but isn't
5 that how it goes from nursing homes lost to chambers
6 towers, to now 197-A plants that get thrown out of
7 the window, to people pushed out way out of their
8 homes as profit and prestige take over-takes over for
9 the benefit for people and becomes the ubiquitous
10 non-ideal of our time. Let's turn this on its head
11 and make a new declaration of what can and should
12 [coughs] what we can and should do for the benefit of
13 the common good versus the accommodation of a few.
14 In light of this, vote no to this text amendment, or
15 if yes, include all proposed modifications, which are
16 the benefits that are deserved by the public by
17 virtue of the Council allowing approval [coughs] of
18 this developer requested text amendment. Say yes to
19 the fiduciary funds going to Transmitter Park, and
20 all situations worked out by the Greenpoint community
21 to justly alleviate the visual and auditory impact on
22 this park, including a wall, which will be the buffer
23 and separation between the private building and the
24 park-public park or say no. There is that choice.
25 In 2005, the then borough president's recommendations

1 regarding North Brooklyn Waterfront zoning state,
2 "The amount of new parkland proposed does not improve
3 the overall open space ratio given the expected
4 population increases. The majority of development
5 anticipated expected—is expected to occur in
6 Greenpoint living, Greenpoint residents poorly served
7 and the continuing development will result in further
8 strain on the existing and proposed parks." In fact,
9 "CBI recommended that areas opposite inland parks and
10 historic districts be designated to limiting heights
11 of 50 feet based on maximizing [bell] light air
12 surround parks. Is that? The BP concurs with these
13 recommendations." They could see then the writing on
14 the wall. In 2017, this is just the beginning of the
15 coming onslaught of the Greenpoint Waterfront,
16 thousands more people and many more towers. In the
17 city, which so often likes to please the profit
18 motive of a few, let's set a new precedent saying no
19 to private gain at the expense of public benefit.
20 Say yes that what we all want is what is best for the
21 majority of New Yorkers, the children, the elderly
22 who just want a bit of quiet green serenity and sense
23 of solitude at the end of a long day. Help us
24 mitigate the assault on our senses by fighting for
25

2 the modifications that we propose. We want our New
3 York City Park to be a park not someone else's front
4 yard. Stand up for what's right, and approve and
5 enforce all the community stipulations to this text
6 amendment.

7 CHAIRPERSON RICHARDS: Thank you for your
8 testimony. [applause] No clapping. Do this. This is
9 what—this is a good thing. There you go. Alrighty.

10 ACACIA THOMPSON: Hi, there. My name is
11 Acacia Thompson and I am Greenpoint resident and
12 parent. I wanted to discuss what the Friends of
13 Transmitter Park—I want to come here in support of
14 the recommendations for this property. We're in a
15 neighborhood with great transition right now. Our
16 streets are busy, dusty and full of traffic. We have
17 several playgrounds that are near the Transmitter
18 playground, but they are blacktops and they are just
19 abutting other large scale develops. They are not
20 places where our children can play because of
21 particulate, idling traffic and noise. So this park
22 provides an oasis for our children. My children love
23 to play in this park because it is a passive green
24 space. They don't have a lot of spaces where they
25 can go and play where there is not a lot of noise,

2 and this is it in Greenpoint. So, I recommend what
3 Friends of Transmitter is saying about, you know. I
4 appreciate that the developers are—what they're doing
5 with the setback, but we really need a wall. When I
6 see the plans of where the playground is, and those
7 nice plantings that they're going to put up, I still
8 know where that is, and we're going to be able to
9 hear all of the movement within the entrance because
10 it's just abutting to that, to those beautiful
11 plantings. So, and the wall should go all the way to
12 the end of the property to—to the other sides of the
13 south side of Transmitter so that we don't have to
14 show the restaurant there. It's a nice space, and it
15 would be wonderful if we could protect it because
16 we're about to get more towers on the north and south
17 side that are going to be very high. So, I feel like
18 this is an opportunity with this one particular
19 development to set a precedent to how the community
20 is listened to by what we want, and what our
21 representatives are going to do in listening to us to
22 protect us and give us some more space. That's it.

23 CHAIRPERSON RICHARDS: Thank you for your
24 testimony. There you go also.

2 MALE SPEAKER: Mrs. Thompson, you can
3 stay up there.

4 CHAIRPERSON RICHARDS: You could stay
5 yeah, and you can stay until just in—just in case we
6 have questions.

7 SARAH LILLY: Hi everybody. I didn't
8 prepare any remarks. Oh, do you want to put—should
9 he--

10 MALE SPEAKER: No, no, no, not of them.

11 SARAH LILLY: No, I think you need to.

12 MALE SPEAKER: No, no, no.

13 SARAH LILLY: Yeah. Okay.

14 CHAIRPERSON RICHARDS: You can tell him,
15 but don't force it on him.

16 SARAH LILLY: [laughs] My name is Sarah
17 Lilly. I've lived in North Brooklyn for a very long
18 time. I just want to say a couple things. I—I
19 really didn't prepare anything on this, but first of
20 all my concern with this development in addition to
21 what everyone else has been, you know, talking about
22 so far with the wall, the restaurant, I work in
23 audio—I work in audio and sound design, and I can
24 tell you more than what Council Member Levin said
25 about, you know, what's the distance between you?

2 There are also issues of how the wall creates, I mean
3 walls and plate glass have a huge effect on how sound
4 travels. So there are definitely ways to address
5 that. If a restaurant were to end up there, there
6 are ways—there are even ways of putting temporary
7 baffles up in terms of sound. There are a lot of ways
8 that—that sound from a restaurant could be addressed,
9 and I really, really hope that if they're not just
10 sort of tossed off the cuff, I don't think a bunch of
11 plants is going to do it. That said, I will also say
12 in terms of the light issues, and whether or not
13 there's a shadow on the park, I mean let's be real.
14 Whether or not there's an actual fun shadow. When
15 someone stands—when someone stands right behind you,
16 if they're blocking the—the—even the sky, you get a
17 shadow not to mention the fact that I'm a short
18 person. If someone stands right behind me, I feel it.
19 I mean I just plain feel it, and this—I--I know that
20 the developers have an as-of-right opportunity here,
21 but there are ways of being considerate to the
22 neighbors and to the long-term—the long-term
23 residents of this neighborhoods who-- And—and by
24 the way, this also—this doesn't just go in terms of
25 shadows. This is also at night. This has to do with

2 the opposite of shadows, and park space, as everyone,
3 you know, is going to say about this park is very,
4 very precious, and I will say that having lived in
5 New York City for almost 30 years, and I've spent a
6 lot of time in a lot of parks here, I think
7 Transmitter Park when you walk through Transmitter
8 Park, and you see people in there, I actually think
9 they look the most happy and most engaged with the
10 magicness of that park. That park is tiny, but it is
11 so special, and I don't—I'll tell you I live a mile
12 away. I walk. I live in Councilman Reynoso's
13 district. I walk a mile to go to that park because
14 it is that special, and all the people that you see
15 in it are clearly really—they're affected by it. So,
16 lastly, I will just say that my—my neighbors and
17 colleagues and—and friends here are not just a bunch
18 of naysayers. They're not just a bunch of stalwarts
19 who are saying oh, no change to North Brooklyn.
20 These are people who—who, you know, participate in
21 the North Brooklyn community in all kinds of ways.
22 We support a lot of these new businesses, new
23 restaurants [bell] and everything. But, we're also
24 the stewards of this community, and we want it to be
25 good for everybody including the tenants of this new

2 building. So, I just—I hope this will be done very
3 thoughtfully and will treat Transmitter Park with the
4 deep respect that it deserves.

5 CHAIRPERSON RICHARDS: Thank you so much
6 for your testimony. [background comments, pause] Just
7 please state your name for the record since you're
8 presenter. (sic)

9 STEVE CHESLER: I am Steve Chesler,
10 Friends of Transmitter Park and I will be doing the
11 presentation for Sante, which I--

12 SANTE MICELI: Good morning Council
13 Member and staff. My name is Sante Micele. I'm a
14 member of the Steering Committee of Friends of
15 Transmitter Park. I just want to talk on what the
16 last speaker was saying about, and the first things
17 that came to my mind it was benefit. She's somebody
18 that doesn't live in the immediate vicinity. I'm an
19 immediate resident of the park, but she comes from a
20 mile away. So, benefit. What's the benefit that this
21 development is going to bring to the park? You know,
22 we've been—Council Member Levin, as he mentioned, you
23 know, was the benefit was impacts. So, there is no
24 benefit that the park will receive from the
25 development. The reason—the reason some interesting

2 factors. Sounds, you know, and there a lot in the
3 city elements that they appeared from the
4 presentation like the percent of retail space, and-
5 and the plan it just says retail while they're
6 clearly presented to us as a restaurant. It's a
7 bar/restaurant, and-and this facility is not a small
8 space. The facility has 2,700 square feet of indoor
9 space, 1,600 square feet of courtyard, outdoor space
10 for a total of 4,300 square feet. The amount of
11 space is going to have a tremendous impact on the
12 park, and on that park there is only seven percent,
13 which is completely transparent. And I'm very
14 grateful that they are a landscape designer, but as a
15 conservancy for the park, we've been profoundly
16 involved and in the process of engaging the Brooklyn
17 Botanical Gardens to really develop our own park in
18 another plant garden. There is already an existing
19 garden there. It's the Bird Garden. So, it was
20 conceived to attract native species into this area,
21 and right now there is a wall. You know, there is a
22 wall because there is a warehouse. So, somehow, you
23 know, that has been screening by itself and there is
24 no activity. Having a restaurant there is going to
25 bring a major impact on the park. It is going to

1 deprive the park to be the sanctuary on which it is
2 right now, and then we actually mentioned to turn it
3 into an even bigger sanctuary, and, we need to find a
4 solution. The solution is that we need to have a
5 solid wall. When we speak about sounds in
6 architecture, what we value is density. You know,
7 how do we achieve density? We achieve density
8 through thickness, and now we limit sound through
9 height. I know there is a six feet limitation
10 because that's what they call still, but this is an
11 exceptional situation. There hasn't been a situation
12 like this where the development is actually sharing
13 despite the fact that they say we draw back the
14 building. We share the same park line, and the fact
15 that they set back the building is definitely
16 advantages to the development itself because it's
17 created a great front yard, and that's because of the
18 flat issue has to be elevated three feet. So,
19 practically, somebody sitting on the bench from the
20 lobby or in their own garden, they have a full vision
21 of the park and present a view. Nothing as Council
22 Levin said, there is nothing else that's going to be
23 built there. I don't think this is fair. I believe
24 it's no benefit for the park, and we have—we have
25

2 definitely—these are the Brooklyn Botanical Gardens.
3 Those are boulders. There is definitely a cement
4 back-up behind there, but I believe there is great
5 opportunity for us to develop an environment which it
6 can be beneficial both to the developer. They can
7 use a language. There's already the same design
8 language and the same design vocabulary has been used
9 for this park, which has to do with stone, and it's
10 not something new that's here to a park. You should
11 go back, Steve to the other pictures, results of
12 Cathedral Park and those are literally—they're call
13 quarry blocks. They're 6 feet—8 feet by 2—2 feet by
14 2 feet, and they cost probably about \$1,250 a block.
15 Now, we can build something exceptional. We have a
16 vision to build a native garden and natural habitat.
17 We can share the same space. The park has expressed
18 before to Steve that they have nothing against in
19 case in the future to remove the fence. We could
20 create a proper solid boundary that we solve to all
21 the functions that needed: Sound, visual, insulation
22 and definitely creating an environment. It could be
23 very attractive to both of us through the private
24 realm and to the public realm. So, my invitation
25 really to you is really because we—this is becoming—

2 we have other jobs, we have other professions, but
3 this is becoming a job, and I came here today with a
4 great concern because we cannot disregard the fact
5 that it is a public space, and this require an
6 exception attention from both of us as me as a
7 citizen and you as really your public role. This is
8 very, very fundamental, but this just to show you if
9 we look at this image our views--

10 CHAIRPERSON RICHARDS: [interposing] I'm
11 going to ask you to—I'm going to ask you to wrap up.

12 SANTE MICELI: Sorry. That's all what I
13 would say. The focus—we need to focus in creating a
14 proper division, and there—and there are plenty of
15 images here that can tell us how we can create—can
16 become creative with stone, it can be brick, but, you
17 know, it needs to be properly designed. We need to
18 refocus together, and we want to open the dialogue.
19 We the developer, which he never opened a dialogue
20 with us accepting or doing a presentation. We are a
21 conservancy group, and we represent the community.
22 They need to communicate with us. We wish they—they
23 will make this step so we could turn this project in
24 value project for both of us. I don't want to
25 disregard the economic factors, you know,

2 CHAIRPERSON RICHARDS: Thank you so much
3 your--

4 SANTE MICELI: Thank you. Thank you very
5 much.

6 CHAIRPERSON RICHARDS: Thank you and
7 we're joined by Chair Greenfield this morning. Okay,
8 alrighty thank you. I'll call the--is there anyone
9 else in--is there anyone in favor of this project?
10 [pause] This panel now, which is in favor. James
11 Pav, James, Jane Clark, Friends of Transmitter Park.
12 Steven Chesler, Friends of Transmitter Park, Joe
13 Mayock, Open Space Alliance. [background comments] So
14 is everyone here.

15 MALE SPEAKER: Yes.

16 CHAIRPERSON RICHARDS: So, Joe Myock-
17 Mayock. You're Joe. Okay. Steve Chesler.

18 STEVE CHESLER: Here.

19 CHAIRPERSON RICHARDS: Jane Clark. No
20 Jane Clark.

21 MALE SPEAKER: She left.

22 CHAIRPERSON RICHARDS: She left. James
23 Pav. James, James. You don't want to come up. Okay,
24 got. Okay. Alright. [background comments] Anyone
25 else in favor? It's your last call. [background

1 comments] I'm sorry. Okay, anyone else against who
2 wants to testify. Alrighty, you may begin.

3
4 STEVE CHESLER: Hi, I guess good
5 afternoon, Chairman and Council Members. My name is
6 Steve Chesler. I'm the Chair of Friends of WNYC
7 Transmitter Park, and as you've heard, we're—you
8 know, we're a new Friends Group of the park,
9 approximately 50 local residents that we have a
10 petition in against an RFP for putting a café with
11 liquor license the park. It has over 700 signatures
12 and growing. Yeah, we're here to protect the
13 integrity of Transmitter Park, you know, and no it's
14 less than two acres of actual land, and as Council
15 Member Levin referred to, in 2005, the infamous 2005
16 Green-Greenpoint-Williamsburg rezoning, basically is
17 proliferating, you know, a curtain of towers on the
18 waterfront and—and thousands of people as made
19 evident by Brooklyn, and we--we just recently change
20 that at East River State Park down the river because
21 the crowds have just kind of reached a critical mass,
22 and—and the owners of—of the, you know, the property
23 in question, you know, they own—they adjoined five
24 properties, which enables them to build a building
25 that's out of context, which has been theme today and

2 Vinegar Hill here where most of the buildings going
3 up right now on West Street and nearby are six
4 stories, and then there's historic row houses that
5 are two and three stories. This is going to be 11,
6 and we, you know, we're—we're trying to protect this
7 park. Like I said, we have no other passive space in
8 our—in our area. The Environmental Impact Statement
9 in that rezoning said basically we have about 26
10 square feet per person, which is a queen size
11 mattress. So we cherish—we cherish this—this park
12 And so, it's critical that we mitigate as much of the
13 impact of this building. If you can turn that. So,
14 that's our park as is right now and this was the
15 original rendition. And as you can see, as, you
16 know, the landscape architect with developers alluded
17 to about the park flowing into the building, and
18 that's—that's the key problem. Is that, you know,
19 even with the—the revised renditions, which the
20 developer has done is, you know, illustrate it to
21 public and public and private space. You know, you
22 don't want to—you're sitting in the park and feel
23 like you're in the developer's in the private
24 property's back yard. And additionally, a reference
25 in the shadow studies. It's actually a huge impact,

1 which is front their sun study. This is in June, the
2 longest day of the year, and basically for six hours
3 from roughly dawn until that noon, you have basically
4 a quarter of the park including the playground is
5 engulfed, you know, it's basically in shadows. So,
6 if you want to go to the playground to get some
7 sunshine, and some play time, you know, you'll be out
8 of luck. So, in-in light of that, it's key that we
9 mitigate this, you know, this building as much
10 probable-as possible. So that's why the law is-is
11 key, and as some-as my colleague [bell] colleague
12 Sante said, you know, if we just put our minds to it,
13 and we have a creative, you know, process, we could
14 really come up with something interesting. A couple
15 months back I had a conversation with the North
16 Brooklyn Parks administrator. It resulted in this
17 idea of removing the fence and so the wall will
18 become the really solid differentiation between the
19 two spaces. [bell] So, and also just quickly, the
20 commercial space, the Borough President along with us
21 recommended plantings on that roof to also for-for
22 privacy and intrusion issues. So, we urge the
23 Council to use whatever means necessary or at your
24

2 disposal to-to get these modifications into the-into
3 the project. Thank you very much.

4 CHAIRPERSON RICHARDS: Thank you. Anyone
5 else testifying, or--

6 JOE MAYOCK: Right.

7 CHAIRPERSON RICHARDS: Okay.

8 JOE MAYOCK: Hi, my name is Joe Mayock.
9 I'm the Executive Director of--

10 CHAIRPERSON RICHARDS: [interposing] You
11 have a great job, by the way.

12 JOE MAYOCK: --Open Space Alliance from
13 North Brooklyn, OSA. We're the non-profit partner to
14 the Parks Department for 45 parks and playgrounds in
15 Williamsburg and Greenpoint. So I want to thank
16 Chairman Greenfield. I want to thank you, Council
17 Member Richards for leading this hearing today,
18 especially, I want to thank Council Member Levin.
19 So, we really appreciate you taking a very active
20 role, Council Member, in this--in this process. I
21 think once again you're going to be the closer for
22 us. So, with Bushwick Inlet Park the community stood
23 together. The Community Board, the all new elected
24 officials including the Borough President. In this
25 situation again we have the Community Board standing

1 with the community the Friends of Transmitter Park
2 for adopting all the modifications that the community
3 is asking for. So, here it is Council Member just
4 like you closed with Bushwick Inlet, we'd like to see
5 you close here with here with Friends of Transmitter.
6 A couple of comments about today's--today's hearing.
7 You know, Council Member Reynoso mentioned he has a
8 job to do. You know, so I think in my role
9 representing the Board of the Open Space Alliance,
10 you know, I have a job to do, too. I think the--the
11 comments from the--the developer and his
12 representatives that we're talking to the Parks
13 Department I don't think is sufficient. I think
14 that, you know, saying you took to heart the
15 developer's, excuse me, the community's concerns and
16 then the answer that she gave to Council Member Levin
17 regarding the--the--the barrier that, you know, you--
18 you--that taking care of an embankment or some kind of
19 other barrier would cost money I think is--is not
20 responsive to the--to the community's concerns. So,
21 one thing--I see I've got a minute left--I think
22 Council Member Levin let's do this now because I
23 think the developers--they've negotiated against the
24 future residents of this--of this building. They're

2 going to be the biggest users of this park, and once,
3 you know, if-if there's no sound and-and visual
4 barriers, they're going to be the biggest supports of
5 the Friends of Transmitter Park, and we're going to
6 have to come back to not this setting, but another
7 setting and get the embankment built and pay for it,
8 and have it taken care of. And so, I-Council Member
9 what you did for Bushwick Inlet Park is legendary.
10 It will go down for the centuries. This is a little
11 bit smaller obligation and opportunity, but I'm
12 confident that you'll-you'll vote this text amendment
13 down. Thank you.

14 CHAIRPERSON RICHARDS: Thank you. [bell]
15 Council Member Levin, any last remarks?

16 COUNCIL MEMBER LEVIN: I don't think that
17 I do.

18 CHAIRPERSON RICHARDS: Oh, Chair
19 Greenfield.

20 CHAIRPERSON GREENFIELD: Yeah, how-the-
21 you're an individual for the-Sir, I'm sorry. I lost-
22 I forgot your name, sir?

23 STEVEN CHESLER: [off mic] It is Steve.

24 CHAIRPERSON GREENFIELD: Steve, yes,
25 Steve. Do you mind coming back up for a second

2 because I have a quick question for you. Thank you
3 very much.

4 STEVE CHESLER: Steve Chesler from
5 Friends of Transmitter Park.

6 CHAIRPERSON GREENFIELD: Thank you. So,
7 first, you know, first I just want to thank everyone
8 for coming out today. I know that you have a lot of
9 other things to be doing today, and you all decided
10 to come out here because you feel passionately about
11 this park, and I want to assure you that we take all
12 of the comments and feedback very seriously and it is
13 very helpful, and I'm going to check it out actually
14 now because someone here testified that the best park
15 ever, and I certainly want to find the best park
16 ever. So, I'm—I'm looking forward. I'm a little bit
17 worried, though, because we're broadcasting live on
18 TV. So maybe everybody is going to find out about
19 this super park, and now you're going to get overrun
20 by people. But, I—I would just say that I think it's
21 helpful. I think the feedback is helpful and I—and I
22 can assure you that your council member is taking
23 all—all of these suggestions very seriously. I just
24 do want to point out because I'm not sure that it has
25 been clear from some of the testimony here today that

2 the--the project is a change in their project. So,
3 the developer currently has the ability to do a
4 project as-of-right, which obviously wouldn't be as
5 good, but I just--I don't want to--I don't want anyone
6 here to get the misimpression that if--if the Council
7 for whatever reasons decides not to act that there's
8 not going to be a development here. There is going
9 to be a development over here. The question is what
10 that development is going to look like, and so while
11 I--I think just from hearing the comments, I think
12 some people may not have been that familiar with that
13 particular detail, which is it's not like if we say
14 no, this is going away. There is going to be a
15 development over here, which I imagine many of you
16 don't like regardless, right. And the question now
17 is whether the development should be different, and
18 if so, what, if any, possible changes and tweaks we
19 can make to accommodate the community? SO, Steve, I
20 just want to make sure that as the--as the--the leader
21 of the Friends of the Transmitter Park that you are
22 familiar with that, and you are--had that perspective
23 and--and understanding as well. And so, is that--is
24 that your understanding as well in terms of what it
25 is that we're--

2 STEVE CHESLER: [interposing] Yeah.

3 CHAIRPERSON GREENFIELD: --what it is
4 we're trying to defend here today?

5 STEVE CHESLER: Yeah, I mean, as—I think
6 not just resent—representing Friends of Transmitter
7 Park, but I'm a resident of Greenpoint and
8 Williamsburg, and since you're the victim of the 2005
9 rezoning, you know, I prefer that either nothing gets
10 built or a 6-story building be built and the context
11 of the rest of the neighborhoods. But, you know, due
12 to the, you know, the way the zoning, the Zoning Code
13 is written, they're—you know, they're able to take
14 five properties and put them together and kind of
15 blow that out of the water. So, we realize with was
16 presented with the lesser—a lesser of those type of
17 choice. And actually—we—we were informed about the
18 application very late in the game. The CB1 Parks and
19 Waterfront—Land Use Committee had already approved—
20 recommended the application and so--

21 CHAIRPERSON GREENFIELD: [interposing]
22 But Steve I appreciate that.

23 STEVE CHESLER: Okay.

24 CHAIRPERSON GREENFIELD: I just want to
25 be, once again, I just—I just want to be clear

2 because it's very—it's very easy when there's project
3 like this to say just vote no, but you recognize that
4 if there's a no vote it means we have no leverage
5 over this project. It's going to work to other
6 project, which quite frankly to your point isn't a
7 particularly attractive project, and that's what's
8 going to go up instead. So, it's not about
9 preference of oh, I'd like to have nothing here
10 versus, you know, everything here. I just—I just
11 think it's important to recognize that, you know,
12 this committee many times we have control, complete
13 control over a project, but people come in, and right
14 now it's manufacturing for example, and we don't have
15 to convert it, and if we did nothing, there would
16 just be a one-story building and it would stay the
17 same. I just think it's worth pointing, and I'm just
18 using my privilege here as the Chair of the Land
19 Committee to point out especially to many of you have
20 not been here before that it's not that scenario,
21 right. So, just keep in mind that in the negotiation
22 process there's only so much leverage to be had over
23 here because if ultimately, and I'm not saying this
24 is going to happen, but if ultimately the Council
25 Member, the Council walks away, then you end up with

2 a pretty ugly project for every objective standard.
3 So, I just want to point that out, and I don't
4 imagine that's a great result for you either. So,
5 I'm just—I'm—I'm simply encouraging you to just think
6 about that, and find a happy medium where—where you
7 can make improvements without necessarily voting it
8 down because in this case I don't think voting down
9 is a good option for you. That's all I'm pointing
10 out.

11 STEVE CHESLER: Uh-huh.

12 CHAIRPERSON GREENFIELD: Is that fair?

13 STEVE CHESLER: Yeah, I—I acknowledge
14 that--

15 CHAIRPERSON GREENFIELD: Okay.

16 STEVE CHESLER: --and actually acknowledge
17 your very difficult questions here.

18 CHAIRPERSON GREENFIELD: [interposing] I
19 appreciate. If it wasn't from honestly your
20 testimony and other people's testimony I wasn't sure
21 if people understood that. I just wanted to clarify
22 that—as to clarify that point as well. Well, also to
23 the benefit of people watching at home who are happy
24 for that.

2 STEVE CHESLER: [interposing] Well, our-
3 our-our recommendation along the way has been no
4 unless, you know, a list of modifications or--

5 CHAIRPERSON GREENFIELD: [interposing] We
6 got it.

7 STEVE CHESLER: --or yes, yes, so it's,
8 you know.

9 CHAIRPERSON GREENFIELD: Once again,
10 grateful for the feedback. This is very helpful.
11 Incredible commitment, and I can tell you that as-as
12 your friend just acknowledged, there is no greater
13 patron and creator of parks than Council Member
14 Steven Levin and the City Council, and what he's done
15 is, in fact, fantastic and I know he's working hard
16 to try to come up with a good resolution for this.
17 Thank you all very much.

18 CHAIRPERSON RICHARDS: Council Member
19 Levin.

20 COUNCIL MEMBER LEVIN: thank you very
21 much. I'm flattered, Chair Greenfield and I
22 appreciate that. So, I just want to thank Steve,
23 you-you for your testimony, and everybody that
24 testified. Obviously, we hear what you're saying.
25 You now, we-we recognize, you know, the-the reality

2 of-of what happened in our neighborhoods in 2005 in
3 terms of the rezoning and looking back, and this got
4 rezoned. This was an M1-2.

5 CHAIRPERSON RICHARDS: I wasn't the
6 chair.

7 COUNCIL MEMBER LEVIN: Okay, I wasn't the
8 chair and David was not the chair either. It was-it
9 was M3-1. So, in 2005, this went from a heavy use
10 manufacturing 1 FAR site to an R6, and obviously that
11 was the big change at the time and, you know, certain
12 benefits came out of the 2005 rezoning, Bushwick
13 Inlet, the Barge Street expansion, eventually a
14 Transmitter expansion. Transmitter itself was not
15 created by the 2005 Rezoning. So, it-this is a-this
16 was not, you know, this wasn't a-this wasn't trade-
17 off park. This was a park that was promised to this
18 community prior to the 2005 rezoning. So, you all
19 recognize that. You all lived through that, a lot of
20 you did, and-and you're continuing to advocate for
21 your community. So, just over the next couple of
22 weeks as we go through the final stages of this
23 process, you know, you can count on my office to be
24 available, and responsive and look forward to
25 continuing to work with you, and continuing to work

2 with the developer and see if there's a solution that
3 can be found, and if so, that's great. If not, you
4 know, not so great, but-but we'll continue to-to keep
5 the conversation open, and you can certainly count on
6 my office to-to be there making that happen. Thank
7 you very much.

8 CHAIRPERSON RICHARDS: Thank you.

9 COUNCIL MEMBER LEVIN: I want to thank
10 everybody for taking the time to come out and spend
11 some-all here today. You've been here since 9:30.
12 So I want to express my gratitude for that.

13 CHAIRPERSON RICHARDS: I want to thank
14 Council Member Levin. I want to thank the community
15 for certainly being so thoughtful along the process.
16 I can tell you really have thought this out, and I
17 would urge the developers to certainly sit with the
18 community and Council Member Levin perhaps as-as we
19 move through this process before it gets to the full
20 Land Use, and comes back to this committee for a vote
21 to sort of think through some things and-and as I
22 think Chair Greenfield said as well, a perfect medium
23 would MM. (sic) There's no such thing as perfect,
24 but trying to get to as close, as a compromise on
25 this would be awesome because the worst thing we

2 would want to be is a project approved without the
3 benefits and things that we think you can expect
4 working with—with everyone working together to make
5 this the best possible project as possible, and the
6 community has been very thoughtful along the lines,
7 and I want to make sure that that's respected as we
8 move forward. And I also want to thank the
9 developers as well for listening as well, but we have
10 some ways to go, but I think there are ways to make
11 this a better project as well. I want to thank
12 everyone who came out, or members, and once again
13 going back to Council Member Palma and Salamanca who
14 reached deep affordability in their project today.
15 Jobs was a major accomplishment today. So, I think
16 that today was a great day for this committee voting
17 out a lot of the projects. With that being said, are
18 there any other members of the public who wish to
19 testify on this issue? Seeing none, I will now close
20 the public hearing on Land Use Item No. 635, and I
21 want to thank the committee staff Julie Lubin, Amy,
22 Raju. Who am I missing? [background comments] Oh,
23 Brian. Did I say Julie, Amy? Okay, this is why
24 write it down because you then you mix everything the

2 same. With that being said, this meeting is

3 adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 15, 2017