

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY, AND DISPOSITIONS
CITY COUNCIL
CITY OF NEW YORK

1

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITINGS, RESILIENCY, AND
DISPOSITIONS

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January 27, 2026
Start: 11:05 a.m.
Recess: 2:24 p.m.

HELD AT: 250 BROADWAY - 8TH FLOOR - HEARING
ROOM 1

B E F O R E: Christopher Marte, Chairperson

COUNCIL MEMBERS:

Alexa Avilés
Oswald Feliz
Kamillah M. Hanks
Chi A. Ossé

OTHER COUNCIL MEMBERS ATTENDING:

Kayla Santosuosso
Crystal Hudson
Rita C. Joseph

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY, AND DISPOSITIONS

2

A P P E A R A N C E S

Greg Vayngurt, Brooklyn Borough Director for
Government Affairs at New York City Economic
Development Corporation

Amy Jin, New York City Economic Development
Corporation

Eric Gardiner, New York City Economic
Development Corporation

Timothy Frye, New York City Landmarks
Preservation Commission

Stephen Thomson, New York City Landmarks
Preservation Commission

Frampton Tilbert, Executive Director of the
Historic Districts Council

Janice Hamann, Beverley Square West Association

Sally Bowman, resident of Beverley Square West

Mary Louise Clemens, resident of Beverley Square
West

Sue Fishkin, resident of Beverley Square West

Lisa Dralto, resident of Beverley Square West

Lawrence Becker, self

Andrea Goldujn, New York Landmarks Conservancy

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY, AND DISPOSITIONS

3

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

Dena Tasse-Winter, Village Preservation

Robin Redmond, Executive Director of Flatbush
Development Corporation

Joanne Oplustil, former President and Chief
Executive Officer of Canva

Christopher Leon Johnson, self

Jess Wachtler, Project Development Coordinator
for the New York City Parks Department

Colleen Alderson, Chief of Parklands and Real
Estate for the New York City Parks Department

Matt Drury, Chief of Citywide Legislative Affairs
for the New York City Parks Department

Alex Trezowski

Chris Grove, New York City Department of Citywide
Administrative Services

Shelton Getter, New York City Department of
Citywide Administrative Services

Tom Angotti, owner of Prospect Farm Community
Garden site

Emma James, Board Member of Prospect Farm

Cassandra Warney, Board of Directors of Prospect
Farm

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY, AND DISPOSITIONS

4

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

Angela Pruitt, self

Thomas Hinchey, self

Rosamond Fletcher, Executive Director of the Fort
Greene Park Conservancy

Kai Lawrence, Environmental Programs Manager at
the Fort Greene Park Conservancy

Shashank Shamshabad, New York Building Congress

Randy Peers, President and Chief Executive
Officer of the Brooklyn Chamber of Commerce

Nadja Barlera, Local 79 member

Robert Tiburzi, LiUNA Local 79

Tierra Williams, Local 79 member

Sara Qureshi, SEIU 32BJ

Emily Anadu, founder of The Lay Out

Mohammad El-Haj Ahmad, Fort Green Tennis
Association

Annie Lee, Fort Greene Park Users and Pet Society

Spencer Heckwolf, self

Erik Nilsen, self

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY, AND DISPOSITIONS

5

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

Annelise Raymond Alam, Carter Ledyard and Milburn

Christine Paglialunga, Chief Operating Officer
with the Downtown Brooklyn Partnership

Andrew Vladeck, self

Veronica Yurovsky, self

Sophia Matheney, Brooklyn Borough Planner at New
York City Housing Preservation and Development

Matthew Dunbar, Chief-of-Staff and Executive Vice
President of Habitat for Humanity of New York
City and Westchester County

Rick Fudge, Project Manager for Habitat for
Humanity of New York City and Westchester County

Idris Abdullah, Community Board 3

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS,
RESILIENCY AND DISPOSITIONS

6

SERGEANT-AT-ARMS: Good morning. This is a
microphone check on the Subcommittee of Landmarks,
Public Sitings and Disposition. Today's date is
January 27, 2026, recorded in Hearing Room number 1,
recorded by Taisha Sherman.

SERGEANT-AT-ARMS: Good morning. Welcome
to the New York City Council hearing for the
Subcommittee on Landmarks, Public Sitings,
Resiliency, and Disposition.

Please silence all electronic devices,
and moving forward no one is to approach the dais
unless you have been called on.

If you wish to participate in today's
hearing, please fill out an appearance card with the
Sergeant-at-Arms.

Without further ado, Chair Marte, we are
ready to begin.

CHAIRPERSON MARTE: Good morning,
everyone. Welcome to a meeting of Subcommittee on
Landmarks, Public Siting, Resiliency, and
Dispositions. I'm Council Member Christopher Marte,
and I am Chair of the Subcommittee. Before I begin, I
just want to thank Speaker Adams for bestowing me the
responsibility of this Subcommittee. The importance

of landmarks, our public land, and resiliency is extremely important, not just recognizing our past but also building for the future. I, as Chair, want to continue to talk about what landmarks means to our city and to who we are as New Yorkers. Most folks don't know but only 3.9 percent of all city lots are landmark and, over the past four years, there's been a false narrative how landmark was the enemy of affordable housing, how landmarks was the enemy of development. Actually, from my experience, it's landmarks that actually protect rent-stabilized units and tenement buildings all throughout our city in landmarks that help us recognize the phases of development that our city went through through its history. And so I'm excited to not only fight back against this false narrative but to use this as an opportunity to organize, to encourage not just landmarking protecting who we are as people but also fighting to make sure that public land is a public good and for the public. And so, with that responsibility, I begin our first hearing of this term session. Thank you.

First, I want to remind everyone that this meeting is being held in a hybrid format, and

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

8

quickly I want to recognize my Colleagues who are
here today, Council Member Rita Joseph, Council
Member Chi Ossé, Council Member Santosuosso, Council
Member Thomas Henry, and Council Member Hanks.

For members of the public who wish to
testify remotely, we ask that you first register
online, and you may do so by visiting
www.Council.nyc.gov/landuse to sign up and then sign
into the Zoom and remain signed in until you have
testified.

For anyone with us today in person and
wish to testify, if you have not already done so,
please see one of our Sergeants-at-Arms to fill out a
speaker card, and we will call your name at the
appropriate time.

For anyone wishing to submit written
testimony on the items being heard today, we ask that
you please send an email to
landusetestimony@Council.nyc.gov, including the LU
number and/or project name in the subject line of
your email. Video and audio testimony will not be
accepted.

I remind members of the public that this
is a governmental proceeding and that decorum shall

be observed at all times. As such, members of the public shall remain silent unless and until called to testify.

The witness table is reserved for the people who wish to testify. No video recording or photography is allowed from the witness table. Further, members of the public may not present audio or video recording as testimony but may submit transcript of such recordings to the Sergeant for inclusion in the hearing record.

On today's agenda, we have several hearings. LU 1, prospect for acquisition for the acquisition of a site for continual use as a community garden; LUs 2, 3, 4, 5, 6 for the Constellation HPD Homeownership Project; LUs 7, 8, 9, 10, 11 for Seaside Park and Community Art Center, a project by New York City DCAS and EDC seeking several City approvals to improve and continue the use of Seaside Park and Community Art Center in Coney Island; LUs 12, 13, 14, 15, 16 for 395 Flatbush Avenue Extension Redevelopment, a project by HPD in conjunction with DOHMH and DCAS to facilitate the development of a 72-story mixed-use building in downtown Brooklyn; and a joint hearing for Pre-

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

10

considered LUs for the landmarking of Beverley Square
Historic District and Ditmas Park West Historic
District.

I now open a public hearing for LUs 7, 8,
9, 10, 11 for the Seaside Park and Community Art
Center special permits, an application by DCAS and
New York City Economic Development Corporation
seeking several approvals to facilitate the
improvement and continued use of Seaside Park and
Community Art Center located in Council Member
Santosuosso's District in Brooklyn. These actions
include a zoning text amendment to allow a larger
event venue as well as a zoning special permit to
allow an arena with up to 6,000 seats. Additionally,
this application is seeking the acquisition by the
City of a small portion of land to complete the site
and deposition of City-owned land.

Appearing today on this panel is Greg
Vayngurt. Did I say that correctly? Okay. Amy Jin
and Eric Gardiner.

Those wishing to testify remotely again
must register online by visiting the Council website
at Council.nyc.gov/landuse.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

11

Panelists, please ensure that your
microphones are on. You can notice it by the red
light turning on.

Counsel, would you please administer the
affirmation?

SUBCOMMITTEE COUNSEL: Panelists, would
you please raise your right hand and state your name
for the record? Make sure the microphone is on.

AMY JIN: My name is Amy Jin.

ERIC GARDINER: Eric Gardiner.

GREG VAYNGURT: Greg Vayngurt.

SUBCOMMITTEE COUNSEL: And do you affirm
to tell the truth, the whole truth, and nothing but
the truth in your testimony before this Subcommittee
and in answer to all Council Member questions?

AMY JIN: Yes.

ERIC GARDINER: Yes, I do.

GREG VAYNGURT: Yes.

CHAIRPERSON MARTE: Before you begin, I
want to recognize Council Member Feliz has joined us
online.

You may start.

And Council Member Avilés.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

12

GREG VAYNGURT: All right. Thank you so much, Chair. Good morning, everyone. Good morning, Chair and fellow Committee Members. My name is Greg Vayngurt. I am the Brooklyn Borough Director for Government Affairs at EDC, and I'm joined by my colleagues, Amy and Eric, and we're happy to be here and talk about Seaside Park Community Arts Center special permit. I'm also Coney Island resident so this is important to me as well.

Quickly if you turn to slide two, just the project overview, as you see, the applicants are Seaside Park LLC, NYC EDC, and then NYC DCAS.

And then on slide three as you could see, we have a photo of where the amphitheater as we like to call it in Coney Island Seaside Park is located. As you could see, it's surrounded by the world-famous Riegelmann Boardwalk and the Landmark Childs Building and not too far off you could see Maimonedes Park where the Brooklyn Cyclones play.

A little bit of background on the amphitheater. In 2013, then Brooklyn Borough President Marty Markowitz allocated funds for site acquisition of this amphitheater for outdoor performing arts, public accessible open space, and

the restoration of the Landmark Childs Building. It was to be a catalyst for continuing investment in Coney Island as well as support the development goals for the area. The original ULURP proposed in 2014 for design included temporary attractable roof that could be removed during the offseason. That roof proved infeasible based on DOB requirements, so Safehold who was the operator built a permanent roof. The current 10-year SP commenced June 2016 upon receipt of the TCO. I'll pass over to my colleague, Amy, to talk more about the land use action.

AMY JIN: Can we go to the next slide, please? One more slide. Thank you.

So, before you today are several land use actions, the first of which is a zoning text amendment to ZR Section 74-182 and 131-16 and 131-60 to permit an arena in excess of 2,500 seats. The text amendment effectively moves the special permit out of the Coney Island Special District section of the zoning resolution and moves it into the section of the zoning resolution where all the other arena special permits live. And then we're seeking a zoning special permit per this new special permit, Zoning Resolution Section 74-182, to allow an arena with a

maximum of 6,000 seats with waivers to signage,
parking, and loading requirements. We're also seeking
an acquisition by DCAS of a portion of lot 123. It's
outlined on the diagram in blue here. It is a remnant
of an older tax lot where a street was built through
the middle portion of it, and this is the remaining
portion that's adjacent to our site. And so EDC
currently owns it. We would like for the City to own
it so that the City can dispose of it together with
these facilities.

We are seeking the disposition of City-
owned property for all of the tax thought parcels
outlined in orange on the diagram. So, this includes
the historic Landmark Childs Building, the
amphitheater itself, and the adjacent open space to
the left, to the west of the amphitheater. This
disposition would be restricted to the conditions of
the special permit to facilitate the continued use
and operation of the complex for 10 years. And so at
the CPC, they restricted this disposition to 10 years
and approximately six months to coincide with an
expiration of the end of year 2036.

And then the last action is a disposition
of City-owned property for the Childs Building and

the adjacent open space so it's lot 130 and 123 on the diagram here. As I mentioned the Childs Building is a New York City landmark. You may be familiar, but the Childs Building fell into disrepair for some time before Safehold came in, restored the building, and is now operating it, and so we're seeking this disposition so that we are able, the City is able to continue to tenant the Childs Building past the useful life of the amphitheater in perpetuity so that this sort of state of disrepair won't happen again.

Those are all the land-use actions proposed for this project.

I'm going to pass the mic to my colleague, Eric.

ERIC GARDINER: Hi. Good morning, everyone. You can advance the next slide.

Just to provide a overview of the asset itself and some site context, so the amphitheater was built and landmarked and the Landmark Childs Building was restored by Safehold. At the time, it was known as iStar. DCP granted a special permit to operate the amphitheater for 10 years in 2014. In terms of current uses at both the amphitheater and the Childs Building, the amphitheater is a 5,000-seat covered

open-air venue. It is currently leased to Safehold and operated by Live Nation. It's hosted performances from a wide variety of artists including Sting, the Beach Boys, Ice-T, the Foo Fighters, Willie Nelson, and everyone in between. There's also been community events that have been hosted at the amphitheater including film screenings, the Mermaid Parade Ball, and the Pizza Zoo anniversary party.

The Childs Building itself is 56,000 square feet. It is a landmark historic building. It also includes a rooftop space. It is leased to Safehold currently and subleased to Live Nation and has been operated as a restaurant by the subtenant. Go to the next slide, please.

In January 6 of this year, EDC released an RFP to find a new operator or consortium of operators in the entertainment and food and beverage industries that can bring innovative ideas to how to make this asset perform even better and activate it for the community. The goals include driving increased foot traffic to the western half of the boardwalk, continuing to improve how this asset performs overall especially for the community, and to also maintain and expand the amphitheater status as a

very unique New York City and entertainment venue. We anticipate on selecting an award in spring of this year.

GREG VAYNGURT: Thanks. Can we go to the next slide, please?

So, through this ULURP process, obviously you know the Community Board, so a few recommendations that the Community Board had about better activation of the site including free community concerts, community event support, and very important for them to continue so the space for graduations. Next slide, please.

And then this our final slide, just one more look at the proposed Development. So, the approval of as-built Coney Island Amphitheater per a new special permit with waivers for signage, parking, and loading and then an enlarged project area to include additional open space on the site as well as portion of lot 123.

That concludes our presentation. Thank you very much and open for any questions.

CHAIRPERSON MARTE: Awesome. Thank you so much.

My first question is how long is
estimated to take to complete the new park
improvements and additions?

ERIC GARDINER: Okay, sorry. Can you
repeat that question? Sorry.

CHAIRPERSON MARTE: How long do you
estimate once you get an applicant on board and
approve? How long would it take to, estimated like
would it be ready to open up this summer, next year?
What's the timeline for EDC, hopes for it be
completed.

ERIC GARDINER: Oh, for the overall site.
Not necessarily the park addition.

CHAIRPERSON MARTE: Right.

ERIC GARDINER: So, we're hoping that we
can select an awardee that would be able to, you
know, at best start proffering programming maybe at
the end of the summer, early fall. We'd certainly
have a preference for that. But otherwise, we would
be looking for either a tenant for just the Childs
Building, a tenant or group of tenants for both
assets, or just a tenant for the amphitheater that
would be able to activate it as soon as possible.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

19

CHAIRPERSON MARTE: All right. And can you
briefly explain community engagement throughout this
process before you released the RFP?

ERIC GARDINER: Yeah, absolutely. So, we
appear before the Community Board multiple times and
were able to get a list of local arts organizations
that we included in the RFP, and we're going to show
a preference toward any respondent that has shown
evidence of engagement with those local arts
organizations in terms of the character of their
response.

GREG VAYNGURT: I could just also add we
also had multiple conversations with former Council
Member Justin Brannan as well as our current new
Council Member who was on Justin's staff as well as
some local businesses stakeholders around the area as
well as the other electeds. Me being a resident
there, I made sure everybody had understood what's
happening, how to say, and really understood like
what this next 10 years might look like for the
amphitheater.

CHAIRPERSON MARTE: Great. And with that,
I'd like to recognize Council Member Santosuosso with
some questions.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

20

COUNCIL MEMBER SANTOSUOSSO: Thank you,
Chair Marte, and good morning, everyone. I am Council
Member Kayla Santosuosso, representing the 47th
District in Brooklyn. I am here to discuss the
Seaside Park and Community Arts Center Special Permit
application in Coney Island in my District. As you've
just heard, this application involves multiple
actions including the proposed text amendment and
special permit relating to the 5,099-seat
amphitheater as well as the associated property
acquisition and dispositions needed to lease and
operate the site. I recognize this application
intends to bring the existing amphitheater into
compliance and to improve park infrastructure and
expand publicly accessible green space, which I
believe are important goals for the neighborhood and
for our District as a whole. I appreciate that the
applicants reflected recognition of the importance of
community input as demonstrated through EDC's request
for a proposal for new operation of the site. That
RFP includes various Community Board's
recommendations such as the use of workforce programs
and the continuation of six free events per year. I

look forward to hearing more on the aspects of the
proposed project which align with community goals.

And I just have a few questions. So,
first of all, I know you sort of touched on this, but
how did you respond to the Community Board's
recommendations? And how are those responses
reflected in the proposal, or more specifically in
the RFP? So, I know you touched on the arts outreach
and I know you've reached out to us. Anything else
you can share about any of the concerns that came up
during the Community Board's revision process?

ERIC GARDINER: Yeah. Absolutely. So,
included in the RFP is a requirement that any
respondent come with a plan for how local community
arts organizations as well as schools can continue to
use it for graduations, local community events, and
there will also continue to be the operating covenant
in the lease that will be signed with the new tenant
that will include a requirement for a certain number
of free community concerts throughout the year.

COUNCIL MEMBER SANTOSUOSSO: Anything
beyond use of the amphitheater, anything around, you
know, the impact on the surrounding community or

anything involving infrastructure, sound levels,
anything like that?

GREG VAYNGURT: So, yeah, I can take the
sound one. So, in terms of the sound levels, they'll
continue using a professional sound level meter to
continue making sure that sound levels are up to I
guess was the word up to accord with the rules and
regulations of the city. Also over since the
amphitheater has been operating, I spoke to operator
and there's been at most maybe a handful of
complaints over the years. So, continued to make sure
that there's no disruption as these events are
happening as well as obviously making sure the
community knows these events are happening as well so
nobody's caught off guard, right, like advance notice
and things like that.

COUNCIL MEMBER SANTOSUOSSO: Given that,
will there be time cutoffs, will there be any, you
know, rules around what time concerts can go until in
the amphitheater, or any consideration for lateness
for the surrounding residents?

GREG VAYNGURT: Absolutely. I think we
don't want it going in into past like overnight
hours, and I don't think it has in the past as well.

I could double-check for you but I believe concerts
were done probably around the 10, 10:30 hour.

COUNCIL MEMBER SANTOSUOSSO: Okay. And I
imagine that a lot of this will also be hammered out
with whoever is eventually selected for the RFP.

GREG VAYNGURT: Absolutely, yeah.

COUNCIL MEMBER SANTOSUOSSO: And what
mechanisms will be utilized to ensure ongoing
communication with the surrounding community?

ERIC GARDINER: Yes. We anticipate having
a requirement of the lease be an annual report that
the tenant will have to produce outlining the summary
of operations and community engagement that they've
done throughout the year, and we'd like to have them
meet periodically with the Community Board as well.

COUNCIL MEMBER SANTOSUOSSO: Okay. And
then my last question, and I realize you don't have a
crystal ball, but I understand that this is continued
use and operation for 10 years as an amphitheater
until 2036. Do you surmise or have any thoughts about
what would happen at that point?

ERIC GARDINER: No. I mean, I think we
anticipate having as many or more concerts and events
and kind of further integration of the Community Arts

Center and the community itself throughout the 10-year period and, at that point, we'll need to make a decision. We'll hopefully have 10 years of record of why it continues to be a vibrant cultural asset for that part of the boardwalk.

COUNCIL MEMBER SANTOSUOSSO: Yeah. But it's a landmark building so it stays the operation of an amphitheater and the hope would that be that it continued for that purpose, right?

AMY JIN: I just want to clarify the Childs Building itself is landmark, but the amphitheater is not.

COUNCIL MEMBER SANTOSUOSSO: Is not, right?

AMY JIN: Right.

COUNCIL MEMBER SANTOSUOSSO: Okay. Got it. Got it. All right. I think that's it for me. Thank you.

CHAIRPERSON MARTE: Thank you. I would like now to recognize any of my Colleagues, if anyone has any questions or remarks.

I also want to recognize Council Member Hudson for joining us.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

25

Well, thank you. The applicant panel is
now excused. Thank you so much.

ERIC GARDINER: Thank you.

CHAIRPERSON MARTE: Counsel, are there any
members of the public who wish to testify on this
item?

SUBCOMMITTEE COUNSEL: I don't have
anybody. Was there anybody here for this application?
One moment.

CHAIRPERSON MARTE: I see no hands.

If there are any remote public
participants who wish to testify and have not already
done so, please press the raise hand button now. And
if you are here with us in person, please see one of
our Sergeants-at-Arms to fill out a speaker card.

No one online?

Okay. There being no other members of the
public who wish to testify regarding LUs 7, 8, 9, 10,
11 for the Seaside Park and Community Arts Special
Permit, the public hearing is now closed, and the
item are laid over.

I now open a joint public hearing for two
Pre-Considered Items, Beverley Square West Historic
District and Ditmas Park West Historic District.

These two applications are by Landmarks Preservation Commission for the designation of historic districts in these areas, both located in Council Member Joseph's District in Brooklyn.

I would now like to recognize Council Member Joseph with a few comments.

COUNCIL MEMBER JOSEPH: Thank you, Chair Marte. Good morning, and thank you, Chair Marte. I'm here to express my strong support for the Beverley Square West and Ditmas Park West Historic Districts. These historic designations affirm that preservation and progress can and must go hand-in-hand. We can welcome growth and address our city housing crisis while protecting the character, culture, and history that define Flatbush. This process has sparked debate in the community. Some of us have pushed for larger boundaries for the Beverley Square West Historic District, and I've heard from a few folks who don't want these districts at all. With that in mind, I want to thank LPC for the meticulous and thoughtful approach to this process. The proposed historic district will ultimately allow us to honor these neighborhoods' architect, history, and identity without seriously limiting our ability to add nearby

housing for future generation who wish to call these beautiful neighborhoods home. This victory is a result of decades sustained advocacy. I am incredibly proud to have worked in lockstep with residents, community leaders, preservation activists, and historians who share commitment to safeguarding what makes these neighborhoods special. This designation is a testament to what we can accomplish when we stand together as a community. I'm also proud to have voted for City of Yes in promise of a little more housing everywhere. There's not a day that goes by that my office doesn't hear from someone facing hardship over housing situation. I look forward to working with the new Administration to welcome desperately needed new housing to my District. We can do our part for our future while still honoring our past. As your Council Member, I remain deeply committed to continuing the fight for preservation in all its forms, not only for our buildings but for the people, the stories, and the vibrancy that makes District 40 home.

Thank you to everyone who helped make this possible. Thank you, Chair. I yield.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

28

CHAIRPERSON MARTE: Great. Appearing today
on this panel is Stephen Thomson and Timothy Frye.

For those wishing to testify remotely,
please register online by visiting the Council
website at Council.nyc.gov/landuse. Panelists, please
ensure that your microphones are on.

Counsel, would you please administer the
affirmation?

SUBCOMMITTEE COUNSEL: Panelists, would
you please raise your right hand and state your name
for the record?

TIMOTHY FRYE: Timothy Frye.

STEPHEN THOMSON: Stephen Thomson.

SUBCOMMITTEE COUNSEL: And do you affirm
to tell the truth, the whole truth, and nothing but
the truth in your testimony before this Subcommittee
and in answer to all Council Member questions?

TIMOTHY FRYE: I do.

STEPHEN THOMSON: I do.

SUBCOMMITTEE COUNSEL: Thank you.

CHAIRPERSON MARTE: Thank you, applicant
panelists.

For the viewing public, if you need an accessible version of this presentation, please send an email request to landusetestimony@Council.nyc.gov.

And now the applicant team may begin.

TIMOTHY FRYE: May I have the slide presentation, please?

Okay. Good morning, Chair and Committee Members. I'm Tim Frye, LPC staff, and today I'm presenting the Beverley Square West and Ditmas Park West Historic Districts designated on November 25th of 2025, and these districts reflect a key moment in Flatbush's transition from farmland to an early suburban neighborhood. Next slide, please.

Both districts are located in historic suburban Flatbush extending south from Prospect Park towards Brooklyn College. This area already includes several LPC-designated districts. Next slide, please.

Prospect Park South, which was designated in 1979, Ditmas Park designated in 1981, and Fisk Terrace Midwood Park designated in 2008. Beverley Square West includes 118 houses built primarily between 1894 and 1910. Ditmas Park West includes 127 houses largely built between 1902 and 1910. The boundaries of these compact districts were determined

after extensive analysis of a much broader area and include the most significant and intact buildings and the most contiguous streetscapes. Through the designation process, there were several non-contributing buildings on the edges that were removed. Next slide.

At its October 21, 2025, public hearing, LPC heard substantial support for both historic districts. 33 people spoke in favor of the Beverley Square West Historic District and no one spoke in opposition. For Ditmas Park West, 10 people spoke in favor of designation and three people spoke in opposition. We also received strong supportive testimony including elected officials such as Assembly Member Robert Carroll and Council Member Rita Joseph as well as the Flatbush Development Corporation, Prospect Park South Association, the New York Landmarks Conservancy, Historic Districts Council, and the Victorian Society of New York. Many in favor of designation also encouraged the Commission to consider expanding the proposed boundaries. Next slide, please.

With that context, I'll start by focusing on the Beverley Square West Historic District and its

development and its architectural character. Next
slide.

Development began in 1894 and was largely
complete within a decade. This rapid period of
development gives Beverley Square West remarkable
architectural cohesiveness, which is characterized by
Queen Anne, colonial revival, and shingle style
houses. Throughout the district, contiguous
streetscapes including original landscape features
remain generally intact, houses are set behind open
lawns forming a continuous belt of greenery, and
planting strips separate the sidewalks from the curbs
Next slide, please.

Now I'll turn to the Ditmas Park West
Historic District, which shares a development history
and architectural character. Next slide.

Ditmas Park West was a project of Lewis
Pounds and his manor realty company. In 1902, Pounds
purchased the former John Ditmas farm, which had
largely been farmed using the labor of enslaved
people into the 19th century. The property was
bisected by the Brighton Railroad and soon afterward
Pounds began developing the portion east of the
railroad line as Ditmas Park development and the

portion West as Ditmas Park West. As In Beverley Square West, Ditmas Park West possesses strong architectural and historic cohesiveness due to its rapid development and uniform building type. All but two of its houses were constructed between 1902 and 1910 with the remaining two built in the 1920s. as in Beverley Square West, the district is defined by intact contiguous streetscapes dominated by Queen Anne, colonial revival, and shingle style houses. Next slide.

And although both districts were impacted by Brooklyn's population losses of the 1960s and '70s, both benefited from the renewed interest in historic neighborhoods that came with Brooklyn's brownstone revival. Walking and house tours started by the 1980s were crucial in increasing awareness of these areas' rich architectural history and, since that time, these districts which initially excluded non-white families have become increasingly diverse as African American families, families of East and South Asian and Middle Eastern backgrounds have purchased houses here. These districts also have a substantial Jewish community, which first took root by the 1930s. Next slide.

Turning to housing, we think it's important to note the landmark designation does not prevent development. It guides change to ensure compatibility with neighborhood character and, as shown on this slide, accessory dwelling units are permitted on all properties in both districts, either within an existing residential building or an existing accessory structure such as a detached garage. Housing growth including conversions and the creation of ADUs can continue in both districts in support of citywide housing initiatives under City of Yes. LPC is also advancing new guidance and rules to further streamline these types of approvals and support housing growth and for designated buildings and sites. Next slide.

So again, thank you for the opportunity to present the Beverley Square West and Ditmas Park West Historic Districts, and I'm happy to answer any questions.

CHAIRPERSON MARTE: Before I begin, I want to recognize Council Member Hanif for joining us.

Just one question. Several people have testified at both LPC public hearings in support of the historic districts also expressed support for

expanding the boundaries of the historic districts.

For the record, can you explain how LPC decided where to place the boundaries of the proposed historic districts?

TIMOTHY FRYE: Sure. The boundaries are based on over 20 years of survey of the broader area. LPC's research department has consistently determined that the districts as designated best represent suburban Victorian Flatbush and are the most intact streetscapes comparable to nearby historic districts. Now that's not to say that there aren't high quality, very intact buildings that are outside of the district. However, the districts reflect the areas where intact streetscapes remain the most consistent and are comparable to nearby districts that LPC has designated.

CHAIRPERSON MARTE: Okay. I want to recognize Council Member Rita Joseph who has a question.

COUNCIL MEMBER JOSEPH: Thank you, Chair Marte. The boundaries that did not make it in, did you give recommendations as to how they can become landmarked in the future.

TIMOTHY FRYE: It's always good to go back
And like I said, we have an over 20-year history of
surveying the broader area. We certainly will go back
and resurvey those properties and consider them in
the future. However, with the agency's sort of
priorities of looking at designations equitably over
all five boroughs, I can't really predict whether the
Commission will bring that item up at a future date.
We will certainly be looking at other parts of the
city, but it's not to say that our time in this
neighborhood is ended. We will certainly be in the
neighborhood and be actively surveying as the years,
you know, to come.

COUNCIL MEMBER JOSEPH: Thank you.

CHAIRPERSON MARTE: Okay. I like to now
recognize any of my Colleagues if anyone has any
questions or remarks.

Seeing none, thank you. The applicant
panel is now excused.

Counsel, are there any members of the
public who wish to testify on this item?

SUBCOMMITTEE COUNSEL: Yes, we have people
testifying in person and online.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

36

CHAIRPERSON MARTE: In the first panel,
we'll have Frampton Tilbert, Sally Bowman, and Janice
Hamann.

SUBCOMMITTEE COUNSEL: Okay. Yeah. If
anyone's in the overflow room and is planning to
testify for this panel, please come to Room 1. You
guys may join the panel.

As a reminder if I or other Council
Members have questions, witnesses are asked to remain
online or stay seated here at the microphone after
their testimony until they are excused.

For those participating online, once you
or your group has been excused following any
questions, participants may continue to view the
livestream broadcast of this hearing on the Council
website.

Members of the public will be given two
minutes to speak. Please do not begin until the
Sergeant-at-Arms has started the clock.

We will now hear from the first panel.

FRAMPTON TILBERT: Good morning, Chair
Marte, Committee Members, and thank you to Council
Member Rita Joseph for being here today. I'm Frampton
Tilbert, Executive Director of the Historic Districts

Council, which is the citywide advocate for New York's historic neighborhoods. We work to ensure the preservation of significant neighborhoods, buildings and public spaces, uphold the integrity of the landmarks law, and further the preservation ethic. We are not against development, and we believe growth should be thoughtful, sensitive and aligned with community consensus. Preservation is also sound economic policy. In a report published by the Landmarks Conservancy, historic districts make up less than 5 percent of New York's land area. Yet, they generate more than 800 million in economic investment each year. They support approximately 9,000 jobs annually and provide over 500 million in wages to New Yorkers. For more than two decades, HCC has worked closely with the neighborhoods of Victorian Flatbush to support historic efforts. The designation of the Beverley Square West and Ditmas Park West Historic Districts add important pieces to the larger quo that defines Victorian Flatbush, one of the largest and most intact Victorian residential communities of Middle class housing in the country, and affirms the significance of these neighborhoods

More than 90 percent of homeowners in the area

supported this designation, and the LPC had one of those positive hearings in recent memory with over 100 individuals testifying in person or sending letters in support of both historic districts. Not a single person opposed the Beverley Square West Historic District. Preservation is not the enemy of progress. Development continues within historic districts through adaptive reuse and new construction that represents neighborhood scale and character. In fact, historic designation often benefits development by providing stability, prestige and long-term value. A 2014 study by the National Bureau of Economic Research found that historic district designation increases property values both within and surrounding designated areas, particularly in neighborhoods outside Manhattan. Most importantly, designation gives communities like Ditmas Park West and Beverley Square West formal recognition of their (TIMER CHIME) identity and history. Thank you.

CHAIRPERSON MARTE: You may begin. Make sure that the light is on.

JANICE HAMANN: Thank you for hearing us today. I'm Janice Hamann from Beverley Square West Association. And, of course, there's no argument. We

can all agree when LPC Designates an area, they've studied it well, and we recognize the architectural integrity of our homes, but I don't know if anyone realizes what goes on inside the homes and we are not strictly a neighborhood of one-family homes. We are two- and three-family homes as well. And within these homes, some of the one-family homes are multi-generational, giving affordable housing to children, grandchildren, swapping babysitting. We really support affordability and social issues as well. Some of the two-family homes are owned by elderly homeowners renting to younger people who need affordability in exchange for helping. My next-door neighbor's was shoveled by his tenants because they have great arrangements. I have a two-family house where my daughter and son-in-law... it's a mother-daughter type situation, and we support one another. They're able to live in an affordable place. These are not the only examples. We support affordability as the neighborhood exists right now, and I want City Council to understand that.

CHAIRPERSON MARTE: Great. Thank you.

SALLY BOWMAN: Hi. Thank you so much for having us here today. My name is Sally Bowman, and

I'm a resident of Beverley Square West. I want to thank everyone here, and I want to thank Rita Joseph again for all of your hard work. I really agree with everything that's been said already so I'm not going to repeat the parts of my testimony that talks about the support our neighborhood has. I want to continue with what Janice is talking about, you know, beyond the architectural integrity, the value to that.

Really, I do want to address when we're talking about what happens in the homes. And as they talked about, the Landmark Preservation Committee today, with the ADU's, on my block, and this is representative of Beverley Square West and Ditmas Park West, almost all the homes have garages which are now eligible to be made into ADU's. My family is a two-family home.

Almost every house on my block is a two- or three-family home. Over 60 percent have tenants. I have a tenant, a woman and her niece. They have lived with me for 24 years, and I, like many of my neighbors, I have never raised her rent, and I am not a wealthy person. I'm a single mother. I have spent my entire career in the non-profit sector working in Flatbush and in Brooklyn. I sent my children to PS139. I was able to stay in my home because of my tenant because

I was able to rent rooms in my house, not as an Airbnb, as just someone who is able to do that. My next-door neighbor is 97 years old. She moved into her house when she was 14 as a multi-generational house. I should say when I moved in as well, I chose to do so because my house was large enough to have my extended family. My sister and her family lived with us. It was what enabled me to stay in Brooklyn, to be able to afford to stay in Brooklyn, so I think it's a really important message to think about the fact that I don't know what happens in other neighborhoods (TIMER CHIME) but in our neighborhood we can support both. So, thank you so much.

CHAIRPERSON MARTE: Thank you.

Are there any questions from the Council for this panel?

Seeing no questions, this panel is excused.

SUBCOMMITTEE COUNSEL: Sorry. What was your name?

SALLY BOWMAN: Sally Bowman.

SUBCOMMITTEE COUNSEL: Thank you.

SALLY BOWMAN: Thank you.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

42

CHAIRPERSON MARTE: The next individuals I
would like to call up for the panel are Mary Louise
Clemens, Lisa Dralto, and Sue Fishkin. She's
somewhere warm. We're all jealous in here.

SUE FISHKIN: I'm in the snow. I'm upstate
New York in 20 inches of snow.

CHAIRPERSON MARTE: We'll start first with
the people who are in person then we'll go to the
person in remote. So, you may begin and remember to
turn on the microphone when you speak.

MARY LOUISE CLEMENS: Hi. My name is Mary
Louise Clemens, and I'm a resident of Beverley Square
West. Again, I'd like to thank Rita Joseph for her
support and in this. We have worked tirelessly as a
community to make this landmarking happen. And I
think one thing to note about this, there's many,
many reasons why we want this to happen that other
people have already spoken to but in times like this
where people disagree on many, many things, virtually
nobody that lives in the neighborhood has disagreed
with this. We all support this, and I think that's a
unique thing to happen and that we should let nature
and people come together at a very difficult time.
That's it.

CHAIRPERSON MARTE: Thank you.

SUE FISHKIN: Hi. My name is Sue Fishkin.

I live at 317 Rugby Road, which had become an icon for the neighborhood. We used to run a bed-and-breakfast out of our home. I want to say that in addition to housing, which of course is a very important thing, our home is a two-family home and we're trying to figure out now how to make it livable for our youngest child and her fiancé in addition to us. I want to say that the neighborhood itself has its own life and, by denying the right of Beverley Square West, or maybe it's not a right, but the possibility of Beverley Square West gaining landmark status, I just see a crumbling happening. This is a neighborhood that is visited by people from all over the country and all over the world, and the fact that we are intact is one of the largest areas of Victorian homes where people have really spent a lot of money to update and make the homes as beautiful as possible for the public should not be disregarded. And I thank you for having us here and, Ms. Joseph, I thank you so much for the support that you've given our neighborhood.

LISA DRALTO: Yes. My name is Lisa Dralto. I live at 260 Marlboro Road. I am on one of the designated streets in Beverley Square West that's being considered for landmarking, and I too want to express my gratitude to Rita Joseph because she's been a big advocate. I've lived in the neighborhood for almost 25 years. I raised my children. They went to public school. It was amazing to see the diversity of the class at a school where Ms. Joseph had also attended. And I'm just here to show my support and also speak on behalf of our neighborhood. We did a survey back in the springtime and, of the respondents of which we had over 60 percent respondents, 95 percent supported landmarking. Over the years that I've lived in the community, I've seen it become safer. I've seen it become even more open to community events where people from all over the city come and attend music events on porches, plays that happen in the street. We have visitors from all over the world. When they get off the train, they cannot believe what they're seeing, that they're in New York City. It's a truly unique neighborhood. I've also seen how the neighborhood has moved towards preservation on its own, a trend that will continue

with landmarking. And I also want to acknowledge that back in 2009, the neighborhood fought for upzoning so that the commercial areas close by could also increase housing density, and we've seen tremendous increase in housing units go up in our area. We are adjacent to that community so we to believe that we can preserve both the neighborhood that's truly historic, very unique, draws visitors from all over, but also is supportive of additional housing. Thank you.

CHAIRPERSON MARTE: Thank you. Any questions?

All right. No questions. You may be excused.

Up next, we have Lawrence Becker, and I want to check if there's any more people in person that wish to testify on this panel.

Yeah. Did you fill out?

CHAIRPERSON MARTE: What's your name?

I guess you can come up as well.

Great. You may begin. You have to press the button. Perfect.

LAWRENCE BECKER: Okay. Thank you, Members of the Committee. I'm very pleased to be able to

appear before you today in support of the Landmark Preservation Commission's determination to include Beverley Square West as landmarked. I do not want to repeat anything everybody else has said. I just want to point out that this will preserve an historic neighborhood in our city, one that is actually one of the first suburbs in New York City when the city was being created. You'll note that the Landmark Preservation staff said that most of the houses were constructed between 1890 and 1910. City of New York was incorporated in the late 1890s, and this was really considered a suburb of New York City at the time and preserving the Victorian houses in this neighborhood will serve the city well and serve the neighborhood well and the historic district, the Victorian Association, the Landmark Preservation Commission, and our Councilperson, Rita Joseph, who's worked so hard for us and who I thank all agree, and I hope you do too. Thank you very much.

CHAIRPERSON MARTE: Thank you.

ANDREA GOLDUJN: Good morning, Chair Marte and Commissioners. I'm Andrea Goldujn, speaking on behalf of the New York Landmarks Conservancy. The Conservancy is pleased to be here supporting

designation of these historic districts. Beverley Square West and Ditmas Park West well represent the history of Brooklyn at the start of the 20th century. These neighborhoods replaced former farmland in just 10 years as transportation improvements opened up new sections of the borough. These peaceful enclaves boast a consistency of scale and styles that certainly recommend them for designation. The two- and three-story mostly wood-clad houses are on large lots set back from the street with continuous open front lawns. They were built in the Queen Anne and colonial revival styles and featured Tudor and shingle style details, all typical of early 20th century. There have been some alterations or additions since these communities were built, but even these minor changes don't impinge on the overall community. Altogether, they exhibit a distinct sense of place. We applaud the actions of residents and elected officials who energize the cause of designating these districts. We understand that local advocates have envisioned larger designations and join others in the hope that the Landmarks Commission will continue to evaluate that request and designate more districts in the coming years. As you think

about this designation, there is a larger issue hanging over us, the impact of historic districts on New York City. At some point, you might hear that historic districts are preventing new housing or that there needs to be a moratorium on designations. As you have also heard, note that historic districts encompass less than 5 percent of land and lots. Many are in the densest neighborhoods, and designation helps limit the demolition of existing affordable housing. There are many reasons why housing is so expensive in this city, but the presence of historic districts is such a small factor in that discussion. The attached map shows that well. The districts have proven to be a success route for the city, revitalizing neighborhoods, protecting homes, fighting climate (TIMER CHIME) change and celebrating the building crafts. Preservation is also a strong economic engine, creating jobs and encouraging heritage tourism, all accomplished in this small land space. We hope that more districts will do all of this while continuing to tell New York's whole story. Thank you.

CHAIRPERSON MARTE: Thank you, and this panel may be excused.

Online, we have Dena Tasse-Winter, Robin Redmond, Joanne Oplustil, and Dave Herman. We will first start with Dena.

DENA TASSE-WINTER: Good morning. Thank you. My name is Dena Tasse-Winter testifying on behalf of Village Preservation, New York City's largest neighborhood historic preservation organization founded in 1980 to help preserve the special history of Greenwich Village, the East Village, and NoHo. We appreciate the opportunity to testify this morning, and we want to especially thank and congratulate Council Member Christopher Marte for his appointment as Chair of this Subcommittee. Council Member Marte has ably represented communities of Lower Manhattan for over four years, and we could not be happier to see him in this role. I'm speaking today in support of the designation of both Beverley Square West and Ditmas Park West historic districts in Brooklyn. These historic districts are an important part of New York City's heritage and development, capturing the city's post consolidation growth at the turn of the last century as generous rambling homes and the latest architectural styles were developed to accommodate the city's growing

population. These houses are some of the finest examples of early 20th century residential development in NYC and represent an important phase of this city's growth. We are better for ensuring their preservation. We hope to see the Landmarks Preservation Commission undertake more designations like these in all five boroughs in places where important history can still be seen and has the potential to shape our future and inform our understanding of our past. In fact, these two districts as discussed are truncated versions of the districts which residents had initially proposed and worked for years to see designated, and we hope the Commission may consider including areas they left out of these designations even as they also look across the city at other worthy areas in neighborhoods that are calling out for preservation. Under the prior Administration, landmarks designations reached an all-time low over the course of the 60-year existence of the LPC. We hope that under this new Administration and with the support of this Committee, we will see that unfortunate trend reversed and the full spectrum of our city's diverse heritage and history preserved. Thank you so much.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

51

CHAIRPERSON MARTE: Thank you.

Robin is up next.

SERGEANT-AT-ARMS: You may begin.

ROBIN REDMOND: Sorry. Good morning, and thank you for considering Beverley Square West and Ditmas Park West for landmarking. My name is Robin Redmond, and I'm the Executive Director of Flatbush Development Corporation, a community development organization proudly celebrating 50 years of preserving neighborhoods and strengthening Flatbush. First, I'd like to thank Council Member Rita Joseph for her support and for being such a staunch advocate for the landmarking of both Beverley Square West and Ditmas Park West, and I'd like to thank you Council Member Marte and your Committee Members for the opportunity to speak this morning. Victorian Flatbush is home to 11 neighborhood associations, five of which are already landmarked. Victorian Flatbush holds one of the largest concentrations of freestanding wood frame Victorian homes in the country. In 2012, FDC along with six undesignated neighborhood associations submitted a proposal we called Complete the Quilt, envisioning Victorian Flatbush as a beautiful quilt with a few missing

patches. Today, we're one step closer to completing this quilt. Flatbush was designed as a commuter suburb for middle class and officially became part of Brooklyn in 1894. The developers of both neighborhoods were Louis Pounds, John Salkins, and T.B. Akerson intentionally created communities within walking distance of Manhattan-bound trains. At the October 21st 2025 Landmarks Preservation Council public hearing, there was an overwhelming number of testimonials submitted in support of landmarking both neighborhoods. In total, 43 testified in support of the proposed designation, and three were opposed. The Commission also received 60 letters and emails in support and two opposed. Clearly pride (TIMER CHIME) of homeownership remains strong. But these are neighborhoods...

SERGEANT-AT-ARMS: Thank you for your testimony. Your time has expired.

CHAIRPERSON MARTE: Up next, we have Joanne.

SERGEANT-AT-ARMS: You may begin.

CHAIRPERSON MARTE: Joanne.

JOANNE OPLUSTIL: Okay. Hi. Can you hear me?

CHAIRPERSON MARTE: Yes. We can.

JOANNE OPLUSTIL: Okay. Thank you so much for having this hearing, and I want to thank the Committee and Councilwoman Rita Joseph for all her untiring work that she has done for her entire community. Up until a year and a half ago, I was the President and CEO of Canva for 46 years and Canva Housing Ventures for 20 years. Canva Housing Ventures is a supportive housing development non-profit agency. So, I am certainly very supportive any sort of supportive housing development. However, I think that that development should be on different corridors. I'm totally in favor of the designation of Ditmas Park West where I live and Beverley Square West. My parents moved to Marlborough Road with the six children in 1959 and, of the six children, three of us have lived in these Areas for a number of years. One of my sisters moved. My other sister's family is still there, I'm still there, and my daughter lives down the block from me. These are communities and we live as a community and we are not opposed to development, but we would like to preserve our neighborhoods and I think it's very important that we do and that the neighborhood is the beautiful

homes, but also the other areas with larger
buildings. That's a community and that's what we are
and I'd like it to continue that way so I'm very much
in support of these designations as well as the
continued appropriate development of supportive
housing for low-income and formerly homeless
families. So, thank you very much.

CHAIRPERSON MARTE: Thank you.

David, you may now speak.

DAVE HERMAN: Hi. Thanks. Thank you for
considering Beverley Square West for landmarking. My
name is Dave Herman and I've been living on Beverley
Road for 25 years. First, I want to thank Rita, our
Councilman, for your help in protecting something
truly special. I fully support landmarking including
a wider landmarking of Beverley Square West, but this
neighborhood is a living, breathing piece of Brooklyn
history and I fell in love with it not for the houses
themselves for what they represent. And what they
represent is architectural value. The houses are
amazing. We're truly one-of-a-kind. You know, in
Europe you see, you know, they protect historical
districts. Here in New York, we don't always hold on
so tightly. We build, we tear down, we move on, but

this neighborhood is one of the rare places where you can go and walk down the street and feel connected to the past, to the city, to the rest of the country because if you travel across America you'll find neighborhoods like ours, small clusters of Victorians, wood frame houses, all built on the dream. And when New Yorkers walk these streets, they're transported. For a moment, they're not in the city of skyscrapers. They're in anywhere USA, and that to me is part of what makes this City so endlessly surprising but also this neighborhood. This neighborhood, you know, is full of a history. It tells a story. These homes were built in a wave of optimism and the belief that regular families could own a piece of beauty. That's the kind of history that makes this neighborhood special, and we're not just a corner Brooklyn. We're a living time capsule of the American ambition, craftsmanship, and community spirit. Community. The neighborhood isn't just a place to live. It's a destination. People from all over Brooklyn and the world come to walk these streets. If you ever been here, for example on Halloween, you'll see on that night literally thousands upon thousands of children filling the

blocks, having experience that could only happen in Brooklyn and only happen here. It's pure Brooklyn magic and experience of community that makes lifelong memories for kids and parents alike, and it's one of the most diverse neighborhoods in the world. Finally, I'd like to note that this community has met goals over (TIMER CHIME) the past decade for additional housing and affordable housing and that need was...

SERGEANT-AT-ARMS: Thank you for your testimony. Time has expired.

DAVE HERMAN: Designated building corridors particularly on Coney Island and Cortelyou Road.

CHAIRPERSON MARTE: Thank you, David.

That panel is now excused.

We have one more speaker, Christopher Leon Johnson.

CHRISTOPHER LEON JOHNSON: Yeah. Hello. My name is Christopher Leon Johnson. I'm showing opposition to this Land Use application, and I want to make this clear that this Council Member, Rita Joseph, is captive to Transportation Alternatives and Open Plans and Open (INAUDIBLE) for All. I actually went had a walking tour with Transportation

Alternatives, and there's a reason why that they really want this Land Use application because they want to put their little crappy open streets all over the Victoria area of Flatbush, of Ditmas and Beverley. So, we have a Council Member that need to be on the record saying that she's captive to these non-profits and these non-profits want this development only for themselves. This is the same Council Member, Rita Joseph, that will never pull a finger to say that we'll push for redevelopment and upzoning a Newkirk Plaza because she know what will happen to those votes when she (INAUDIBLE) Brooklyn Borough President, if Mr. Reynosa was to resign, from the Brooklyn Borough President race and go for Congress. This is a bad application for everybody. This is going to ruin, really upzone a whole neighborhood that she wants because she's captive and it's feckless of her to allow this to happen. This is a crappy application. It just be rejected. At least if you have a spine, Rita Joseph, please make it for the whole area. Not just keep it open to allow developers to erect what they want to erect, but we all know you going to allow it to happen because you love Transportation Alternatives and that's what they

want and they hate parking and there's a lot of
parking get around that area. So, you know, I mean
this application should be rejected and I support the
neighborhood. I love that neighborhood I went there
one time with TransAlt and I see what's going on. So,
thank you so much and enjoy your day.

CHAIRPERSON MARTE: Thank you.

If there are any remote public
participants who wish to testify and have not already
done so, please press the raise hand button now. And
if you are here with us in person, one last time,
please see the Sergeant-at-Arms to fill out a speaker
card.

There being no other members of the
public who wish to testify regarding these two Pre-
Considered LUs for Beverley Square West Historic
District and Ditmas Park West Historic District, the
public hearing is now closed, and the items are laid
over.

I now open a public hearing for LU 1 for
Prospect Farm Acquisition, an application by New York
City Department of Parks and Recreation and NYC
Department of Citywide Administrative Services for
the acquisition of property at 1194 Prospect Avenue

for the continued use of the site as a community garden. This project is located in Brooklyn in Council Member Hanif's District. I'd like to welcome Council Member Hanif to make a brief statement.

COUNCIL MEMBER HANIF: Thank you, Chair Marte, and good afternoon. I'm Council Member Shahana Hanif. I represent Brooklyn. I'm here today regarding the Prospect Farm Acquisition Application in my District. This application seeks approval for the City through the Parks Department to acquire a privately owned lot that is currently operating as a community garden. Prospect Farm is a vibrant community space where neighbors come together around a shared commitment to gardening, stewardship, and community care. This acquisition would preserve the site's use as a community garden while allowing Parks to formally manage the space, making it eligible for City programs such as Green Thumb and the critical resources and capital support these programs can provide. While I strongly support this project, I'm going to use today's discussion to continue working with Parks and the Department of Transportation. I'm disappointed they're not here to ensure the garden is adequately protected from potential impacts related

to nearby future construction, particularly the
planned reconstruction of the Seeley Street Bridge,
which is directly adjacent to this site. I look
forward to collaborating with both agencies to ensure
the community in the garden itself are minimally
impacted by this work.

Thank you, again, Chair Marte and to my
Colleagues on the Subcommittee. I look forward to
hearing from the applicant and the members of the
public. Thank you.

CHAIRPERSON MARTE: Appearing today on
this panel is Jess Watchler (sic) ... sorry.

JESS WACHTLER: Wachtler.

CHAIRPERSON MARTE: Wachtler from NYC
Parks. We also have Colleen Alderson and Matt Drury.

MATT DRURY: Drury.

CHAIRPERSON MARTE: Thank you for that.

Those wishing to testify remotely must
register online by visiting the Council website at
council.nyc.gov/landuse.

Panelists, please ensure that your
microphones are on.

Counsel, would you please administer the
affirmation?

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

61

SUBCOMMITTEE COUNSEL: Panelists, would
you please raise your right hand and state your name
for the record, making sure the microphone is on?

COORDINATOR WACHTLER: Jess Wachtler.

CHIEF DRURY: Matt Drury.

CHIEF ALDERSON: Colleen Alderon.

SUBCOMMITTEE COUNSEL: And do you affirm
to tell the truth, the whole truth, and nothing but
the truth in your testimony before this Subcommittee
and in answer to all Council Member questions?

CHIEF DRURY: I do.

CHIEF ALDERSON: Yes.

COORDINATOR WACHTLER: I do.

CHAIRPERSON MARTE: Thank you, applicant
panelists.

For the viewing public, if you need an
accessible version of this presentation, please send
an email request to landusetestimony@council.nyc.gov.

And now the applicant team may begin.

COORDINATOR WACHTLER: Thank you, Chair,
Council Member Hanif, and the Committee.

Good morning. My name is Jess Wachtler,
and I'm a Project Development Coordinator for the
Parks Department. In attendance with me today are my

Parks colleagues, Colleen Alderson, Chief of
Parklands and Real Estate; and Matt Drury, Chief of
Citywide Legislative Affairs. We are joined virtually
by our DCAS colleagues and co-applicants Alex
Trezowski (phonetic), Chris Grove, and Shelton
Getter. Next slide, please.

Today, I'm presenting on ULURP
Application C 250304 PQK. Through this application,
the Parks Department proposes the City's purchase of
Brooklyn block 5267 lot 19, the project site, to
preserve its use as part of the Prospect Farm
Community Garden. This proposed action is a site
acquisition led by co-applicants, New York City Parks
and DCAS. Next slide, please.

The project site is located in Windsor
Terrace, Brooklyn Community Board 7. The 3,207 square
foot lot is sandwiched between Greenwood Cemetery,
which is to the west just out of frame, and Prospect
Park to the east. It is also a block to the east of
the Prospect Expressway. Next slide.

On this slide, our view of the project
site is rotated 90 degrees so we're looking west at
the site's frontage on Prospect Avenue. The site is
approximated by the red outline and makes up a

portion of the 15-year-old Prospect Farm Community
Garden. It is just to the south of Seeley Street
Bridge overpass. Next slide.

The image on the left was taken from
within the garden looking north at Seeley Street
Bridge standing amidst garden beds and other
plantings. In the second image, we're standing across
the street from the project site looking west at the
site's frontage on Prospect Avenue. Here you can see
the slope nature of the project site. Next slide.

The site and surrounding area are zoned
R5B, which permits an FAR of 1.5 and 2.0 for
qualifying residential sites and a maximum building
height of 35 feet and 50 feet for qualifying sites.
There are also C1-3 commercial overlays on Prospect
Avenue, which are outlined in blue on the map. Next
slide.

One-, two-, and multi-family buildings
symbolized in tan yellow and brown respectively make
up the predominant land use in the area. Next slide.

Looking more closely at the garden, I
want to draw your attention to lot 19 in red. This is
the site that Parks is proposing to acquire. We are
not seeking to map this parcel as park as community

gardens are considered an inconsistent use for mapped parkland due to their more limited hours and restrictive uses compared to a traditional park. So, the proposed action today is just an acquisition without any mapping. Please note the black dashed line, which approximates the full extent of Prospect Farms gardening operations. This extends beyond the acquisition parcel. Included within the dashed line is lot 118 shown in blue, which is under the jurisdiction of the New York City Department of Transportation, DOT. This lot is currently being used as part of the garden. You can also see that the garden extends into a portion of the mapped 100-foot Prospect Avenue right-of-way shown in yellow. The garden also extends into the privately owned lot to the south, which has the same owners as the red area. Next slide.

A little history on the project site. Tom Angotti and Emma Matos-Ramos became the owners of the site in 1996 and still own the property to this day along with the residential property to the south. When Tom and Emma originally acquired the property, it was a dumping ground. Over many years they, along with neighborhood volunteers, cleaned up the site and

surrounding areas and in 2010 Prospect Farm was
established. Next slide.

Today, Prospect Farm has approximately 40
members, and the unique element of the garden is its
communally run gardening beds of which there are 15,
some of which you can see in the image to the right.
Next slide.

There are also two native wildflower
planting areas. Produce grown in the garden is
distributed amongst garden members, and the garden
also hosts a food scrap drop-off twice a week which
is turned into compost used in the garden and given
away for free to the community. The image on the
right shows the garden's three bin composting system.
Next slide.

The garden also hosts at least three
public events each year, which you can see some of in
these photos. Next slide.

Prospect Farm is currently registered
with Green Thumb, the Parks Department program that
supports volunteer run community gardens across the
city. As a registered Green Thumb garden, Prospect
Farm has access to free gardening materials such as
soil, mulch, and wood chips. They also receive

technical assistance from Green Thumb staff. In return, the garden must remain open to the public for a minimum of 20 hours each week throughout the growing season along with other requirements intended to support public access. However, if the project site were acquired by the City, Prospect Farm would begin the process of entering into a license agreement with the Parks Department administered through our Green Thumb program. With licensed status, Prospect Farm would be eligible to receive labor and capital improvements from Green Thumb such as raised garden beds, fencing, sheds, gazebos, or internal water supply depending on the availability of funding. As a licensed garden, Prospect Farm would still be required to meet the same public access requirements as before. Next slide.

Additionally, once City-owned and assigned to the Parks Department, the project site would be subject to Chapter 6 of the New York City Parks rules found in Title 56 of the Rules of the City of New York. Chapter 6 establishes procedures that ensure community gardens are properly maintained and safeguarded. These rules do not expire and cannot be changed without a public rulemaking process. In

contrast, gardens on privately owned land enjoy no such protections. Private owners may choose to sell or change the use of their property at any time. Next slide.

In Summary, we are proposing the purchase of Brooklyn block 5267 lot 19 to preserve its use as part of the Prospect Farm Community Garden.

Thank you, and I'll take any questions.

CHAIRPERSON MARTE: Great. Thank you for the presentation.

I would like to now recognize Council Member Hanif who has a few questions.

COUNCIL MEMBER HANIF: Thank you. Thank you for joining us.

I primarily have questions for the Department of Transportation so not sure if I want to pass and come back, but I do have a few questions for Parks.

Could you share the steps the Department has already taken to help Prospect Farm protect the perimeter and the vulnerable edges of the garden?

COORDINATOR WACHTLER: Yes. Thank you very much for the question. So, we have been in contact with the gardeners and we have had meetings with them

before we started the ULURP process. Both through Green Thumb, they have a point of contact through their engagement outreach coordinator and then also through our Parklands and Real Estate Team, which is dealing specifically with the acquisition. We have spoken with the gardeners, and we've heard a lot of these requests to protect the edges. One of those meetings was with your office, and we have been examining the possibility of... they asked for a letter between DOT and Parks and we did bring that back to DOT.

CHIEF DRURY: And I'll just jump in more broadly and add that when it comes to gardens on non-Parks property, on property that's not in our jurisdiction, you know, gardens that are registered with us, just broadly speaking, we're able to provide those gardens with technical support, supplies, things that nature, but when it comes to sort of physical improvements, you know literal fencing, you know things of other sort of capital or other significant improvements, you know, we wouldn't be able to kind of advance those kind of discussions since it's, you know, private property but we do our best obviously through outreach coordinators and the

relationships we built with the gardens over the years, gardens that are registered with us, even if they're not licensed, that is to say on Parks property, you know, we still provide them with, you know, pretty robust set of, you know, resources and another other expertise.

COUNCIL MEMBER HANIF: Got it. And then if the site is acquired, what specific commitments can Parks make to protecting the farm from impacts related to the adjacent construction or other infrastructure projects?

CHIEF DRURY: Yeah. I can broadly state that, you know, if the acquisition is to move forward and the property is to come over to our jurisdiction, we work very, very closely with our fellow agencies for any construction that's happening adjacent to Parks property so we fully expect and in fact there have been very positive interactions and coordination with DOT as they are going through their design. The project is not advanced enough to talk about details at this point is my understanding. But we have a strong record of history and, in fact, the Parks Department has what we call an interagency division, which provides construction permits to agencies or

private entities for that matter that are doing construction adjacent to or in proximity to a park so there is a whole process in place to kind of work through those... (CROSS-TALK)

COUNCIL MEMBER HANIF: Would you clarify what that looks like?

CHIEF DRURY: A construction permit? I mean it depends on the nature of the project but it is a division within our capital team that, you know, it's there's a page on our website where, you know someone who's looking to advance construction adjacent to a Parks property, you know, provides the details and there's sort of a formulated interaction where the agency actually issues a construction permit if there's going to be impacts upon, you know, property that's under Parks' jurisdiction. So, not only is there a formalized process for it, but in addition to that is a strong record of engagement and cooperation with us and our sister agencies including DOT in this case.

COUNCIL MEMBER HANIF: Understood. That's very helpful to know. I think we all know that the Seeley Bridge construction is what's causing a lot of anxiety and the community wants to be a part of it.

We want to make sure that the design input is gathered from community members, long-standing folks who use the garden, who live in the area, and the hope with today's hearing was to come out with a memorandum of an agreement or an understanding that DOT is very willing and open to doing the rigorous comprehensive community engagement that we would like to see.

CHIEF DRURY: Yeah. We understand and appreciate that and it's, you know, I haven't been directly involved in conversations. My understanding is they have met with your team. I think they've issued a letter sort of expressing sentiments along these lines. At the risk of splitting hairs, you know, a memo of understanding or a memo of agreement between the two agencies, just from a legal perspective is a little premature when we don't have control or jurisdiction over the property, right, because there's nothing to agree over yet, right? So, I think this acquisition is frankly one of the important steps that will help advance that discussion forward while the project design on the bridge also advances. So, we see the two as, you know distinct and separate but obviously related.

COUNCIL MEMBER HANIF: Yeah. And just to clarify the memorandum of agreement would... I know that the designs not in it or we don't have a final project but we hear from our community that the community engagement piece is still very limited and not as comprehensive as they would like, and so having that in a written agreement so that we can go back to DOT and say hey you all decided that there's going to be a community engagement process during this timeline as we're moving into the design phase or construction phase and so that that's what my understanding is of how the community wanted to Hold our City agencies to account.

CHIEF DRURY: Sure. And we appreciate that and we're happy to, you know, I think as the conversation evolves, we're happy to participate in that and, you know, we obviously can't speak to the exact form or shape of DOT's engagement efforts. My understanding is they, you know, they pride themselves on as robust as possible in terms of that engagement. We're happy to, you know, as a key stakeholder. Obviously, if there's going to be discussions about what the exact shape of that looks like and how that gets sort of codified or

memorialized, you know, we're obviously happy to participate in all those conversations.

COUNCIL MEMBER HANIF: And finally, are there other examples of sites similar to this where Parks and DOT have had to either work together or?

CHIEF DRURY: In short, yes, but I'm racking my brain a little bit to cite specific examples, but I know we do have a strong sort of just broader narrative history anecdotally of interagency cooperation when it comes to this sort of thing. I don't know that it's necessarily been adjacent to a garden per se or some of the particulars might be a little different. Colleen I don't know if you know anything offhand.

CHIEF ALDERSON: I know we're working with them very closely. They are redoing a bridge in Pelham Bay Park in the Bronx, Shore Road Bridge, and there's careful coordination. Doesn't affect a community garden. But it, you know, connects both parts of Pelham Bay Park, and we've been working with them very closely, specifically with their Bridges Units for years and, you know, we've been working through various things including a required wetland mitigation so we're pretty used to it. Their bridges,

you know, are approximate and extend over park lands
so we ,of course, have a relationship with them to
ensure the integrity of the parkland affected, to
make sure we're giving permission and approval before
any work is done in our park, and making sure that
restoration, the park is made whole and that's what
we'll look out for the community garden. We will have
to issue them a construction permit, their
contractor, if they are proposing to be in the garden
and ensure that...

COUNCIL MEMBER HANIF: That's to DOT?

CHIEF ALDERSON: Yes, or their contractor
usually in most instances, and ensure that the
restoration of the garden is made whole. And I would
just add that we've been talking to City DOT. They're
fully aware of the community garden, you know, it's
conditions, and they have committed to work with the
Parks Department to ensure that the garden is, you
know, minimally affected and make sure that the
garden is kept as intact as possible.

COUNCIL MEMBER HANIF: Thank you.

CHAIRPERSON MARTE: Thank you.

I have one more question. What
consideration has been given to Community Board 7's

conditional favorable recommendation calling DOT to
transfer the site next door to Department of Parks.

CHIEF DRURY: So, I don't think we can
formally speak for DOT, but I do understand they've
expressed openness to the dialogue and they have
committed as noted to a sort of full public
engagement as their bridge project moves forward. At
this point, my understanding is that the design is
still in too preliminary a stage to kind of speak to
those details, that's my understanding, but we expect
that those more detailed technical conversations will
be part of the engagement as it moves forward.

CHAIRPERSON MARTE: Thank you.

And for the record, it's really
disappointing that DOT didn't join us here today even
though they've been asked to show up because it's
extremely rare that we have a public siting
opportunity in our city and so hopefully next time
they show up and this doesn't become a pattern.

CHIEF DRURY: We appreciate it and we will
obviously relay that, you know, back. I mean in
fairness, they're not an applicant to this land-use
action so I mean just whatever that's worth, but we
understood we did, you know, the request was relayed,

here we are, but, you know, we look forward to moving forward and continuing the dialogue.

CHAIRPERSON MARTE: Great. Well, thank you.

And this applicant panel is now excused.

CHIEF ALDERSON: Thank you.

CHAIRPERSON MARTE: Counsel, are there any members of the public who wish to testify on this item?

SUBCOMMITTEE COUNSEL: Yes. There are approximately eight in public.

First up, we have Tom Angotti, Christopher Johnson, Emma James, and Cassandra Warney

As a reminder, if I or other Council Members have questions, witnesses are asked to remain online or stay seated here at the microphone after their testimony until they are excused.

For those participating online, once you or your group has been excused following any questions, participants may continue to view the livestream broadcast of this hearing on the Council website.

Members of the public will be given two minutes to speak. Do not begin until the Sergeant-at-Arms has started the clock.

We will now hear from this first panel.
Tom, you may begin.

TOM ANGOTTI: Thank you, Council Member Marte. It's great to see you. I appreciate this opportunity. As was stated, myself and my wife, Emma Mato-Ramos, bought this land about 30 years ago and, when we showed up to sign the papers, it turned out that we got this extra lot with it. You know, I should actually for the rest of the panel explain. I'm a retired professor of urban planning. I've been a supporter of open space. I've been a supporter of Green Thumb even before it was born. And so when I tried to remediate the soil and plant in it, I discovered what many other urban gardeners have discovered. It was contaminated. We spent a couple of years trying to remediate the soil and found out that that was going to be a very long term, probably too long term, task so we started doing raised beds. I put out a call saying I can't do this alone, and the next week about 100 people showed up. Some came from the Bronx, from other parts of Brooklyn. There was

great interest in this and so over the next year we founded Prospect Farm, focusing on three principles, building community (TIMER CHIME) oh, goodness, improving the soil, and what was the other one? Anyway from the beginning, the important thing for this hearing is community was number one. My background and experience has been in urban planning. I was a professor of urban planning. I worked for the Brooklyn Office of City Planning for six years and and so I think that's the main point I want to make here. We have community members here who are gardeners, who are active. The other main point I want to make is I had the privilege of meeting with an architect for DOT before this actually entered ULURP, and I was a little bothered by the design that was cooked up by DOT that essentially reduced the attractiveness. It was a very poor design. It reduced the attractiveness of the garden. It took valuable space. And then the other thing I have to say is the Seeley Street Bridge borders the property, and my Seeley Street neighbors are very knowledgeable of our history. Thirty years ago, when we moved into the neighborhood, there was a big tussle with DOT because they wanted to rebuild the bridge, and when they

hired engineers, they found that the foundations of surrounding houses would be compromised and that it was a terrible design. I am disturbed by DOT's lack of presence in the neighborhood. When I had the privilege of meeting with this one architect, I said fine, thank you for consulting me, but you need to consult the Gardens. This is a community project Consult. Oh, yes, we'll do that. We've done participation before. And I don't trust that word and and I think we need to get a firm commitment from DOT Okay.

CHAIRPERSON MARTE: Thank you, Mr. Angotti.

Up next, we have Emma James.

EMMA JAMES: Good morning, Chair.

(INAUDIBLE)

CHAIRPERSON MARTE: Press the button.

EMMA JAMES: Good morning, Chair and Members of the Subcommittee. My name is Emma James, and I'm a Board Member of Prospect Farm, and I want to thank Council Member Hanif a lot and her staff for their support. I'm not going to retell the whole story, but Prospect Farm obviously supports the base acquisition by the Parks Department. We operate as

cooperative, no individual plots, just neighbors building community, and it's a super rare model. I first learned about Prospect Farm from a college friend who traveled an hour each way to be a part of it and people come as far as from the Bronx. So, for the last two years and especially now as a recent homeowner in Kensington, which is like a 10-minute walk from the garden, I've come to rely on it as a third space, and spaces like this really matter for people putting down roots in Brooklyn. But, of course, as we'll all highlight, we are deeply concerned about the planned Seeley Street Bridge reconstruction. DOT has, to our knowledge, never engaged the garden or community about bridge designs, which includes a proposed ramp that could permanently harm garden operations, not only just being aesthetically awkward, but harming our access to sunlight, especially as a terraced landscape and also like where our operations for composting and other storage exists currently. So, we ask that DOT does commit to community engagement, actual community engagement before designs are finalized, that garden operations remain functional throughout construction, and that Parks in particular commit to protecting the

garden from permanent harm which would be documented
in a joint Parks/DOT letter. And ultimately, we
support being in a community garden so we thank Parks
for their engagement, but not at the cost of our
community space. So, thank you all.

CHAIRPERSON MARTE: Thank You.

Cassandra.

CASSANDRA WARNEY: Hello, Chair and
Members of the Subcommittee. I'm Cassandra Warney.
I'm on the Board of Directors of Prospect Farm. I
want to thank Council Member Hanif and her incredible
Staff, especially Sabine, for their consistent
support of our garden. And I support the acquisition
with important caveats. First, some context, Robert
Moses wanted Prospect Avenue to be a highway so DOT
jurisdiction is a bit wider than on other streets.
So, of course, next to the bridge, but it stretches
in from the sidewalk into our garden and this
heightens the importance of clear coordination and
protection for the garden. We first requested a joint
Parks/DOT letter in September to protect the fringes
of the garden. And on background, what Tom mentioned
with the preliminary plans that were presented to him
by DOT was for a ramp to go through the garden

itself. And so our goal was to be able to document in writing the verbal understanding between Parks and DOT, specifically that the garden could continue to use the majority of the strip along the sidewalk and that Parks would act as an active partner into the garden where DOT infrastructure projects can carry long-term implications, and we only learned earlier this month through Council Member Hanif's office that a draft is underway. And based on what's been communicated to us to this date, I want to be clear, acquisition should not enable DOT to predetermine ADA upgrades or site infrastructure within the garden absent meaningful community engagement nor should Parks endorse those decisions. Parks should engage our garden as an active partner, particularly where DOT infrastructure projects pose long-term risks, and we're asking this to be in the joint letter which would be transferred to an MOA and so we're just hoping there's going to be a shift in proactive engagement with both Parks and DOT for the garden. Thank you.

COUNCIL MEMBER HANIF: Thank you.

We'll now go to Christopher Johnson.

CHRISTOPHER LEON JOHNSON: Yeah. Hello. My name is Christopher Leon Johnson. I support keeping this garden as the garden, but Ms. Shahana Hanif, as a Council Member, you should be disclosing the record that you have a close tie to a community member that's named Kathy Park Price, and maybe that's the reason why the DOT did not want to come here today because Kathy Park Price runs the DOT via New Yorkers for Parks. New Yorkers for Parks works close to hand with Transportation Alternative that owns the DOT. So, of course, they're not going to show up because you could tell, I could have a big feeling that Kathy Park Price told them not to show up. She runs the DOT even as a lobbyist for New Yorkers for Parks. She still have control of the DOT with the help of Transportation Alternatives. The reason they won't sell as much as Community Board 7 was (INAUDIBLE) he will not, yeah, I agree with him saying that the DOT should sell, give their portion to the New York City Parks for this Land Use application. They won't give it away because the New York DOT is hell-bent on working with these developers to make it where that if they have one getting one inch they're going to take the whole mile. So, they need their portion so

they could justify having the whole mile and I'm a big feeling that in years to come, probably about in the next three, four years, that the DOT with the help of Kathy Park Price. And I think that the whole South Brooklyn know that she's a big cancer to Brooklyn. Kathy Park Price is a cancer to Brooklyn politics because she's hell-bent on destroying Brooklyn block by block. This lady, Kathy Park Price, like I said, she will say well let's put a bike lane right in front of the park and you, Shahana Hanif, will be co-sign on it because you have to, because if you don't co-sign, you're not going to be Brooklyn Borough President next year. And that's what's going to happen. The City Council need to start calling out Kathy Park Price today. She's a she's a cancer to Brooklyn politics. She's hell-bent on destroying Park Slope, Windsor (TIMER CHIME) Terrace, and (INAUDIBLE) everywhere in the city. Like I said, I support the application, the DOT need to sell their portion to the Parks to order make sure this community park stay a park because they don't, like I said I have a big feeling in the next few years that this park is going to be taken away like Elizabeth Street Garden. Thank you so much.

CHAIRPERSON MARTE: Okay. Chris.

Any questions from my Colleagues?

COUNCIL MEMBER HANIF: Yes. Well, thank
you so much for joining us this afternoon.

Tom, just to have on the record. Could
you share how you learned about the Seeley Street
Bridge design that you were just talking about and
then what to you is proactive community engagement.

TOM ANGOTTI: Yeah. The Parks Department
set up a meeting solely for me.

COUNCIL MEMBER HANIF: And this was
because you had requested that?

TOM ANGOTTI: I didn't specifically
request that meeting. I expressed a concern. I had
shared with them what I know of the history of the
Seeley Street Bridge, and so an architect working for
DOT showed up with a sketchy design, but the design
was clear enough that there would be an ADA ramp
going from Seeley Street down to Prospect Avenue
right across the front of the park. That didn't look
good to me because one of the great aesthetic values
of the park is the view of green from the street, and
this would essentially be covered by the ramp and the
ramp would essentially go over the main entrance. So,

I said that and I said, you know, theoretically, of course, I support the ADA ramps but you need to meet with the community. Oh, yes, we'll meet with the community. That meeting never happened. Although the message has gotten through to Parks and we never had that meeting. I'm really concerned. I have a long history working with DOT and, by the way, I used to be on the Board of Transportation Alternatives so I love bicycling, but that's not the issue. The other thing I want to add is that traffic on Seeley Street has diminished qualitatively over the last two years since DOT made it one way... two way... no, I'm sorry, one way instead of two way. That reduced qualitatively the traffic on Seeley Street. I question not having a discussion about an alternative which is to close the Seeley Street Bridge. Turn it into a wonderful public area above Prospect Avenue. We haven't had the opportunity to have that discussion with DOT, and I'm concerned. I know DOT very well over the years. I used to be on the Board of Transportation Alternatives when before they discovered bicycle lanes and they're very narrow and so that's my concern.

COUNCIL MEMBER HANIF: Did you want to add
on in terms of the outreach you'd like to see.

CASSANDRA WARNEY: Yeah. So, in terms of
proactive engagement, it's simply transparency. So,
obviously DOT for a while has some ideas of what they
want to do with the bridge. Engage the community.
That's not just the Garden. That's the neighbors
surrounding that and that hasn't happened, and so
this has been an awkward ULURP process because we
know what their plans are, but they haven't actually
shared them so it's just having that transparency.
I'll say it's the same thing when it comes to the
joint letter, like we asked this in September. We
asked Parks if they could be like some updates if
they're going to do this, and the only updates and
understanding that a draft is underway is through
your office. And so it's this piece of like we're
just awkwardly knowing conversations are happening
and the main parties that are having those
conversations are in no way even letting us know that
they're happening, and so just emailing us, letting
us know, reflecting back with our community concerns
are, and then we're a reasonable group of people in

terms of like being able to go back and forth to see
what's possible and not what possible.

CHAIRPERSON MARTE: My last comment is I
just want to say, Mr. Angotti, you are a legend and
you are one of the reasons why I got into government
and I love all your writings and your inspiration all
across the city. It seen through community gardens,
activism, and community-based planning so thank you
for your work and thank you for joining us today.

TOM ANGOTTI: Thank you. And thank you for
your leadership.

CHAIRPERSON MARTE: Of course.

COUNCIL MEMBER HANIF: I feel very honored
that I get to represent him.

CHAIRPERSON MARTE: Awesome. This panel is
now excused.

Up next, we have Kai Lawrence, Angela
Pruitt, and Thomas Hinch.

Yeah. Just a reminder, press the button
before you speak.

Kai, you can go first.

ANGELA PREWITT: Wonderful. I'm in support
of the acquisition of Prospect Farm. My name is
Angela Prewitt, and I live down the street from the

Garden and I've been a member for over 10 years. I'm very concerned by the possibility that DOT will take away space and sunlight by constructing a ramp on the fringes of the garden. I'm a gardener and my passion are native flowers that are both healing to people and to insects and birds. We are asking to preserve the fringes of our garden with an MOA between Parks and DOT. Today, I'll speak about what is at stake on the fringes of the Garden that we're asking to be protected. Our pollinator gardens made of native flowers that are vital to birds and insects are on the edges of the garden and would be destroyed by a cement ramp. The addition of a permanent ramp would kill the light native plants need to thrive. Our compost setup is on the fringe of the garden. Our community takes pride in our compost facility and the free compost we provide to any who ask and can carry a bag of our organic compost away. Our compost feeds street tree pits as well as neighboring gardens. I spoke of light. Some raised vegetable beds are on the fringe. The ramp will shrink this area, reducing our area for growing vegetables. Because we are already a small garden, reducing our garden space is devastating. The proposed ramp cuts across the front

of the garden, casting light and blocking the
entrance. (TIMER CHIME) So, we're just asking that
you'll please work to preserve the fringes, the edges
of our garden. Thank you.

CHAIRPERSON MARTE: Thank you.

THOMAS HINCEN: Good morning. My name is
Tom Hincen, and I have been a member of Prospect
Farm for 15 years, including 10 years which I served
on the Board of Directors. Over that time, I've
witnessed growth in membership and community
engagement. I, too, fully support the acquisition of
Prospect Farm by Parks. Prospect Farm is a model
asset to the Windsor Terrace community and beyond.
Our compost collection, our public events, and the
beautification of our frontage along Prospect Avenue
and hence our neighborhood. Having our land acquired
by Parks is a positive step for our community to
ensure our garden is a permanent garden for Windsor
Terrace. Prospect Farm needs to be preserved in its
entirety. It would be unfortunate if any portion of
the garden would be lost to any kind of development
that would detract from or block the public's
enjoyment or access. I am also a resident of Seeley
Street. Two and a half years ago after a campaign on

the part of Seeley Street neighbors, the Department of Transportation agreed to make Seeley Street carry traffic in one direction only. As a result, Seeley has once again become a quiet residential street. Traffic has been reduced by well over 50 percent, also reducing wear and tear on the bridge over Prospect Avenue. I would like to suggest that the proposed replacement of the bridge is no longer necessary. All of us at Prospect Farm are extremely grateful to Council Member Hanif and her office for their support of Prospect Farm and of the process in which we are now engaged.

CHAIRPERSON MARTE: Thank you.

Any questions for this panel?

This panel may be excused. Thank you.

If there are any remote public participants who wish to testify and have not already done so, please press the raise hand button now and, if you are here with us in person, please see one of the Sergeant-at-Arms to first fill out a speaker card.

There are no other members of the public who wish to testify regarding LU 1 for Prospect Farm

Acquisition, the public hearing is now closed and the items is laid over.

I now open a public hearing for LUs 12, 13, 14, 15, and 16 for 395 Flatbush Avenue Extension, an application by HPD in conjunction with Department of Health and Mental Hygiene and DCAS seeking a zoning map amendment to change an existing C6-4 zoning district to a C6-12 zoning district and zoning text amendments to map a Mandatory Inclusionary Housing area and amend the Special Downtown Brooklyn District and an amendment to the Brooklyn Center Urban Renewal Plan. Additionally, this project is seeking deposition approval for City-owned property and a combination site selection and acquisition of real property interest in Council Member Hudson's District in Downtown Brooklyn. These actions will facilitate the development of a 72 mixed-use building containing approximately 1,263 new units of housing with approximately 253 to 279 of permanently affordable MIH units.

Appearing today on this panel is Hallah Saleh, Director of Predevelopment Planning and Urban Design at HPD; Ian Klein, Senior Vice President and

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

93

Head of Development at Rabina and... who's the last
person?

DIRECTOR HOWARD: Hi. Sorry. I'm Anthony
Howard, the Director of Environmental Planning at
HPD.

CHAIRPERSON MARTE: Those wishing to
testify remotely must register online by visiting the
Council website at council.nyc.gov/landuse.

Panelists, please ensure that your
microphone is on.

Counsel, would you please administer the
affirmation?

SUBCOMMITTEE COUNSEL: Panelists, would
you please raise your right hand and state your name
for the record?

SENIOR VICE PRESIDENT KLEIN: Ian Klein.

DIRECTOR SALEH: Hallah Saleh.

DIRECTOR HOWARD: Anthony Howard.

SUBCOMMITTEE COUNSEL: Do you affirm to
tell the truth, the whole truth, and nothing but the
truth in the testimony before the Subcommittee and in
answer to all Council Member questions?

DIRECTOR SALEH: I do.

SENIOR VICE PRESIDENT KLEIN: I do.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

94

DIRECTOR HOWARD: I do.

CHAIRPERSON MARTE: Thank you, applicant
panelists.

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accessible version of this presentation, please send
an email request to landusetestimony@council.nyc.gov.

And now the applicant team may begin.

DIRECTOR SALEH: Good afternoon, Chair and
Subcommittee Members. Thank you for having us here
today to present on the 395 Flatbush Avenue
redevelopment. Next slide, please.

The applicant for this project is HPD
alongside DCAS and DOHMH who are collectively seeking
a series of land use actions to facilitate the
development of a new 72-story mixed-use building
providing approximately 1,263 mixed-income units,
approximately 141,280 square feet of non-residential
space, and a public plaza. The development partners
for this site are Rabina and Park Tower Group who
have an existing ground lease with the City to
operate a commercial building on City-owned site in
Downtown Brooklyn. Next slide.

The site is located in the heart of
Downtown Brooklyn, comprised of an entire block at

the intersection of Flatbush and Fulton Street. This is a high opportunity and transit rich neighborhood with several local resources in the surrounding area as called out on this map. The site sits directly on top of Dekalb Avenue's B, R, Q subway station and is across the street from an Evans 2, 3, 4, 5 station. In addition to the immediate train access off the site, there are several bus lines and a Citi Bike station in proximity to the development site. In terms of zoning, the site is currently zoned as a C6-4, an R10 equivalent zoning district and within the Special Downtown Brooklyn District. Next slide.

Currently, the site is improved with an existing seven-story commercial building from the 1970s with ground floor retail, office space used by Verizon as a call center, and a parking garage. The land is currently City-owned and under private control through an executed ground lease, and the current ground lease is set to expire in 2042 with an option to extend for an additional 30 years. Given the existing need for additional housing, the City and the developers under the current lease have partnered to restructure the ground lease and convert

this commercial building to provide over 1,200
apartments. Next slide.

At this time, I'll pass this presentation
over to Ian Klein to introduce the proposed project.

SENIOR VICE PRESIDENT KLEIN: Thanks.

Hello. So, the proposed project would introduce 1,263
mixed-income rental units, 325 of which approximately
will be permanently affordable. That'll be the single
largest delivery of affordable housing in a single
project in the Community Board within the past
decade. And 130 of those units will be permanently
affordable to very low-income households. The project
will also have a series of other community benefits
including over 10,000 square feet of streetscape and
public infrastructure improvements, 66,000 square
feet of new retail space including a percentage of
which earmarked for subsidized community-oriented
uses, and 75,000 square feet of City agency community
facility office and/or civic uses. The project is
targeting a series of sustainable construction
measures including Passive House principles, LEED,
WELL, and Fitwell certifications. It's set ambitious
M/WBE and local hiring goals and will be taking on
485X Zone B construction wages. Most importantly,

there's zero City subsidy required for the project, allowing the project to move faster and any required subsidy to be routed towards other needy projects.

Next slide, please.

The biggest constraint to construction on this site is that the MTA tunnel runs under over 30 percent of the land on the southern edge of the site and the existing building bears on the roof of the subway tunnel structure. This means that the only viable development plan for the site includes a single large building in the northeast corner. In an effort to do the most efficient construction possible, reducing construction costs, and therefore maximizing housing, we've come up with a development plan that involves maintaining and adapting the structure on the southern portion of the site that bears on the tunnel and marrying that with a new concrete tower located on the northeast portion of the site. Next slide, please.

So, this series of diagrams illustrates the development plan. You could see on the left the existing building. The next image over the portion of the building structural grid that we tend to adapt for our new building. Next image over is the tower

located on the north side of the site, which has been designed as an L-shape in the most efficient way possible, corridors maximizing travel distance based on life-safety requirements. And then finally on the right, an articulated massing developed by our architectural team led by a gold medal winner Deborah Burke (phonetic) and her team which has rescaled the tower into smaller size articulated chunks. Next slide, please.

So, in all, the project will offer 163 dwelling units with 25 percent permanently affordable and using zero City subsidy, 141,280 square feet of non-residential space including both retail and community facility spaces, varied streetscape improvements including a significant public plaza on the south side of the site, widened landscaped sidewalks, and enhanced subway entrance and also a series of sustainability principles in its construction and its operation. Next slide, please. Next slide.

So, here you can see a plan on the ground floor, the plaza on the south end of the site which was suggested by folks at City Planning and we thought was a great idea we were happy to take on.

They've been involved as has CPC in commenting on the design of the plaza. Along Flatbush Avenue, we're widening the sidewalk from 11 feet to 18 feet by taking over a current parking lane. That widened sidewalk will now be the same width as the sidewalk on the adjacent street to the south. We are improving the subway entry while keeping the subway open during the entire duration of construction. And then activating the ground floor with new retail uses, community-oriented retail on the ground floor and a residential lobby located on the northwest corner of the site. Next slide, please.

And you could see here the existing subway entry is artificially lowered by a decorative as the architects call it skirt that we could remove from the building and fold into our new design increasing the height above the subway entry from 17 feet to 23 feet as well as improvements to the flooring, surrounding architecture, etc. Next slide, please.

And I'll go back to Hallah for this.

DIRECTOR SALEH: Great. The project will assume MIH Option One to provide deeper affordability to account for approximately 325 permanently

affordable units. Under this option, the proposed project would provide an average AMI of 60 percent, which is approximately 87,480 dollars for a family of three. There would be 130 units that would be set aside for very low-income households earning 40 percent AMI or approximately 58,320 dollars for a family of three, an additional 130 units available for low-income households set at 60 percent AMI, and 65 units for moderate income households at an AMI at 100 percent which is 145,800 dollars. The proposed building will also provide a mix of units ranging from studios to three bedrooms with roughly 25 percent of the units being family-sized.

This now concludes our presentation, and we can take any questions. Thank you.

CHAIRPERSON MARTE: Thank you.

Council Member Hudson. Do you have a statement or a few questions?

COUNCIL MEMBER HUDSON: I do have questions.

CHAIRPERSON MARTE: Go for it.

COUNCIL MEMBER HUDSON: Thank you and good afternoon. Thanks for your presentation.

1 This development is not utilizing any
2
3 City subsidy to increase affordability, and I
4 understand that this project started under the prior
5 Administration but what are the current
6 Administration's thoughts on increasing affordability
7 with this project?

8 DIRECTOR SALEH: Thank you. This project
9 is still very much moving forward as anticipated.
10 There's a lot of unique considerations to the site
11 specifically. This is a unique site that's unlike
12 other HPD projects due to the fact that it is under
13 private control and it has an existing office
14 building under an existing long-term lease. There are
15 about 46 years left on that lease, and the project
16 will also be converting the existing office building
17 to residential use through an adaptive reuse
18 strategy.

19 COUNCIL MEMBER HUDSON: Are there any
20 barriers to providing additional City subsidies?

21 DIRECTOR SALEH: So, this actually will
22 be, as Ian mentioned, providing more affordable units
23 in the Community Board than we've seen in the last 10
24 years, The project, as noted, is not using any City
25 subsidy and will be privately financed, therefore

delivering housing units much faster through our HPD pipeline and funding availability. It would also provide HPD to have additional capacity to deliver financing for more affordable units throughout the neighborhood in the borough and the city. And then if we were to look at this particular site to be 100 percent affordable, the development constraints on this site really are what is driving some of the tower construction itself, the MTA easement, that, as Ian mentioned in our presentation, that pushes the development to be in the northwest corner and have a tower structure is the most expensive construction type. So, if we were to look at this as 100 percent affordable, it would likely significantly reduce the size of the project in order to be more cost-efficient and we would likely end up in a very similar number of affordable units that are being proposed in this project.

COUNCIL MEMBER HUDSON: Thank you for that.

And then can you just share the difference in timeline? This project or you said if it was going through the typical HPD timeline, how much time are we saving basically?

DIRECTOR SALEH: Sure. So, you know, if we were to think through this since this will be privately financed and skipping through the HPD pipeline, once we finish ULURP, which will hopefully be in March, this project would then need to go and complete its PDC approvals since it is retaining public ownership. Following that, you know, you're looking at construction starting by earlier than 2032. If this were to go through our typical HPD pipeline, it could take significantly longer. I think the other thing I want to note on that is the ground lease really makes development here more challenging. Under the current ground lease, it's set to expire in 2042 with an additional extension to 2072 so the property, if we were to want it and develop through HPD solely, we would have to wait those 47 years in order for that to be developed.

COUNCIL MEMBER HUDSON: And just to be clear, you're saying that the expedited timeline would start construction in six years from now.

DIRECTOR SALEH: That is anticipated, yes. Anything you want to add to that, your construction timeline?

1
2 SENIOR VICE PRESIDENT KLEIN: That's the
3 outside date. So, when, you know, upon completion of
4 ULURP, we will start our design work. The office
5 leases are all set to expire in, the existing leases,
6 in various durations over the next few years and then
7 subject to market conditions we'd like to start as
8 soon as possible.

9 COUNCIL MEMBER HUDSON: Okay. And just to
10 be clear, you said there would be a significant
11 increase in the timeline if it was going through HPD
12 so construction would start more than six years from
13 now presumably?

14 DIRECTOR SALEH: Correct. And we would
15 likely have to wait for the ground lease to expire.

16 COUNCIL MEMBER HUDSON: Thank you. The
17 Community Board, Borough President, and other
18 constituents in my District have asked about Fort
19 Greene Park, not so much in relation to this project
20 but to the large amount of development that has
21 occurred in Downtown Brooklyn over the last 20 years.
22 Fort Greene Park has seen a large increase in use
23 during this time, placing a strain on park
24 maintenance. Since the City is not providing any
25

subsidies for this project, why is the City not
providing additional funding for Fort Greene Park?

DIRECTOR SALEH: So, one thing I just want
to note is that in our environmental review, we did
an EIS here, there were no significant adverse
impacts that were identified related to shadows or
open space so that is a one just kind of
clarification we want to make there. And in terms of
the interest in the formation of a PID, I think
that's something, you know, we as a City would be
willing to look into with our partners at Parks and
SBS. You know, there is a lot to consider there
regarding BID laws and, you know, what process would
need to go forward in order for that to be
established, but it is something, you know, we
acknowledge the need for future populations that
increase the demand on the 21 parks that are in the
surrounding areas. I don't know if there's anything
else you want to add to that, Anthony.

DIRECTOR HOWARD: Not specifically, but if
you have any questions on the review that was done, I
could answer those.

COUNCIL MEMBER HUDSON: The environmental
review? No, I don't think it's really an issue of the

1 shadows or direct impact. I think it's more so the
2 increase in population and Fort Greene Park being the
3 amazing destination that it is and therefore more
4 people using it and the park not getting increased
5 funding in order to maintain greater frequency,
6 resodding, things of that nature that have to happen
7 more frequently than, you know, currently or without
8 as many residents.
9

10 So, just based on your last comment, is
11 it safe to say that HPD has worked with Parks, the
12 Fort Greene Park Conservancy, or the mayoral
13 administration to identify funding mechanisms to
14 address the concerns raised about the park? Are those
15 conversations that you all are having?

16 DIRECTOR SALEH: We're having those
17 conversations. We've now looped in Parks, SBS. The
18 development team has also had their separate
19 conversations with Fort Greene Park Conservancy, and
20 that's, you know, currently underway, but I think the
21 biggest thing I just want to note here is the, you
22 know, the City is looking into what a PID could look
23 like, but there's still a lot of unknowns and a lot
24 of research that needs to be done.
25

COUNCIL MEMBER HUDSON: Right. And that wouldn't necessarily be attached to this ULURP. It would be hopefully a concurrent process, but I think as long as there's an openness and willingness to exploring that as a possibility, everybody would obviously benefit from greater funding into Fort Greene Park, and so that's simply what we're asking for. And I know that's not your specific area of expertise, but I want to make sure that HPD is aware of the concerns as it relates to this project and that your voices can help make a difference in terms of conversations with the Administration.

DIRECTOR SALEH: Understood. Thank you.

COUNCIL MEMBER HUDSON: Thank you. And then my last questions. Have any of the existing commercial tenants expressed interest in returning to the new development?

SENIOR VICE PRESIDENT KLEIN: I do not believe so, but we are continuing to engage with our...

COUNCIL MEMBER HUDSON: Sorry. Can you just lead into the microphone a little bit?

SENIOR VICE PRESIDENT KLEIN: I'm sorry. We have not had that explicit request from any of the existing tenants, no.

COUNCIL MEMBER HUDSON: Okay. And are there any new commercial tenants that have expressed interest in the new retail spaces?

SENIOR VICE PRESIDENT KLEIN: We haven't yet started that process to identify those tenants yet.

COUNCIL MEMBER HUDSON: Okay.

SENIOR VICE PRESIDENT KLEIN: Other than to engage with local stakeholders on the designated subsidized community retail box.

COUNCIL MEMBER HUDSON: And you do have interest that's been expressed there?

SENIOR VICE PRESIDENT KLEIN: We've had different suggestions on what might be there, and we're continuing to engage with the community to figure out the optimal use.

COUNCIL MEMBER HUDSON: Okay. Great. Thank you.

Thanks, Chair.

CHAIRPERSON MARTE: Of course.

I have a few questions. Is this the first R12 equivalent district proposed in Brooklyn?

DIRECTOR SALEH: Yes. And this is one of the first projects that came out of City of Yes so

this is one of the first ones that'll be utilizing
the R12.

CHAIRPERSON MARTE: Please explain the
rationale for increasing the maximum residential FAR
from the 18 permitted to R12 districts to 19 FAR
under the proposed text amendment to the Downtown
Special District regulations.

DIRECTOR SALEH: Sure. I'm happy to. So,
the rationale for our density here is largely due to
the amount of, it's a huge block site, it's an entire
block. It sits directly on multiple transit
resources. It also is really revitalizing or in line
with the goals of the Special District. The increase
in FAR here because it is in Downtown Brooklyn will
also respond to us having more residential FAR as
well as commercial and retail on the ground floor.
But really the full block condition of the
development site really will be able to deliver, you
know, the needed housing opportunities within the
neighborhood, but the borough and city as a whole.
And as I noted earlier, this large lot size will kind
of allow for that increased floor area beyond what
was formally capped and as a direct response to the
City of Yes for Housing Opportunity goals. They'll be

a significant amount of retail, commercial office space, and our community facility that also responds to the location of Brooklyn Central Business District. So, we really truly feel like it's in context with the surrounding area.

CHAIRPERSON MARTE: Cool. And the massing that you chose, and you mentioned it's because of being on top of a subway. Have you thought about other massing opportunity or is that the only one you can really do because of the situation?

SENIOR VICE PRESIDENT KLEIN: Sure. We did a comprehensive study of massing options, height and massing and also efficiency of the floor plate which goes to construction impact on the tunnel, etc., and this was seen to be by far the most viable option for the site from all of those considerations.

CHAIRPERSON MARTE: Cool. And this is for HPD. Have you considered a pilot structure more forgiving than 485X and that could facilitate more affordable units than the 20 to 25 percent? For example, if there's longer exemption period, maybe that would allow for more affordability.

DIRECTOR SALEH: Yeah. So, right now we're very much in this deal mirroring the 485X deal. I

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

111

think it's something that we can definitely continue
to look into. The exact terms of the deal will be
finalized post ULURP and pre-closing so it is
something we could continue to look into.

CHAIRPERSON MARTE: Great. Thank you.

I now would like to recognize any other
Colleagues have any questions or comments.

COUNCIL MEMBER HUDSON: I do want to
actually just make one very quick comment, which is
that I think it's commendable and we should make note
of the fact that 25 percent of the affordable units
will be two- to three-bedroom family-sized units,
which is something that, you know, this Council has
been advocating for, and so I just want to commend
the team for including two- to three-bedroom units as
part of the bedroom mix. Thanks.

CHAIRPERSON MARTE: Good catch and thank
you for mentioning that. And I also support Council
Member Hudson for investment in Fort Greene Park as
well.

Without any other questions or comments,
the applicant patent is now excused. Thank you.

DIRECTOR SALEH: Thank you.

SENIOR VICE PRESIDENT KLEIN: Thank you.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

112

CHAIRPERSON MARTE: Counsel, are there any
members of the public who wish to testify on this
item?

SUBCOMMITTEE COUNSEL: Yes.

CHAIRPERSON MARTE: All right. I might
butcher these names because I can't read that
handwriting, so I'm sorry in advance. Rosamond
Fletcher, Shashank Shamshabad, Kai Lawrence, and
Randolph Peers.

As a reminder, if I or other Council
Members have questions, witnesses are asked to remain
online or stay seated here at the microphone after
their testimony until they are excused.

For those participating online, once you
or your group have been excused following any
questions, participants may continue to view the
livestream broadcast of this hearing on the Council
website.

Members of the public will be given two
minutes to speak. Please do not begin until the
Sergeant-at-Arms has started the clock.

We will now hear from this first panel.

ROSAMOND FLETCHER: Thank you, Chair Marte
and this Committee, for today's hearing. My name is

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

113

Rosamond Fletcher, and I'm Executive Director of the Fort Greene Park Conservancy. We've partnered closely with New York City Parks as the primary steward of Fort Greene Park for 25 years. Based on concerns we voiced about the impact of 395 Flatbush on Fort Greene Park, a landmark park, CB2 issued a condition that the developers make a "meaningful financial contribution" to the Fort Greene Park Conservancy to support ongoing maintenance and operations of the park. The Borough President affirmed this, asking the developers to "adequately invest in Fort Greene Parks operations and maintenance given the anticipated increase in use." Our District 35 Council Member Crystal Hudson has asked the developers to provide a substantial annual contribution to us for the park via a legally binding agreement. I'm here today to urge this Committee and the full Council to advance CB2's, the Borough President's, and Council Member Hudson's conditions with respect to the park. Fort Greene Park is well-used. The data shows that park use per acre is actually double that of Prospect Park and nearly the same as Central Park, the most visited park in the country. This results in significant and costly wear and tear on the park's landscape, barren

and compacted soil, erosion of the glacially formed hill, and exposed tree roots that threaten the park's canopy. The heavy use of Fort Greene Park stems from the 2004 rezoning of Downtown Brooklyn, which resulted in nearly 30,000 units of housing to date when only 979 units were anticipated. This volume of housing was offset by only one new one-acre park. We now face a severe deficiency of open space in the area, just 24 percent of the guideline so we need to support our existing parks. We're requesting 250,000 a year from this project for the park's maintenance and operations. (TIMER CHIME) This is based on the cost to mitigate the 2,500 residents of the project based on the National Parks Association Benchmark. We respectfully request that you require this in your vote on 395 Flatbush. A course correction is necessary. Thank you. I also just want to add that Miss Sharpton, Resident Association President of Whitman Houses, was going to testify today but she is in the ER so she sends her regrets and she will provide written testimony. Thank you.

CHAIRPERSON MARTE: Thank you.

KAI LAWRENCE: Good afternoon. My name is Kai Lawrence. I'm the Environmental Programs Manager

at the Fort Greene Park Conservancy. I run our Green Team Program, which is an environmental education and job pathways program for our local teams. The majority of said teams are NYCHA residents, and they will be negatively impacted by this project along with their guardian and park stewardship efforts would be negatively impacted. One of our Green Team members has offered their quotes saying, the more people who use the park, the more foot traffic there is. Each garden we've built has been to mitigate erosion, erosion that affects environmental justice areas more heavily and which increased foot traffic will only exacerbate. Another member shared environmental justice is the equal protection and equitable distribution of environmental benefits, ensuring that nobody is disproportionately affected by environmental hazards. Fort Greene Park is adjacent to an environmental justice area, and the park gives these residents and other communities a green space. As someone who has guided these teams, I just want to point out firsthand how important their testimony is and what they're truly trying to say. This development risks compounding environmental injustices that these communities already face. It

threatens access, health, and equity. The increase in park usage from new residents is expected and we welcome all of those folks, but the reality is the park is already under strain. The added pressure will only accelerate wear on the land, compact the soil, and degrade the very greenery that makes the park a refugee. Our team doesn't just talk about these issues. We spend hours actually going out, addressing them, controlling erosion, receding lawns, etc. with our teams (TIMER CHIME) and we just urge you to require annual funding for this maintenance and operations project.

CHAIRPERSON MARTE: Thank you.

KAI LAWRENCE: Thank you.

SHASHANK SHAMSHABAD: Good afternoon. My name is Shashank Shamshabad from the New York Building Congress. The New York Building Congress proudly represents over 500 organizations and 250,000 skilled professionals and trades people who design, build, and maintain the infrastructure of New York and beyond. We strongly support transformative redevelopment of 395 Flatbush Avenue. As the City deals with a continuing housing crisis, this bold, smart, and timely investment in Brooklyn's future

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

117

will transform the neighborhood into a vibrant hub of housing, retail, and public space. This project includes over 1,200 new rental apartments with up to 30 percent permanently affordable, and this is a type of housing and housing production the city needs now more than ever. Beyond housing, this project enhances community benefits with 66,000 square feet of retail, 75,000 square feet of commercial space, and a completely reimagined public realm that includes 10,000 square feet of infrastructure and streetscape upgrades and 4,750 square feet landscape public plaza and expanded improved entrances to DeKalb Avenue subway station. These high-impact, high-visibility upgrades will make a real difference for residents, commuters, and the community altogether. With equity, sustainability, and inclusivity in mind, this project's 25 percent M/WBE participation goal with full compliance with higher NYC labor standards and targeted all electric adaptive reuse design will be beneficial to this project. Delivered through a 485X zone B program, this project sets a clear standard for how large complex developments can be delivered effectively, efficiently, and equitably. The redevelopment is exactly what we mean when we talk

about building a better and more affordable New York for everyone. It brings new housing, economic activity, upgraded transit, and improved public realm in one of the most fastest growing and transit rich neighborhoods across the city. The Building Congress urges swift approval and full support for this forward-looking future ready project. Let's get it done. Thank you.

CHAIRPERSON MARTE: Mr. Peers.

RANDY PEERS: I'm Randy Peers, the President and CEO of the Brooklyn Chamber of Commerce, the leading voice for the Brooklyn business community and advocate for economic development. You have my written testimony. I'm not going to read what you already have, but in terms of projects that are conducted on public land, no project is perfect but this comes awfully close, right. If we think about the new residential units, if we think about the permanent affordability, if we think about the income levels, the very low income levels on the affordability side, if we think about the family units that are going to be included, if we think about no subsidies, if we think about the labor being union wage standards, if we think about expanded

commercial office and community facilities,
additional retail, public realm improvements. We
hardly ever see significant public realm improvements
in projects like this all on top of transit-oriented
development which is what we all say we want because
that's where you want to mask the density. In a
growing central business district that is probably
the poster child for mixed-use commercial business
districts, right, central business district, all
built by local developers who are not strangers to
Brooklyn. Park Tower and Rabina are local. They know
Brooklyn. They understand Brooklyn. They've done
other projects in Brooklyn. So, from our perspective,
this is a quality project, and we support it. To get
to your question you asked the applicants about
suggestions for some of the retail box community use
space, we did offer, the Chamber did offer a
suggestion to house the Brooklyn Tourism Center
there. It's at a perfect crossroads for tourism for
the borough. Brooklyn is the second most visited
borough of all the boroughs. 15 million visitors make
it to Brooklyn. We want to make sure they get out of
just coming to Dumbo (TIMER CHIME) and they get to
other neighborhoods. So, we have a plan and a

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

120

suggestion that it could house the Brooklyn Tourism
Center. Brooklyn Chamber manages tourism for the
borough. Visitbrooklyn.nyc is our platform, and we're
in discussions with them about that option. So, thank
you.

COUNCIL MEMBER HUDSON: Sorry, Chair. Just
to clarify, 50 or 15 million visitors?

RANDY PEERS: 15 million out of the 63
million that come to New York City...

COUNCIL MEMBER HUDSON: Thank you.

RANDY PEERS: 15 million make it to
Brooklyn.

COUNCIL MEMBER HUDSON: Thank you.

CHAIRPERSON MARTE: Mostly because they
want to see the best University at Long Island
University, Brooklyn, my alma mater so I had to say
that.

Are there any questions from my
Colleagues?

No? This panel may be excused.

For the next panel, we have Nadja
Barlera, Robert Tiburzi, Tierra Williams, and Sara
Qureshi.

We'll start left to right. You may begin.
Make sure to press the button.

NADJA BARLERA: Hi. Thank you so much for
hearing us today. My name is Nadja. I live in
Downtown Brooklyn, about a 10-minute walk from where
this project will be, and I'm also a Local 79 member.
I just wanted to share why I'm excited about this
project. If you've ever been on that block, you know,
the building there is not the most inviting. It's
kind of black glass, a little bit ominous, and it's
always been surprising to me because that's a really
busy area, and so I'm actually really excited to have
dense mixed-income housing there. I'm really excited
to have new public plaza and open space. I think that
will be great for an area that's already busy, wider
sidewalks, as people mentioned affordable housing.
You know, people have said there's already a lot of
development in Downtown Brooklyn, that's true, but we
all know there's still a lot of unhoused neighbors
and housing insecure folks and I'm scared about
rising rents and getting pushed out so I'm really
excited about that and not to mention union jobs
means that people can actually afford to stay in
Brooklyn. There's a lot of development, but when that

development is paying poverty wages, then that increases the need for affordable housing. This will actually reduce the need for that group of workers. Thank you so much for hearing my testimony.

CHAIRPERSON MARTE: Thank you.

ROBERT TIBURZI: Hello, my name is Robert Tiburzi. I'm a representative of LiUNA Local 79, and I live in Brooklyn. Our union represents 10,000 construction workers living and working throughout New York City. I want to thank our members who came out today to show their support for the 395 Flatbush project and everyone else here today. This redevelopment is a huge win for working-class New Yorkers. It is a historic project that will create needed affordable housing and fair paying jobs without requiring additional subsidy. Since this project is mirroring the 485X zone B tax incentive, it will help fulfill our city's vision of creating affordable neighborhoods and upholding strong labor standards for New Yorkers. Union jobs means good careers for local residents who build and maintain our buildings. This project also includes other community benefits such as space for the Department of Health and Mental Hygiene, all electric design,

and new public plaza. 395 Flatbush Ave. is a model for responsible innovative development in New York City, creating over 1,000 of needed housing and union jobs for Brooklyn workers to support their families. I ask everyone here today to join us in supporting this project. Thank you.

TIERRA WILLIAMS: Good morning and thank you for having us today. My name is Tierra Williams. I'm not only a long-term member of Flatbush, Brooklyn, I'm a Local 79 organizer and most importantly, I'm a mother of two. I'm extremely excited for this project, specifically because it gives you three-bedroom apartments, which I make a really good wage and it's not that I can't afford to live anywhere, I cannot find a three-bedroom apartment anywhere. Thank you for pointing that out, Crystal. 395 Flatbush Avenue is a great location for more affordable housing for Brooklyn families and the surrounding neighborhoods. I am very familiar with this site because I have passed this intersection often while getting off of DeKalb Avenue station to take my daughter to Fort Greene Park or Paramount Theater. This area needs revitalization. My sister went to LIU and did not always feel safe walking at

night. It also doesn't feel safe during the day.

Improved streetscaping and new public plaza will be a great addition. This project also addresses our city's affordability crisis. It will create family-sustaining careers for construction laborers like me that pay a fair wage, have good health insurance, and contribute to retirement savings. Other nearby housing projects like 9 DeKalb Avenue and 100 Flatbush Avenue have been unaffordable and exploited construction laborers with poverty wages. This project's flipped the script. I ask the Subcommittee to approve 395 Flatbush Avenue so our union can build essential housing for our city. Thank you.

SARA QURESHI: Good afternoon, Chair Marte and Council Members. My name is Sara Qureshi. I'm here today representing SEIU 32BJ. 32BJ is the largest union of property service workers in the country, representing over 175,000 members across 13 states including tens of thousands of commercial and property service workers, security offers, and residential building staff in New York City. We support responsible developers who invest in the communities where they build, and I am happy to report that the developers of the proposed projects,

Rabina and Park Tower Group, have made a credible commitment to creating good jobs for the workers who will permanently staff the buildings. Good jobs like these mean prevailing wages, meaningful benefits, and a pathway to the middle class for local community members who tend to fill such positions. We estimate that these two projects will create roughly 25 permanent building service jobs and, moreover, we need more housing to be built in every neighborhood of New York City to ensure that working families are not displaced by dwindling supply and skyrocketing rent. The proposed developments will include over 1,200 residential units, hundreds of which will be permanently income restricted for low to middle income Residents. As the cost of living rises and working New Yorkers struggle to stay in their homes, it is more important now than ever to create both affordable housing and good jobs which uphold the industry standard in the city. For all of these reasons, 32BJ is in strong support of the 395 Flatbush Ave. Extension rezoning. Thank you for your time.

CHAIRPERSON MARTE: Any questions from my
Colleagues?

This panel may be excused. Thank you so much.

Up next, we have Sam Nettenberg and Christopher Leon Johnson.

Is there anyone else here in person that would like to speak on this land use application? Anyone else? We're good? Okay.

CHRISTOPHER LEON JOHNSON: Yeah. Hello. My name is Christopher Leon Johnson. I support this land use application, but I want to ask the developer, I think you should ask the developer what's the security plan for the retail designation, the commercial designation because I have a big feeling that the McDonald's that's already there right now for 395 Flatbush Avenue extension is going to apply to stay there when (INAUDIBLE) be developed. They're a billion-dollar corporation. I don't know what's the contract right now, if they're able to move back inside that same spot or the retail spot if they was to get forced evicted because of the construction but I'm calling the developer to reject McDonald's or any retail establishment that is supporting thuggery and blatant supporting like vagrants congregating in the retail location, like what happened to McDonald's at

395 Flatbush Avenue extension. I think Hudson, you see all the videos that come to your office when it comes to that location, all the thugs and all the homeless people congregating in that retail spot. I hope that you as a Member go and have a conversation to that developer and do whatever you can as a Member to... I don't know how the City Council going to be to reject McDonald's to ever move back into that spot because if they do, it does no justice to the people that's living upstairs in that building when it get redeveloped and to the community around there because McDonald's right now is like a thug attraction and a homeless attraction and, like I said, I support this project, but I don't feel comfortable with a McDonald's being put back in that location. Any retail spot that supports thuggery like McDonald's and (TIMER CHIME) Burger King and Popeye's, I don't want it, but I support the project, but I mean McDonald's, nah. Thank you.

CHAIRPERSON MARTE: Thank you.

Any questions, comments?

Council Member.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

128

COUNCIL MEMBER THOMAS-HENRY: I had a question, but I think it's more for HPD, the M/WBE goals for this project.

DIRECTOR SALEH: Yeah. The M/WBE goals here will be 25 percent or more in line with 485X.

COUNCIL MEMBER THOMAS-HENRY: Okay. And is that both construction and professional services?

DIRECTOR SALEH: Yes.

COUNCIL MEMBER THOMAS-HENRY: Okay.

CHAIRPERSON MARTE: Thank you, HPD.

We have a few folks online. Emily Anadu, Mohammad El-Haj Ahmad, Annie Lee, and Adam Ganser.

We will start out with Emily first.

SERGEANT-AT-ARMS: You may begin.

EMILY ANADU: Thank you to Chair Marte and the Committee for holding today's hearing. My name is Emily Anadu. I'm a 20-plus-year resident of Fort Greene and the founder of The Lay Out, a Brooklyn-based community platform that celebrates black joy, creativity, and culture. For several years, we've partnered closely with Fort Greene Park and its Conservancy to host programs and gatherings and bring neighbors together in ways that honor the park's history and its role as a shared civic space. That

work has even been recognized by the New York Times, Time magazine, and other national media. We all understand that New York City needs more housing. At the same time, advancing housing goals cannot come at the expense of degrading the public infrastructure that sustains neighborhood health. Every new building in this area markets proximity to Fort Greene Park as a selling point. Developers clearly understand the park's value when it drives demand and revenue. In almost every case, that value is extracted without meaningful investment in preserving the resource itself. And while the representative from HPD talks about the 21 parks that people could go to, I have never seen any of these developers market Commodore Barry Park or most of the other 21. I have personally spent hundreds of hours working alongside the Parks team helping to clean and care for the space and, as a very small organization, The Lay Out spends thousands of dollars on cleaning and restoration when we host events in the park because we refuse to pass the burden on to the very space that gives our community a place for joy and connection. If we recognize that responsibility at our scale, it is reasonable to expect the same from large profit-

driven developments. Adding thousands of new residents and their dogs without corresponding investment in park maintenance and operations is not sustainable, requiring a meaningful annual contribution as responsible, data-driven, and necessary I strongly urge the Council to uphold the conditions put forth and require dedicated maintenance and operations funding for Fort Greene Park as part of your vote. As side notes, I encourage the Council to push on the questions they're asking. The gentleman from the developer saying that he has not heard of any interest from existing commercial tenants is different from whether or not the existing commercial tenants were even asked about their desire to stay. It is also important to remember that while we herald the affordability of this project, 50 percent of the residents of Fort Greene live in Ingersoll...

SERGEANT-AT-ARMS: Thank you for your testimony. Time is expired.

EMILY ANADU: With an app... Okay.

CHAIRPERSON MARTE: Up next, we'll have Mohammad.

SERGEANT-AT-ARMS: You may begin.

MOHAMMAD EL-HAJ AHMAD: Thank you to the City Council for holding this hearing. My name is Mohammad El-Haj Ahmad, and I'm here representing Fort Greene Tennis Association. I've been on the Board for 10 years. I wanted to echo everything Emily has said. Fort Greene Park is very important to us. It serves as a community space for Fort Greene Tennis Association and other organizations. We hold events and open a space up for thousands and thousands of community members. We work with other organizations and non-profits, The Lay Out being one of them. Another non-profit called Kings County Tennis League offers free tennis and education to the kids that live in and around NYCHA, and we use Fort Greene Park for that space. We understand that New York City urgently needs more housing, especially deep affordable housing but, at the same time, the City needs to protect the parks and the green spaces. I'm here today to ask the Council to require dedicated maintenance and operations funding for Fort Greene Park in your vote on 395 Flatbush. Your action on this is necessary to ensure that we do not further degrade critical park infrastructure as the Council advances the City housing goals. Thank you.

CHAIRPERSON MARTE: Thank you.

Up next, we have Annie and then following
will be Adam.

SERGEANT-AT-ARMS: You may begin.

ANNIE LEE: Thank you to Chair Marte and
this Committee for today's hearing. My name is Annie
Lee, and I'm speaking on behalf of Fort Greene Park
Users and Pet Society, also known as PUPS. PUPS was
founded in 1998 and is a community of 1,500-plus dog
owners who support both off-leash hours and the long-
term health of Fort Greene Park. As daily users of
Fort Greene Park, we value the park as essential
green infrastructure and a rare refuge for dogs and
people alike in a dense rapidly developing
neighborhood. Our members include young families,
older adults, and longtime residents, many of whom
live in nearby NYCHA housing. For many of us, the
park is not just a recreational space. It's the core
of our daily routine and a pillar of neighborhood
life. The 395 Flatbush extension project raises
serious concerns for us. As the population of nearby
residents continues to grow, so does the number of
dogs. Yet, there has been no corresponding investment
in open space. The area already has an open space

ratio of just 24 percent of the City's guideline,
highlighting how heavily Fort Greene Park is relied
upon. The increase in residents will bring an
increase in dogs, further crowding an already
resource-strained park. With limited lawn space for
off-leash hours, additional canine use will
significantly impact turf conditions and constrain
early morning off-leash capacity. Without increased
maintenance and operational support, Fort Greene Park
will inevitably deteriorate, affecting all who depend
on it. Fort Greene has no public dog runs and Fort
Greene Park along with Commodore Barry Park provides
the only off-leash access to local dog owners.
Maintaining Fort Greene Park is not optional but
essential. We support the Fort Green Park
Conservancy's request for annual funding from this
project for the park's maintenance and operations,
and we respectfully ask the Council to require this
in your vote for 395 Flatbush. Thank you for your
time.

CHAIRPERSON MARTE: Thank you.

Adam, you may begin. Adam, are you on?

Please promote Adam if he hasn't been promoted. Adam,

you have to accept the promotion to be a panelist to
speak.

And just as a reminder as we wait for
Adam to speak, you can submit written testimony,
especially if you weren't able to say everything that
you wanted to say. You can do that online.

For the next panel, we're going to have
Spencer Heckwolf, Erik Nilsen, Annelise Raymond Alam,
and Christine Paglialunga.

We'll start out with Spencer.

SERGEANT-AT-ARMS: You may begin.

SPENCER HECKWOLF: Hi. I'll make this
short. The student development is right behind me so
it's literally right in my backyard, and I fully
support building this, getting this off the ground as
soon as possible. I think it'd be a fantastic
addition to the neighborhood. That current building,
I don't think anyone thinks it's aesthetically
pleasing, and it'll just add to the neighborhood's,
the eyes on the street, the neighborhood's vitality.
And I am a local resident and I fully support. Thank
you.

CHAIRPERSON MARTE: Thank you.

Up next, we'll have Erik and then
Annelise.

SERGEANT-AT-ARMS: You may begin.

Hi. Thank you, Members of City Council,
for letting us speak to this project today. My name
is Erik Nilsen. I'm a New York City native New
Yorker, current Brooklyn resident, and I want to say
I fully support this project. Throughout my entire
life, New York City has been in a perpetual housing
crisis because we don't build enough housing. This is
opportunity to get over 1,200 units, 25 percent of
which are fully affordable in a transit-rich area and
we're doing this without displacing any current
existing residential tenants. This seems like a big
win for everyone involved and also without City
subsidies. So, please, I implore you to support the
project as is.

CHAIRPERSON MARTE: Thank you, Erik.

Up next, we have Annelise and then
Christine.

SERGEANT-AT-ARMS: You may begin.

ANNELISE RAYMOND ALAM: I'm Annelise
Raymond Alam. My law firm, Carter Ledyard and
Milburn, represents the Fort Greene Park Conservancy

with regard to the 395 Flatbush Avenue project. The Conservancy is generally supportive of the project and its housing goals. However, the project will introduce several thousand new residents into a community with one of the lowest open space ratios in New York City. It is our view that the project will have a significant adverse impact on open space under CEQR Technical Manual guidelines. The DEIS concludes that the project will materially worsen the already deficient open space ratio by reducing it to 0.6 acres per thousand residents when the guideline is 2.5. The DEIS properly calls this result a significant adverse quantitative impact and then erroneously concludes that the creation of a very small amount of on-site open space will account for this impact. We know you are not charged with evaluating the interpretations and ultimate conclusions of the DEIS. Instead, we want you to look at the team's calculations and the indisputable fact that the project creates a significant adverse quantitative impact on Fort Greene Park. We ask the Council to address the Conservancy's request for mitigation. The most practical and effective mitigation measure representing the consensus of the

Conservancy, Community Board 2, the Borough President, and the Council Member is to require annual contributions for the maintenance and operations of the park and the formation of a park fund to ensure that the little parkland that exists in the area is optimally utilized and maintained. The Council should also charge its staff to work with the Conservancy on ways to advance the structure for this fund, such as the South Levee Improvement District model. The mitigation we are proposing is not novel. In the Hudson Yards rezoning, the City created a business improvement district with the specific purpose of maintaining the parks there. The Community Board and Borough President have called on the City Council to create a park maintenance and operations fund for this community...

SERGEANT-AT-ARMS: Thank you for your testimony. Time has expired.

ANNELISE RAYMOND ALAM: Thank you.

CHAIRPERSON MARTE: Up next, we'll have Christine.

SERGEANT-AT-ARMS: You may begin.

CHRISTINE PAGLIALUNGA: Good afternoon, Council Members. My name is Christine Paglialunga.

I'm the Chief Operating Officer with the Downtown Brooklyn Partnership. The Partnership strongly supports the proposed redevelopment of 395 Flatbush Avenue. This project represents a rare and timely opportunity to reimagine a prominent but unfortunately underperforming location at the crossroads of Flatbush Avenue and Fulton Street, one of the major gateways to Brooklyn. As you know, as you've heard, the proposed development would bring over 1,200 new mixed-income homes, including more than 300 permanently affordable units and, at a time of acute housing shortage, NYC urgently needs projects like this to promote affordability, stability and equity. Beyond housing, this development will activate the streetscape with new retail, landscape public plaza, much needed improvements to the Dekalb Avenue subway station entrance, all of which enhance pedestrian experience in one of the city's most transit-rich and popular corridors. These public realm improvements address infrastructure needs that are critical to the long-term functionality and livability of the neighborhood, and they should be meaningfully considered in the ULURP process. Downtown Brooklyn

has evolved into a true mixed-use 24/7 district. The transformation of this key site, its thoughtful integration of housing, transit, open space and street-level activity is entirely consistent with this trajectory. We urge City Council to consider the project's potential benefits, and we look forward to continued engagement as this moves forward. Thank you.

CHAIRPERSON MARTE: Thank you.

Are there any questions or comments for this panel?

This panel may be excused.

Up next, we have Andrew Vladeck and Veronica Yurovsky.

We'll start with Andrew.

SERGEANT-AT-ARMS: You may begin.

ANDREW VLADECK: I believe you called Andrew Vladeck.

CHAIRPERSON MARTE: Correct.

ANDREW VLADECK: Thank you, City Council. Thank you for holding this hearing at 395 Flatbush. I'm a decades-long resident of Fort Greene. I'm also a former New York City urban park ranger. I led programs citywide in the '90s so I came to know

scores of parks intimately, and Fort Greene is uniquely active for its size. It's the only green space serving so many neighbors around the park. That's why its use is double that per acre of Prospect Park. And these very neighbors are exploding with highrises and the corresponding population. While it's difficult to expand housing, it's almost impossible to expand green space so new developments like 395 impact the existing park space with more users and a lot more dog wear and tear. So, all the estimated new residents and dogs will inevitably contribute to various maintenance challenges so it's critical to increase the maintenance with increased uses to maintain what we have. CB2 issued a condition that developers make a meaningful contribution to the Conservancy, and this will go a long way towards mitigating that wear and tear. I'm here to ask the City Council, please require such dedicated funding in your vote on 395. Thank you so much.

CHAIRPERSON MARTE: Thank you.

Veronica.

SERGEANT-AT-ARMS: You may begin.

VERONICA YUROVSKY: Hi. My name is Veronica, and I'm a Brooklyn resident. I'm here today

because like the majority of renters in the city,
including many people I personally know and love, I'm
paying too much for housing and a lot of us are
struggling to stay in the city. So, needless to say,
I'm very much in favor of this project. It will
provide over 300 affordable homes in one of the most
transit accessible neighborhoods in Brooklyn and
giving working class easy access to jobs, schools,
and services. That's 300 units more than the zero
units affordable or not affordable being provided by
the current building. I'm also excited about the
promise of public open space and the improvements to,
I would say, a kind of scary looking Dekalb Avenue
subway station. So overall, this project is going to
bring over 1,200 units. Again, that's 1,200 more than
the zero units we have in a time where our city is
experiencing a dire housing crisis so I hope this
project is approved as is and helps alleviate the
crunch even a tiny bit. Thank you for your time.

CHAIRPERSON MARTE: Great.

If there are any remote public
participants who wish to testify and have not already
done so, please press the raise hand button now.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

142

And if you are here with us in person,
please see one of our Sergeants-at-Arms to first fill
out a speaker card.

SUBCOMMITTEE COUNSEL: Do you want to try
Adam one more time?

CHAIRPERSON MARTE: Adam, if you're
online, you can speak now if you can.

Adam, if you can't sign on, you can
always submit written testimony online.

There being no other members of the
public who wish to testify regarding LUs 12, 13, 14,
15, and 16 for 395 Flatbush Avenue Extension, the
public hearing is now closed, and the items are laid
over. Thank you, guys. Thank you.

I now open a public hearing on Land Use
2, 3, 4, 5, and 6 for Constellation Project, which is
a set of applications by HPD seeking the designation
of an Urban Development Action Area, Urban
Development Action Area Project, and the deposition
of City-owned land together with an Article XI tax
exemption to facilitate the development of eight new
residential buildings in the Bedford-Stuyvesant,
Brownsville, East Flatbush, and East New York

neighborhoods in Council Members Mealy's and Banks'
District in Brooklyn.

In total, the proposed development will
include approximately 96 affordable homeownership
units to be developed by Habitat for Humanity NYC in
conjunction with HPD. All the development sites are
City-owned vacant land.

Appearing today on this proposal is
Sophia Matheney, Brooklyn Borough Planner at HPD;
Matthew Dunbar, Chief-of-Staff and Executive Vice
President of Habitat for Humanity of NYC and
Westchester County; and Rick Fudge, Project Manager
for Habitat for Humanity of New York City and
Westchester County.

Those wishing to testify remotely must
register online by visiting the Council website at
council.nyc.gov/landuse.

Panelists, please ensure that your
microphones are on.

Counsel, would you please administer the
affirmation?

SUBCOMMITTEE COUNSEL: Panelists, would
you please raise your right hand and state your name
for the record.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

144

SOPHIA MATHENEY: Sophia Matheney.

MATTHEW DUNBAR: Matthew Dunbar.

RICHARD FUDGE: Richard Fudge.

SUBCOMMITTEE COUNSEL: And do you affirm
to tell the truth, the whole truth, and nothing but
the truth in your testimony before this Subcommittee
and in answer to all Council Member questions?

SOPHIA MATHENEY: I do.

MATTHEW DUNBAR: I do.

RICHARD FUDGE: I do.

CHAIRPERSON MARTE: Thank you, applicant
panelists.

For the viewing public, if you need an
accessible version of this presentation, please send
an email request to landusetestimony@council.nyc.gov.

And now the applicant team may begin.

SOPHIA MATHENEY: Good afternoon, Council
Members. My name is Sophia Matheney, and I'm a
planner on the Brooklyn Planning Team HPD. So, thank
you so much for the opportunity to present to you
today on the Constellation Project. Next slide,
please.

So, the proposed Constellation Cluster is
made up of eight scattered sites currently on vacant

underutilized City-owned lots across four Brooklyn Community Boards in Council Districts 41 and 42. The project proposes the construction of eight new buildings in Bed-Stuy, East New York, Brownsville, and East Flatbush with approximately 96 affordable homeownership units consisting of a mix of one-, two-, and three-bedroom units. There are four land use applications for the cluster that are moving forward concurrently across Community Boards 3, 5, 16, and 17, and the requested project approvals through ULURP include an Urban Development Action Area Designation, project approval, and disposition of 16 City-owned lots. The requested Council approval also includes an Article XI tax exemption for the proposed affordable homeownership project. Next slide, please.

And now I'll pass it over to Matt.

MATTHEW DUNBAR: Thank you, Sophia. My name is Matthew Dunbar. As mentioned, I'm the Chief-of-Staff with Habitat for Humanity New York City and Westchester County. We are a not-for-profit housing developer that has spent over 40 years building, preserving, and advocating for affordable homeownership. We are joined with Union Street Studios, Norman Cox, who is our architect on the

project and has over 40 years of experience building residential housing as well including affordable and Interboro Community Land Trust is our partner on this project as well, which will ensure long-term affordability of the affordable homeownership units built on these sites. Next slide, please.

As was mentioned, there are eight development sites scattered across four Community Boards. These are all affordable homeownership that were designated back in 2017 and 2018 through the New Infill Homeownership Opportunity Program to create 96 units of affordable homeownership. They're scattered between two sites in Community Board 3, two sites in Community Board 5, three sites in Community Board 16, and one site in Community Board 17, which does create a unique community outreach challenge, but we'll get to that in one moment. But we're excited to be continuing our over 25 years of developing affordable homeownership in Central Brooklyn where over 250 Habitat homeowners currently reside. Next slide, please.

So, there are a few highlights to the project I wanted to emphasize. First is the uniqueness in a 100 percent affordable homeownership

project coming before the Council. We are excited to be participating in this and not just participating in building these homes but to create low-income affordable homeownership at 70 to 80 percent AMI whereas the term sheet generally is at 80 to 130 percent AMI. One of the priorities of Habitat for Humanity is to create low-income homeownership so we're excited to go below term sheet. We're able to do that with generous support of partners such as Congressman Hakeem Jeffries who allocated congressionally directed funding for this project as well as the Borough President and Council Member Banks who has provided Reso A dollars for this project as well. In addition to that, we're also really excited to mention that over 70 percent of the units across the four Community Boards are family-sized units of two to three bedrooms. So, in addition to that, the partnership with CLT allows for these homes to be permanently affordable as they'll be affordable cooperatives. They will be able to go beyond the tax exemption for 40 years with the Article XI and have a ground lease that will extend to 99 years and will be renewable. That provides opportunities for deep affordability for the long

term for the residents. It'll also provide opportunities for them to serve both on the co-op board and as CLT resident members as well as access to training and stewardship. And for the public, the CLT partnership allows for a much longer term of affordability being permanent so the subsidies that go into this will last for generations to come, balancing both family equity building and community asset building as well so we're excited about that. Additionally, there are environmental stewardship aspects to this with Enterprise Green Community standard. It will be all electric, solar ready, and we are looking into being able to put on solar panels under this project and we are seeking locally sourced materials as well which is part of our community engagement strategy which is another aspect of this project. As mentioned, over four Community Boards creates a challenge so we are creating and have created a community advisory committee to help guide us throughout this process including identifying potential local and M/WBE contractors to bid and become GC, to educate the community on homeownership opportunities and first time home buying

opportunities coming up, and then to market the
opportunity when it comes to market.

With that, I'm going to pass it over to
my colleague, Rick.

RICHARD FUDGE: Thanks, Matt. Should we go
to the next slide? Thank you.

So, just a little bit more about the
buildings themselves. So, in Community Board 3, there
are two sites. The first, 908-910 Madison Street,
will be a four-story building with approximately
14,000 square feet. There will be 14 affordable
homeownership units, and 10 of those will be family-
sized. The second site, 1901-1903A Atlantic Avenue,
will be a seven-story building with about 17,000
square feet with 20 affordable homeownership units,
eight of which will be family-sized. Next slide,
please.

In Community Board 5, there will also be
two sites. 881-885 New Jersey Avenue will be a four-
story building with about 7,000 square feet featuring
eight affordable homeownership units, seven of which
will be family-sized. And 650 Glenmore Avenue will be
a three-story building with about 6,600 square feet

with six units, all of which will be family-sized.

Next slide, please.

Community Board 16 has three sites, all very similar in design. 1794-1796 St. John's Place, 8587 Legion Street, and 250-254 Herschel Street all will be six-story buildings a little under 12,000 square feet, each featuring 12 affordable homeownership units, 10 of which will be family-sized. Next slide, please.

And finally, Community Board 17 has one site, 395-397 East 94th Street. The building will be designed very similarly to the Community Board 16 sites so it will be a six-story building a little under 12,000 square feet, 12 affordable homeownership units with 10 of those being family-sized units.

Next slide.

Pass it back to Sophia.

SOPHIA MATHENEY: So, this chart here highlights the proposed unit mix and affordability across the entire Constellation Cluster, and I just want to point out some key facts and figures. So, these cooperative homeownership units will only be made available to first time home buyers under HPD's Open Door Program. For this project, all units will

be made affordable to households earning between approximately 70 percent to 80 percent AMI. There is a mix of one-, two-, and three-bedroom units across the cluster with approximately 74 percent of those being family-sized. The sales price ranges from about 156,000 to 225,000 dollars across different unit types. So, moving on to anticipated projected average monthly costs, we have the breakdown of mortgage, maintenance, and utilities. So, the maintenance is a shared building-wide expense that covers the ongoing care of both each individual unit as well as the property as a whole. Total owner costs related to maintenance, utilities, and mortgage will account for no more than 33 percent of household income. Initial sales prices throughout the regulatory period are allowed a 2 percent annual compounded appreciation, and the AMI of all subsequent purchasers cannot be higher than 10 percent above the maximum AMI of the initial purchaser. Affordability will be preserved long-term through a 40-year Article XI tax exemption aligned with a 40-year regulatory period. And at closing, all units will be bound by a regulatory agreement that sets both the affordability levels and duration. And then when the time comes, the units

will be made available to the public through HPD's
Housing Connect 2.0 platform. Next slide, please.

So, just to wrap up with the project
summary, the Constellation Cluster will create
approximately 96 affordable homeownership units
through eight new construction buildings under HPD's
Open Door Program. These buildings will be located
across four Brooklyn Community Boards as well as
Council District 41 and 42.

So, this concludes our presentation, and
we'll be happy to answer any questions. Thank you.

CHAIRPERSON MARTE: Thank you for the
presentation.

I have a few questions. I understand that
all these sites are being financed together. Can you
discuss why this project was broken up across eight
sites and is this a typical model for other HPD
projects that are across multiple community boards?

SOPHIA MATHENEY: Yeah. So, this project
was created through the 2014 NIHOP and NCP RFQ, and
so with this, The Habitat team was designated in June
of 2018 for this project. So since then, the NIHOP
program has been replaced with the Open Door Program,
and it's the New Infill Homeownership Opportunities

Program, and so this was just created in an effort to kind of utilize the vacant City-owned lots, the infill properties, to provide opportunities for affordable homeownership.

MATTHEW DUNBAR: I could also add to that the original designation was in two clusters, which also included 13 smaller scattered site lots as well that are actually currently under development through our Mosaic project, and those went through the UDAAP disposition because over the years, as we were putting together the project, we thought it the best and most economical way to kind of develop the project was to put the 13 smaller lots together and create Mosaic which is building 42 units of affordable homeownership and then the larger lots that are going through the ULURP process are together in the Constellation project.

CHAIRPERSON MARTE: Okay. I know on one of the points you brought up, Council Member Mealy stressed some concerns of why HPD picked this developer and why they didn't choose a minority-owned contractor. Maybe you could reach out to her and let her know that this was part of an RFQ.

SOPHIA MATHENEY: Yeah. We'll be happy to
let her know. Thank you.

CHAIRPERSON MARTE: What is the market
rate price for comparable units for sale in East New
York?

SOPHIA MATHENEY: So, I don't think our
team currently has figures for market rate units
currently in East New York, but we'll be happy to get
those figures and follow up with you.

RICHARD FUDGE: I will also just add that
as part of our market (INAUDIBLE) that we complete
during the course of the project development, we do
ensure that all of the units do represent at least a
10 percent discount to market in their sales prices.

CHAIRPERSON MARTE: Okay. And so, the way
you calculated these numbers, is that through a
uniform process that HPD has or is this project
specific?

RICHARD FUDGE: Project specific, but it's
in consultation with HPD so we do take a look at what
other sales are happening in the neighborhood, which
for the Consultation project specifically, there are
very few comparable sales, especially of co-op units,
so it's a relatively small sample that we're

comparing to, but we do keep below the market for the
sales prices.

CHAIRPERSON MARTE: Okay. You know, you
mentioned there are other multiple sites. Is the
Administration looking at other vacant or publicly
owned sites in East New York for potential
homeownership opportunities?

SOPHIA MATHENEY: With our meetings with
Community Board 5, which is East New York, they have
expressed that they, you know, are wanting more
homeownership opportunities specifically so we were
very excited to, you know, bring this project to
them, you know, especially given that in CB5 there
are, I believe like 93 percent of the units are
family-size as well and that was positive feedback
that we got from CB5. But we're always looking for
more homeownership opportunities.

CHAIRPERSON MARTE: Okay. And I know that
in Community Board 16, they disapproved of the sites
in their District and Community Board 3 did not
submit a recommendation. Can you discuss how this
application is viewed by Community Board 3, since
they did not submit a recommendation, and can you

also talk about the disapproval from Community Board
16?

SOPHIA MATHENEY: Sure. So, from Community
Board 3, they expressed concerns about affordability,
specifically relating to AMIs and the maintenance
costs as well as unit mix, so those are two pieces of
feedback that we've taken in and have discussed with
the team to try to figure out if there's a way to
mitigate that to deepen the affordability and to
increase the family-sized units across CB3. And CB16,
they had similar feedback to us as well, and they
also did submit a letter just outlining essentially
the same information, but we definitely heard the
feedback that they gave us mainly relating to
deepening affordability and increasing family-sized
units and we are looking into that.

CHAIRPERSON MARTE: Okay. Can you talk
about the timeline for closing and completion of
these projects?

RICHARD FUDGE: Sure. So, once the process
is completed, we will be finalizing the designs.
We've been holding off until we gather all the
feedback and take it all into account. We would be
aiming to close on this project and start

construction at the end of this year or early next
year. We're currently anticipating probably a 24- to
30-month construction period followed by unit sales.

CHAIRPERSON MARTE: All right. Can you
provide any details on resale restriction?

SOPHIA MATHENEY: Yeah. So, if we could
bring the PowerPoint back up to slide 16, we have
some information on resale restrictions, but
essentially the initial sales prices throughout the
regulatory period are allowed a 2 percent compounded
appreciation and then the AMIs of all of the
subsequent purchasers can't be higher than 10 percent
above the maximum AMI of the initial purchaser.

CHAIRPERSON MARTE: Okay. And my last
question is will the larger buildings, buildings that
are higher than five stories, will they have
elevators?

RICHARD FUDGE: Yes, they will.

CHAIRPERSON MARTE: And are you addressing
ADA compliances in the buildings that are under five
stories.

RICHARD FUDGE: We are. Some of the units
will be adaptable, and there are some vision and

mobility units that will have slightly different
requirements that will be met in the design.

CHAIRPERSON MARTE: Sounds good.

I want to recognize any of my Colleagues
that may have questions or remarks.

COUNCIL MEMBER THOMAS-HENRY: I have a
few. So, apologies if I missed this first one. What
is CLT?

MATTHEW DUNBAR: Sure. CLT is a community
land trust and so at the end of construction when the
buildings are complete, the buildings will be sold to
the homeowners and then the land will be transferred
to the community land trust for long-term stewardship
and support of the residents.

COUNCIL MEMBER THOMAS-HENRY: Okay. And
will each site have its own board?

RICHARD FUDGE: The eight sites will be
grouped into three separate co-ops. We evaluated the
best way to do it to have enough residents to have
the boards operate without having the buildings too
scattered because there is a little bit of distance
between some of them and it seems like the grouping
of three was the kind of best balance.

COUNCIL MEMBER THOMAS-HENRY: Okay. And
will all be managed by the same management company?

RICHARD FUDGE: The boards will ultimately
be able to select... we will have a management company
in place for the first year just as they get
purchased but then, after that, the boards will be
able to select their own property manager if they
would like to change .

COUNCIL MEMBER THOMAS-HENRY: Have you
identified that company yet or no?

RICHARD FUDGE: I don't think we have yet.
It's still a little bit early.

COUNCIL MEMBER THOMAS-HENRY: Okay. With
the maintenance fee, what all does that include in
addition to tax, insurance, like gas, heat, hot
water? Which utilities are included in that?

RICHARD FUDGE: That will include, for
utilities, it includes the water, sewer, and common
heating and electricity for the public hallways and
so on. It will also include some of the services and
repairs, materials the superintendents and porters
that the buildings will need, the connectivity for
the buildings for fire alarms and so on, elevator
maintenance.

COUNCIL MEMBER THOMAS-HENRY: Gas and electric would be on the onus of the homeowner?

RICHARD FUDGE: Well, there is no gas in the building at all. It's fully electric, but for electricity used within the units, that would be bill directly submitted to the homeowners, but for any common electricity for running like stairwell lights or the elevators for the buildings that have them. Those would be billed as through the maintenance fees.

COUNCIL MEMBER THOMAS-HENRY: Is there anything in place to maintain the maintenance fee levels so that it continues to be affordable for homeowners because that usually, the fluctuation of that usually impedes affordability in the long run?

RICHARD FUDGE: Yeah. We don't have specific mechanisms for that because that is something that the homeowners, through their boards will be selecting the services themselves ultimately so we do maintain a presence with our homeowners. Habitat does long-term and so we work with them to help them. We give them a variety of trainings because they are all first-time homebuyers, and we'll help train them like how to run a co-op, how to

manage your manager, how to approach like when is it
time to find new services to make sure that they're
fully equipped and able to get the best ones out
there.

COUNCIL MEMBER THOMAS-HENRY: And how will
potential homeowners be identified and what's the
process they'll go through to qualify and to purchase
one of these?

RICHARD FUDGE: The homes will be sold
through HPD's Housing Connect 2.0 platform.

Sophia, want to add anything else to
that?

SOPHIA MATHENEY: Yeah. So, we also have
some resources through HPD as well like the Home
First Down Payment Assistance Program which I believe
qualified homebuyers could earn up to 20 percent
towards their down payment or closing costs as well.

RICHARD FUDGE: And also, just to add on
to that as a point of clarification for the sales
prices, these are projections. So, we make a number
of assumptions so those sales prices are based on a 5
percent down payment and then using interest rate
that roughly reflects what we're seeing now, we try
to be a little conservative, so if a family does use

a down payment assistance program or has the cash available to put down a higher down payment, then their monthly carry costs would be lower for their mortgage.

CHAIRPERSON MARTE: Thank you. The applicant panel is now excused.

Counsel, are there any members of the public who wish to testify on this item?

SUBCOMMITTEE COUNSEL: There is one member online.

CHAIRPERSON MARTE: Okay.

As a reminder, if I or other Council Members have questions, witnesses are asked to remain online or to stay seated at the microphone after the testimony until they are excused.

For those participating online, once your group has been excused following any questions, participants may continue to view the livestream broadcast of this hearing on the Council website.

Members of the public will be given two minutes to speak. Please do not begin until the Sergeant-at-Arms has started the clock.

We will now hear from the first panel,
and it would be for online testimony by Michael
Caitlin.

SERGEANT-AT-ARMS: You may begin.

CHAIRPERSON MARTE: Michael, please accept
the promotion to become a panelist. Oh, I'm getting
word that you're declining the promotion. You can
always submit written testimony on the City Council
website as well.

Okay. We have one in person, Idris
Abdullah. Please come up to the... You may begin.

IDRIS ABDULLAH: Good afternoon, I should
say good morning but good afternoon. I want to thank
the Council for having me here today and allowing me
to speak. My name is Idris Abdullah. I am a long-
standing member of Bedford Stuyvesant. I served on
Community Board 3. I presently serve at the 79
Precinct Council for over 35 years. I serve on the
Land Use Committee as well so I kind of seen where
the community has came from, where the community was
going, and where the community is at right now. One
of the things I would like to definitely say is that
a project of this magnitude, a project with this type
of context is something that is definitely needed. I

1 know the history of the development of the housing
2 and how much housing is needed at this particular
3 point. Just to basically what you your request was
4 what was the situation with Community Board 3. The
5 reason why, one of the reason why it was not actually
6 submitted because there was a dilemma and because the
7 community does not understand the influctuation and
8 how fast that fluctuating is going to go from now
9 until these projects would actually be completed,
10 that was where the dilemma came in where the
11 community was put on the floor where we might not be
12 able to afford the housing at this particular time,
13 at this particular rate of inflation as the numbers
14 was given by Habitat. However, this is the reality of
15 what is going to actually cost in the next six or
16 seven years when these projects are done so that's
17 kind of where the dilemma was. The Board Members was
18 basically on board with the support but when it was
19 the community and it's a lot of new individuals
20 coming to the community, they realized that this
21 would not really be affordable. But however, my
22 particular position on this project (TIMER CHIME) is
23 110 percent for this project. This is something that
24 we need and we need more of this because this
25

1 actually would give the opportunity for new
2 homeowners to actually be able to afford the new
3 housing in reference to them being out, going to get
4 housing, or trying to purchase housing on their own.
5 So, this is something that we need. And if this does
6 not go through, then what is going to happen is
7 another developer would probably come purchase the
8 project, they would put what they want to put there,
9 and then the community boards would have no say so
10 over it, and it has happened and it's been happening.
11 But in a project like this, we need this project to
12 be approved. We need the City Council to understand
13 that this type of housing is definitely needed. The
14 more people that we can get to actually take the
15 incentive of them being homeowners, the more they
16 would take pride in keeping the community together
17 and building up. So, again, we thank y'all and we
18 hope that y'all really support this project because,
19 again, they are working close with the community in
20 reference to digging deep, finding out what is it
21 that the community wants, what is it that y'all need,
22 how can we make this a partnership that's not just
23 going to last today, it's going to last through the
24 years, etc., etc. So, again, I thank you for this
25

opportunity, and I hope that y'all give Habitat the blessing that they need to make this project move forward. And we are working together with them and putting our community advocacy team together but, again, thank you.

CHAIRPERSON MARTE: Of course. My Colleagues have any questions or comments?

CHAIRPERSON MARTE: I agree, you know, homeownership, especially affordable homeownership, is really hard to find throughout the city and so, you know, these projects are, you know, a jewel to transform people's lives, you know, but there's always an ask to, you know, push HPD and the developer, in this case Habitat for Humanity, if they can make it cheaper, pursue to make at least a little bit more cheaper, but I agree with you, like this is a rare find and a rare opportunity, but thank you for coming today and waiting to speak. It's been a long one. Thank you.

IDRIS ABDULLAH: You probably bought your home your first home from them, huh?

CHAIRPERSON MARTE: Well, I'm still a renter. I can't afford any homes in my neighborhood.

IDRIS ABDULLAH: Especially in New York.

CHAIRPERSON MARTE: Yeah, yeah.

IDRIS ABDULLAH: Thank you.

CHAIRPERSON MARTE: Thank you.

If there are any remote public participants who wish to testify and have not already done so, please press the raise hand button now. And if you are here with us in person, please see one of the Sergeant-at-Arms to first fill out a speaker card.

There being no other members of the public who wish to testify regarding LUs 2, 3, 4, 5, and 6 for the Constellation projects, the public hearing is now closed, and the items are laid over.

That concludes today's business.

I'd like to thank the members of the public, my Colleagues, Subcommittee Counsel, Land Use Staff, and the Sergeant-at-Arms arms for your participation today.

The meeting is hereby adjourned. [GAVEL]

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 February 4, 2026