

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS & CONCESSIONS

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July 27, 2009
Start: 1:25 pm
Recess: 4:00 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
DANIEL R. GARODNICK
Chairperson

COUNCIL MEMBERS:
Council Member Tony Avella
Council Member Maria Baez
Council Member Gale A. Brewer
Council Member Inez Dickens
Council Member Sara M. Gonzalez
Council Member Vincent Ignizio
Council Member Rosie Mendez

A P P E A R A N C E S [CONTINUED]

Carol Clark
Assistant Commissioner
Housing Preservation and Development

Terry Arroyo
Director of Land Use
Housing Preservation and Development

Andy Reicher
Executive Director
UHAB

Jennifer Kaminsky
Project Manager
UHAB

Rosie Mendez
New York City Council Member

Joseph Lynch
On the matter of LU 1090

Carol Rosenthal
On the matter of LU 1144 and 1145
Counsel
Merchandise Mart Properties

Myron Mauer
Vice President
Merchandise Mart Properties

Ernie Padrone
New York City Economic Development Corporation

David Grider
Associate
Dattner Architects

Seth Wright
Phillip Habib and Associates

A P P E A R A N C E S [CONTINUED]

Albert Budsell
Clinton Cove Park Conservancy
Hell's Kitchen Neighborhood Association

Committee Clerk

Committee Staff

A. J. Pietrantone
Friends of Hudson River Park

Donna J. Keren
Senior Vice President for Research and Analytics
NYC & Company

John Doswell
Co-Chair
Waterfront and Parks Committee
Manhattan Community Board 4

Paul Morris
Vice President
MMPI Art Shows and Events

Maura McCarthy
Queens Borough Commissioner
New York City Department of Transportation

Michael Givonarro
Executive Director
Citywide Street and Arterial Maintenance
New York City Department of Transportation

Carol Clark on other Land Use items

Inez Dickens
In support of Land Use 1093
New York City Council Member

Darryl Sap
In support of Land Use 1093

A P P E A R A N C E S [CONTINUED]

Mrs. Sap

In support of Land Use 1093

Mr. and Mrs. Cunningham

In support of Land Use 1093

Vincent Ignizio

New York City Council Member

Committee Counsel

Tom McKnight

Economic Development Corporation

Jonathan Gubay

Economic Development Corporation

Carlos Canal

Owner

Flushing Towing

Nola Canal

Flushing Towing

Angela Sambucci

Sambucci Brothers Auto Salvage

Danny Sambucci, Jr.

Sambucci Brothers Auto Salvage

Ross Holland

Cofire Paving Company

Vincent Vaccaro

Met Metals

Gene Kelty

Chairman

Community Board 7

Howard Feinstein

Feinstein Iron Works

A P P E A R A N C E S [CONTINUED]

Robert LoScalzo
Resident
Community Board 7

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 6
 CONCESSIONS

2 [START 1001]

3 MR. JERRY STAFFIERI?: 7/27/2009,

4 Subcommittee on Planning, Dispositions and
5 Concessions.

6 [END 1001]

7 [START 1002]

8 CHAIRPERSON GARODNICK: Good

9 afternoon everybody and welcome to the
10 Subcommittee on Planning, Dispositions and
11 Concessions, a Subcommittee of Land Use of the New
12 York City Council. My name is Dan Garodnick and I
13 have the privilege of chairing this Subcommittee.
14 I'm joined by Subcommittee members Maria Baez,
15 Sara Gonzalez and Vincent Ignizio. And we're also
16 joined by Council Members Gale Brewer and Rosie
17 Mendez. And we are going to get right on into it.

18 We have a few items for discussion
19 today. And I'm going to start with Land Use--I'm
20 going to do them slightly out of order though as
21 to accommodate Council Members and to try to move
22 it along. We're going to start with Land Use
23 number 1131, UHAB, in the District of Council
24 Member Rosie Mendez. This is a Manhattan
25 Community Board 3, 20095673 HAM, is an application

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 7
 CONCESSIONS

2 by HPD who is making their way to the table right
3 now.

4 For, pursuant to Section 577 of the
5 Private Housing Finance Law for modification to a
6 previously approved UDAAP project and for related
7 tax exemption. So as soon as you are ready, you
8 can go right ahead and introduce this item and
9 welcome.

10 MS. CAROL CLARK: Thank you
11 Chairman Garodnick. My name is Carol Clark; I'm
12 an Assistant Commissioner at HPD. I'm joined by
13 Terry Arroyo who's the Director of Land Use for
14 HPD. Good afternoon Council Members. LU 1131 is
15 an action in which HPD is seeking the approval of
16 a full Article 11 tax exemption for 1 occupied 18
17 unit building located in Council Member Mendez'
18 District as you noted at 21 Avenue C.

19 The building was part of a cluster
20 that was previously approved for a partial tax
21 exemption by the Council back in 2002. And the
22 original financing from the National Cooperative
23 Bank has proven to be insufficient to complete the
24 necessary rehabilitation. The sponsor of the
25 project which is UHAB is now in the process of

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 8
2 CONCESSIONS

3 seeking additional private financing in order to
4 complete the work.

5 HPD is requesting that the Council
6 approve termination of the current partial tax
7 exemption and in its place approve the full
8 Article 11 tax exemption that we're applying for
9 today. This will extend the affordability for an
10 additional 40 years. Council Member Mendez has
11 reviewed the project and has indicated her support
12 to us. Thank you.

13 CHAIRPERSON GARODNICK: Thank you.
14 If you could just explain to us whether there's
15 been any benefits received for the partial tax
16 exemption to date or whether that just as been
17 sort of laying idle during this period of non-
18 work.

19 MS. CLARK: The people from UHAB
20 are going to have to respond to that question
21 'cause I don't have that answer before me. Terry,
22 do you? I mean we will continue but I'm sorry I
23 don't have that answer.

24 CHAIRPERSON GARODNICK: The UHAB
25 people are here you said?

MS. CLARK: Yes.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 9
2 CONCESSIONS

3 MS. TERRY ARROYO: Yes.

4 CHAIRPERSON GARODNICK: Come on up.
5 Welcome. Just have a seat and identify yourself
6 for the record and welcome, nice to see you.

7 MR. ANDY REICHER: Sorry. I'm Andy
8 Reicher, Executive Director of UHAB.

9 MS. JENNIFER KAMINSKY: I'm
10 Jennifer--[mic goes out]

11 CHAIRPERSON GARODNICK: Okay. If
12 you could just hit the button on the microphone,
13 do it one more time.

14 MS. KAMINSKY: Jennifer Kaminsky
15 [phonetic], Project Manager at UHAB.

16 CHAIRPERSON GARODNICK: Thank you.
17 So the answer to that question is--the question
18 again was, it sounds to me that there was the
19 partial exemption and now there's an application
20 for the full exemption. Were benefits received
21 under the partial exemption during the past seven
22 years or what exactly was happening for the last
23 period?

24 MS. KAMINSKY: Some benefits have
25 been received but it hasn't been a full--

CHAIRPERSON GARODNICK:

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 10
2 CONCESSIONS

3 [Interposing] What work has happened on the
4 building? It's an unoccupied building.

5 MS. KAMINSKY: Yes. So it was,
6 it's been fully brought up to code the work is
7 complete. And so now it's--it was a vacant
8 abandoned building and now, err--

9 MR. REICHER: [Interposing] Right.
10 It was a building that was bought as part of the
11 package. It was occupied but not legally at the
12 time it was purchased. It's now legal. The work
13 is complete and we are getting additional
14 financing for it as part of a co-op conversion
15 that should take place shortly after. But to make
16 it affordable we need the full tax exemption
17 rather than the partial tax exemption.

18 CHAIRPERSON GARODNICK: Okay.
19 Thank you.

20 [Pause]

21 CHAIRPERSON GARODNICK: Council
22 Member Mendez.

23 COUNCIL MEMBER MENDEZ: Thank you
24 Chair Garodnick and thank you for taking this item
25 first as I'm running off to another hearing.
These were part of a group of buildings that my

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 11
 CONCESSIONS

2 predecessor Margarita Lopez worked very hard to
3 make permanent affordable housing so this predates
4 me and it predates Any Reicher being the Executive
5 Director.

6 But it's something we're very proud
7 of to have gotten these building up to code and
8 safe. And to have the--these were known as the
9 former squat buildings, and to have the individual
10 who had been in these buildings to be able to
11 purchase them and keep them permanently
12 affordable, it's been a long haul.

13 And one of the buildings, 21 Avenue
14 C, we called the umbrella building, so it will be
15 great to go back there. And my dear friend Carmen
16 who died a few years ago of cancer who never got
17 to come to this day, we do this in her memory,
18 thank you very much.

19 CHAIRPERSON GARODNICK: Thank you
20 Council Member Mendez.

21 [Pause]

22 CHAIRPERSON GARODNICK: I don't
23 believe anybody else is here to testify on Lane
24 Use 1131, is that correct?

25 [Off mic]

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 12
2 CONCESSIONS

3 CHAIRPERSON GARODNICK: We have the
4 folks from UHAB up here.

5 [Off mic]

6 CHAIRPERSON GARODNICK: Somebody
7 here to testify on 1131? Going once, going twice.
8 Ah, sorry. Sorry. What's [off mic].

9 CHAIRPERSON GARODNICK: Okay.
10 Thank you. We're going to close the hearing on
11 1131, 20095673 HAM in Manhattan Community Board 3,
12 the UHAB project.

13 Then we have another one, which
14 we're going to open the hearing on now, Land Use
15 1132, another UHAB item in the District of Council
16 Member Mendez, 20095674 HAM. And we'll go right
17 back to Ms. Clark. Go ahead.

18 MS. CLARK: Thank you Chairman
19 Garodnick. Yes the set of facts is quite the same
20 on 1132. Again HPD's here for the approval of an
21 Article 11 tax exemption on a property located at
22 2090 7th Street which is also part of this cluster
23 that Council Member Mendez described. It had
24 original financing which has proven to be
25 insufficient. UHAB is in fact the sponsor of
this, is securing additional private financing to

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 13
2 CONCESSIONS

3 complete the work. And HPD is here to request
4 that the Council approve the termination of the
5 current partial tax exemption and approve the full
6 Article 11 tax exemption.

7 It'll extend the affordability of
8 the units which are 18 occupied residential units
9 and 1 vacant one. No commercial units, for
10 another 40 years, in Council Member Mendez has
11 reviewed the project and indicated her support.
12 Thank you--

13 CHAIRPERSON GARODNICK:
14 [Interposing] Council Mendez works too. We knew
15 what you were going to say. Thank you very much.
16 Seeing no other members of the public wishing to
17 testify on Land Use number 1132, 20095676, I'm
18 sorry, 5674 HAM, I will close the hearing on that
19 item.

20 And we will open the hearing on
21 Land Use Number 1090, the Albany Crossings
22 Apartments in Brooklyn Community Board 3 in the
23 District of Council Member Al Vann, 20095468 HAK.
24 It's another application from HPD pursuant to the
25 New York Private Housing Finance Law for consent
to the conveyance by a redevelopment company for

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 14
 CONCESSIONS

2 property at this location, Block 1859, Lot 1,
3 again in the District of Council Member Vann. Go
4 right ahead.

5 MS. CLARK: Right. And I'm also
6 going to be joined on this one by Joe Lynch who's
7 an attorney representing the owner of this
8 property. LU 1090 is known as the Albany
9 Crossings Apartments and it consists of HPD's
10 request for approval by the Council of the
11 conveyance of one vacant lot which is located at
12 17 Albany Avenue by the current owner to a new
13 Article 5 redevelopment company known as Bedford
14 Stuyvesant South, LLC.

15 Back in November of 2007 the
16 Council approved a partial tax exemption to Albany
17 Crossings LP for the rehabilitation of multiple
18 dwellings which comprise 91 units of rental
19 housing for household whose incomes do not exceed
20 60% of the area median income, which as you know,
21 is up to \$46,000 a year in income for a family of
22 4.

23 As was planned when the refinancing
24 was structured in 2007, the proceeds that are
25 generated by the proposed sale of this one vacant

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 15
 CONCESSIONS

2 lot at 17 Albany Avenue will be used as one of the
3 many funding sources to enhance the affordability
4 of the existing rehabilitated project. Council
5 Member Vann has reviewed this project and has
6 indicated his support.

7 CHAIRPERSON GARODNICK: Sorry.

8 Thank you. I missed the very end there. You said
9 that the Council had approved the partial tax
10 abatement some years ago. Is that correct?

11 MS. CLARK: The--yes, this was a
12 refinancing that was done in 2007 and there are a
13 series of sources, funding sources which includes
14 a loan from the Housing Development Corporation, a
15 loan from HUD, it includes \$2 million in City
16 permanent capital monies, low income housing tax
17 credits, and this land sale which is proposed of
18 the single lot at 17 Albany Avenue, the proceeds
19 of which, \$800,000 will enhance the affordability
20 of this existing 93 unit rental property.

21 CHAIRPERSON GARODNICK: What are
22 the affordability parameters here?

23 MS. CLARK: The affordability,
24 everyone in the complex earn up to \$46,000 a year
25 for a family of 4. It's up to and not exceeding

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 16
2 CONCESSIONS

3 60% of the area median income.

4 CHAIRPERSON GARODNICK: And that's
5 for a defined period?

6 MS. CLARK: It's a period of 40
7 years.

8 CHAIRPERSON GARODNICK: Okay.
9 Thank you. Seeing no other questions or members
10 of the public wishing to testify on this item,
11 we'll close the hearing on Land Use 1090, the
12 Albany Crossings Apartments, 2009-5467, before we
13 close the hearing, let's see, is Joseph Lynch?

14 MR. JOSEPH LYNCH: Yes I'm here
15 Sir.

16 CHAIRPERSON GARODNICK: Okay.
17 Good, just wanted to make sure that was you. As
18 you're the only one we got.

19 MR. LYNCH: Yep.

20 CHAIRPERSON GARODNICK: And we will
21 close the hearing on 1090 and open the hearing on
22 Land Use 1091, Kingston Heights Apartments,
23 20095468 HAK, in Brooklyn Community Board 3. Ms.
24 Clark.

25 MS. CLARK: Yes this is a similar
project, LU 1091 known as Kingston Heights

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 17
2 CONCESSIONS

3 Apartments consists of HPD's request for approval
4 by the Council of the conveyance in this case of
5 two vacant lots located at 29 and 35 McDonough
6 Street, by the current owner to the new Article 5
7 redevelopment company, again that's Bedford
8 Stuyvesant South LLC.

9 Again back in November of 2007 the
10 Council approved a partial tax exemption to
11 Kingston Heights Apartments for their rehab of
12 multiple dwellings, in this case consisting of 132
13 units of rental housing. The rehabilitation has
14 been completed and as it was planned when the
15 refinancing was organized in 2007 the proceeds of
16 this proposed sale of the 2 vacant lots is
17 contemplated as an additional funding source
18 towards enhancing the affordability of the
19 existing rehabilitated project.

20 Council Member Vann has reviewed
21 the project and indicated his support.

22 CHAIRPERSON GARODNICK: Thank you.
23 With that we'll close the hearing on Land Use
24 1091, the Kingston Heights Apartments, 20095468
25 HAK. And we're going to open the hearing on the
 Hudson River Piers, 92 and 94, Land Use Number

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 18
2 CONCESSIONS

3 1144 and 1145. This is C 090221 ZSM, C 090222
4 ZSM. And these are applications submitted by the
5 New York City Economic Development Corporation and
6 MMPI Piers, LLC pursuant to 197(c) and 201 of the
7 City Charter for a grant of a special permit to
8 allow a trade exposition facility with a rated
9 capacity in excess of 2,500 persons, as well as to
10 modify the height and setback and length
11 requirements for a structure on a pier in
12 connection with the proposed trade exposition
13 facility on the property located at Piers 92 and
14 94 which are along the Westside Highway between
15 51st and 55th Street.

16 So I don't know who's making the
17 presentation but please identify yourselves and
18 we'll make sure that we have you here as
19 witnesses. Ms. Rosenthal is that you? Okay. Hit
20 the button.

21 MS. CAROL ROSENTHAL: I'm Carol
22 Rosenthal from Fried, Frank; we are counsel to
23 Merchandise Mart Properties who is one of the
24 applicants for the project that's before you
25 today. The site as Council Member Garodnick
mentioned is used currently for trade shows, Pier

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 19
2 CONCESSIONS

3 94 and the Head House were the subject of a 2003
4 special permit and disposition action.

5 Our ULURP actions today are first
6 disposition for the Piers and the Head House for a
7 long term lease for a 49-year lease and with
8 renewals. There's also a special permit to
9 continue the trade showed use and to include Pier
10 92. And there's also special permits to allow a
11 shade canopy over the public space and
12 authorizations to allow the design of the proposed
13 waterfront space.

14 Council Members, we're going to
15 show you the proposal shortly. Myron Mauer who's
16 Vice President of Merchandise Mart has a slide
17 presentation. And we have also Ernie Padrone
18 [phonetic] from EDC who's going to speak.

19 One thing I just wanted to note
20 from the outset is that since April of 2008 we
21 have a number of ongoing meetings with
22 stakeholders including representatives of
23 Community Board 4 Waterfront Committee and other
24 Committees, Friends of Hudson River Park, the
25 Borough President's Office, the Hudson River Trust
and others to discuss our proposal, in particular

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 20
2 CONCESSIONS

3 to discuss the waterfront public access that
4 you'll hear more about, public use of a glass
5 pavilion at the northern end of the pier and the
6 new public amenity building that we're also going
7 to describe.

8 We enjoyed the support of Community
9 Board 4 with conditions, all of which we are going
10 to meet. And on that basis we also had approval
11 from the Borough President. I'm going to let
12 Ernie do a brief talk and then Myron will walk you
13 through the presentation and description and we're
14 here to answer, of course, any questions that any
15 of you have. Thank you.

16 MR. ERNIE PADRONE: Thanks Carol.
17 Good afternoon Chairman Garodnick and Council
18 Members. Several years ago, I'm sorry, my name is
19 Ernie Padrone. I'm from the New York City
20 Economic Development Corporation.

21 Several years ago EDC commissioned
22 a study that identified a need for a mid-size
23 trade show space in the City. It showed that the
24 trade show industry is an important economic
25 driver and the addition of trade show space is
essential to the industry's future in the City.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 21
2 CONCESSIONS

3 In response to this study and as a
4 part of the Master Plan for the Manhattan Cruise
5 Terminal, EDC issued an RFP calling for the
6 redevelopment of Piers 92 and 94. In
7 collaboration with local stakeholders, EDC set
8 forth specific goals in the RFP for the
9 redevelopment project.

10 In addition, in creating more space
11 for trade shows as a state of the art facility,
12 the goals included retaining flexibility for
13 cruise ship operations and improving public access
14 to the waterfront and enhancing the experience of
15 Clinton Cove Park users.

16 EDC designated Merchandise Mart
17 Properties as the developer for the Pier 92-94
18 project because of their excellent reputation in
19 the industry and their vision for the piers.
20 MMPI's proposal promises to make the piers a world
21 class trade show facility while also providing
22 significant amenities to the local community.
23 These amenities include a public esplanade along
24 the perimeter of Pier 94, a public waterfront
25 plaza next to the Head House, and a public amenity
space that includes a restroom and seating.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 22
2 CONCESSIONS

3 In addition MMPI's redevelopment of
4 the piers will include increased efficiency in the
5 traffic circulation in front of the Head House.
6 Their commitment to working with the community and
7 stakeholders has been evident as they have engaged
8 in countless discussion with these groups even
9 months prior to ULURP.

10 Along the way they have been
11 responsive to the issues raised and adjusted their
12 project accordingly. Most recently as Carol
13 mentioned they agreed to all the recommendations
14 given by the Community Board at their ULURP
15 hearing, who recommended approving the project
16 with these conditions. The Borough President and
17 City Planning Commission have also been supportive
18 of the project.

19 EDC is very excited about the
20 redevelopment of Piers 92 and 94 and its selection
21 of MMPI and hope you will join us in support of
22 this project.

23 CHAIRPERSON GARODNICK: Thank you.
24 Did you say you were going to do a visual?

25 MR. PADRONE: Myron.

CHAIRPERSON GARODNICK: Go right

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 23
2 CONCESSIONS

3 ahead.

4 MR. MYRON MAUER: I'll make this
5 very brief and I think a lot of people might have
6 gotten this as a handout. First a little
7 background about MMPI--

8 CHAIRPERSON GARODNICK:

9 [Interposing] And state your name too.

10 MR. MAUER: --oh I'm sorry.
11 [chuckling] Myron Mauer, MMPI. MMPI is a
12 division of Vornado Realty Trust based in Chicago.
13 We specialize in the management of design centers,
14 merchandise marts and trade show facilities. And
15 we have a wide range of industry expertise and we
16 produce our own trade and consumer shows. And
17 we're an organization that's committed to
18 sustainable development.

19 This is our namesake building, the
20 Merchandise Mart in Chicago, 4 million square feet
21 building that's LEED certified. It's the largest
22 LEED certified building in the country. We also
23 manage buildings in 6 other cities. Here in New
24 York we lease 10 floors of the A and D Building on
25 58th Street and we own and manage 70 West 34th
Street.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 24
2 CONCESSIONS

3 Our organization produces over 300
4 trade and consumer events in the United States,
5 Canada and Mexico. Here in New York a lot of you
6 might be familiar with the Armory Art Show that's
7 held at the Piers today. That occurs every March.

8 The Piers 92 and 94 are located at
9 52nd and 54th Street on the Hudson River. This map
10 shows that location. These are the existing
11 conditions. The facility exists of a 3-story Pier
12 92; the first floor is a truck facility, a
13 warehousing area. The second floor is the docking
14 for cruise ship passengers and also it functions
15 as a trade show space today. The top level of
16 Pier 92 is a 292 parking spaces.

17 The Pier 94 and the Head House are
18 single story shed structures that are today used
19 for trade show and consumer shows.

20 Some of the existing conditions
21 that plague the facility today is lack of
22 identity. There's poor traffic circulation in and
23 out of the facility. Piers 94 and the Head House
24 have no truck docks. All that activity occurs in
25 the front of the building and there's no back of
 the house service areas. So as this picture

3 shows, the dumpsters are right in front of the
4 facility.

5 The City identified four project
6 goals as part of their original RFP in May of
7 2006. The first was to create a significant mid-
8 sized trade show facility appropriate for the City
9 of New York which would drive economic growth with
10 jobs and hotel room occupancy.

11 The second was to maintain cruise
12 ship capabilities at Pier 92. The third was to
13 correct existing traffic problems at the facility.
14 And the fourth was to create new public space and
15 provide public access to the waterfront.

16 I'm going to go through each of
17 these four points. I'll start with the cruise
18 ship capabilities first. Our project would
19 continue the cruise ship capabilities of Pier 92.
20 Piers 88 and 90 which are south of 92 have been
21 renovated by the City under a separate project and
22 those will be the primary cruise ship facilities
23 for the City. 92 acts as a backup so there's a
24 total of 4 berths on Manhattan for cruise ships.

25 One reason we can maintain that
26 cruise ship activity at 92 is we're retaining the

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 26
2 CONCESSIONS

3 lower level as a truck dock logistic center.
4 We'll renovate that to increase capacity. That
5 facility will also serve as the truck dock area
6 for the Pier 94-94. Today, this is a new
7 construction, but today the truck dock area that
8 my pointer shows all occurs outside the Head
9 House. We're moving that entire activity into the
10 lower level of 92.

11 We can also store empties on that
12 lower level of 92 which helps the traffic
13 situation because we're going to reduce truck
14 movements for the activities that go there by 50%.
15 Typically in a trade show there are 4 truck
16 movements involving the product that comes in for
17 a trade show. There's the delivery of the
18 product. Product is set up in the space. Those
19 empties are brought back to a truck dock. Those
20 empties are loaded on another truck, taken
21 offsite. When the show is over those empties come
22 back with a third truck, unloaded from that truck,
23 delivered to the exhibit space.

24 The exhibitor loads up those empty
25 boxes, returns those loaded cartons back to the
 truck dock and a fourth truck comes in to take

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 27
2 CONCESSIONS

3 those offsite. So there are four round trips
4 required by trucks at a typical trade show. We
5 are going to reduce that in half by eliminating
6 the removal of the empties. We're going to store
7 those empties onsite in the lower level of Pier
8 92. That will greatly reduce the traffic issues
9 that deal with the truck movements around the
10 facility.

11 Today the facility also borders on
12 the greenway pedestrian bike path of the Hudson
13 River Trust. Today's truck movements or vehicle
14 movements, there are 14 conflicts between vehicles
15 and pedestrians. And this graphic tries to
16 highlight those. Most of those are caused by the
17 circular fashion where inbound vehicles off the
18 Westside Highway have to come in, do a loop
19 around, and then cross back over the entry area to
20 get out. And so we're eliminating that entirely
21 by having all the traffic go south out a new exit
22 out onto 52nd--across from 52nd Street. And that
23 reduces the 14 conflicts to a total of 5
24 conflicts.

25 This is a bird's eye view of our
 development showing a new 2-story Head House and

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 28
2 CONCESSIONS

3 it will be renovating the existing shed structure
4 of the Pier 94 and renovate the second floor of
5 Pier 92. This would be the facility main entrance
6 with banners appropriate to acknowledge the shows
7 that will be going on there. This also shows the
8 southbound traffic that I just explained in front
9 of the facility.

10 The third requirement was create
11 open space. This plan is part of the ULURP
12 application and shows in different shades of green
13 the area that will be open to the public. That
14 includes a new public amenity which I'll speak
15 about off the Clinton Cove Park which is to the
16 north and the ability for pedestrians who are
17 visiting that park to walk along the side of the
18 structure, go along the entire length of Pier 94
19 out to a public viewing area at the end of 94.
20 And I have some visuals that show that.

21 This is a blow-up plan of that
22 pavilion, public amenity area. This public
23 amenity is about 1,800 square feet. It has 2
24 public washrooms and food services areas and is
25 open to the public year round, the same hours as
the park hours for Clinton Cove Park. The

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 29
2 CONCESSIONS

3 pavilion is a combination private venue and also
4 we're making that available for public use 30 days
5 of the year. We're setting back this structure 40
6 feet from the river in order to create a plaza
7 area for public use. And then it's from this
8 plaza area that you proceed further south and then
9 go along Pier 94 to the end of the viewing area.

10 This is a view of the proposed
11 development looking from the northeast and the
12 southwesterly direction. This orange structure
13 here is the public amenity with the entry drive on
14 the left. This view is from the north, looking
15 northeast, excuse me, looking southeast from the
16 north side. This shows the plaza area here on the
17 right and once again the public amenity. You take
18 this plaza area down and can access the end of
19 Pier 94. This is the plaza area in front of the
20 pavilion is on the north side. This is the public
21 amenity structures on the left and the Hudson
22 River beyond.

23 This is the walkway from the
24 Clinton Cove Park along the north side of Pier 94
25 to this viewing area at the end of Pier 94. This
is a new structure that provides shade and weather

3 protection at the end of Pier 94.

4 Economic benefits were the fourth
5 requirement. So we're maintaining a leadership
6 role for the New York and consumer and trade
7 shows. We envision creating a high-end mid-sized
8 trade show facility. We proposed to bring 15 to
9 20 new shows to the City when we're fully
10 developed. This venue will not compete with the
11 current exhibition areas in the City.

12 In a fully developed situation
13 after the new shows come in, we see about \$360
14 million of additional economic impact to the City
15 with the combination of the attendees for these
16 events, the exhibitors that will come and show at
17 these events, and the management and the
18 contractors involved in setting up these events.
19 And these all deal with lodging, restaurants,
20 etcetera, all working into job growth.

21 These are the five main areas of
22 economic benefit. The business success of the
23 attendees and exhibitors who come to these events
24 which will drive employment in the hotels and
25 restaurants that provide services for these
visitors. These visitors to the City will attend

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 31
2 CONCESSIONS

3 and visit the cultural attractions here in the
4 City. This facility will provide year round
5 impact. It's not seasonal in nature. And then
6 all this drives additional tax revenue for the
7 City.

8 The facility today, currently all
9 union, we intend on maintaining that and all these
10 different trades, carpenters, electricians,
11 longshoremen, all will be working the facility.
12 That's the end of my presentation.

13 CHAIRPERSON GARODNICK: Thank you.
14 And that you for moving with all deliberate speed.
15 Sir, why don't you identify yourself too just so
16 we have you.

17 MR. DAVID GRIDER: Hi. My name is
18 David Grider; I'm an Associate with Dattner
19 Architects, the designers of the project.

20 CHAIRPERSON GARODNICK: Great.
21 Thank you. We may be missing one of these
22 appearance forms for you so if you could just fill
23 that out with the Sergeant when you leave the
24 table. Let me, we have questions from Council
25 Member Brewer in a moment but let me just ask two
quickies right here off the bat. You noted that

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 32
2 CONCESSIONS

3 the Community Board had put certain
4 recommendations along with its approval and that
5 you had satisfied those. Could you just share
6 with us what those are?

7 MS. ROSENTHAL: The Community Board
8 had 14 requests and we responded in writing to
9 each of the requests. I could read them off or
10 sort of give you a flavor whichever you prefer.

11 CHAIRPERSON GARODNICK: Well I
12 don't know how complicated they are. If they're
13 things you could just tick off so we understand
14 what they are, that would be most useful but I
15 don't want to go into a ten minute explanation
16 here.

17 MS. ROSENTHAL: Okay. That's fine.
18 We made a commitment at the request of the
19 Community Board to incorporate, to assure them in
20 our project, that we will incorporate the space
21 for loading of the trucks, the loading and
22 unloading place that will have the storage
23 capabilities for the crates. That is going to be
24 part of our project.

25 There were certain pedestrian
 safety measures which were requested, entering

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 33
2 CONCESSIONS

3 into the site, including a speed bump and things
4 like that all of which we have agreed to be part
5 of our project.

6 There was also a request, they
7 liked--it was important that we have a traffic
8 plan that we've showed you coming in from the
9 north and exiting the south. And we made a
10 commitment that that would also be part of our
11 project. We would encourage the use of shuttle
12 busses as another measure to minimize traffic from
13 the shows. And we've been having conversations
14 with the MTA about extending bus service over to
15 12th Avenue.

16 Another item that was important was
17 should there become funding available for a
18 pedestrian bridge over 12th Avenue, we have
19 designed our facility so that there is a landing
20 place for that bridge. And that is something that
21 we will include in our project.

22 We will continue to have ship
23 docking capability for the ships, as Myron
24 explained. Another issue that the Community Board
25 asked us to do is to reduce the signage to an
 amount that's smaller than is permitted under

3 and north so I am interested in this topic. First
4 is regarding the MTA, I know you're in
5 negotiations but I was going by in a cab in that
6 area today and the taxis were backed up 'cause
7 there are three ships in, all the way down the
8 highway. So the highway was backed up because of
9 the taxis. So my question is how can people get
10 to the show except in a cab or potentially shuttle
11 unless you have a bus?

12 In other words are you--like I
13 would suggest that we don't be in negotiations but
14 how can we solidify, if it costs money you should
15 pay for it, for a bus to go to 12th Avenue so that
16 the public can get there somehow.

17 MS. ROSENTHAL: Do we want--we have
18 our traffic expert here who's had some discussions
19 with the MTA. And I'll let him speak. I think,
20 you know, one issue is that there's a lot of
21 considerations in terms of moving bus routes and
22 so that enters into it so--

23 COUNCIL MEMBER BREWER:

24 [Interposing] Well it's not tomorrow. So.

25 MS. ROSENTHAL: Right. Right.

COUNCIL MEMBER BREWER: But it

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 37
2 CONCESSIONS

3 would make sense. The City, EDC, with all due
4 respect is always building projects according to
5 Gene Rushinoff [phonetic] and you always forget
6 about the bus, so.

7 MR. MAUER: I don't--

8 COUNCIL MEMBER BREWER:

9 [Interposing] So what's the story with the bus?

10 MR. MAUER: I believe on issue for
11 MTA was the facility's an inconsistent use. It's
12 not Monday through Friday 9:00 to 5:00, per se--

13 COUNCIL MEMBER BREWER:

14 [Interposing] I know but it will be good for the
15 park in general--

16 MR. MAUER: [Interposing] Yes.

17 COUNCIL MEMBER BREWER: --in order
18 words it wouldn't be just for you, it would be for
19 Clinton Cove, etcetera, because it's hard to get
20 to Clinton Cove right now. So in other words it
21 could be not just for you but for the park. Right
22 now if you're a senior and you have a walker you
23 cannot get to the park. It is physically
24 impossible. So I think it would be great to have
25 the bus. So how are we going to get that bus
there?

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 38
2 CONCESSIONS

3 MS. ROSENTHAL: We agree with you
4 that it would be great to have the bus. We've
5 started discussions. We'd be happy to continue
6 working with whomever can help us in that
7 endeavor. And Seth I don't know if you want to
8 say anything more--

9 COUNCIL MEMBER BREWER:

10 [Interposing] What's been the MTA's response?

11 MS. ROSENTHAL: Seth do you want to
12 address that?

13 CHAIRPERSON GARODNICK: Come on
14 over. Have a seat.

15 MS. ROSENTHAL: Okay.

16 CHAIRPERSON GARODNICK: And
17 introduce yourself.

18 COUNCIL MEMBER BREWER: 'Cause the
19 bus would be great. I was in the park over the
20 weekend at the Clinton Cove Festival and you
21 cannot get there if you can't walk really well.

22 MR. SETH WRIGHT: Yes, I'm Seth
23 Wright from Phillip Habib and Associates. And--

24 [Off mic]

25 MS. ROSENTHAL: He did. Seth
Wright.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 39
 CONCESSIONS

2 MR. WRIGHT: I did. Seth Wright.

3 And I signed the little sheet. We actually are in
4 discussion with the MTA to go to 12th Avenue for
5 the M-31 and the M-57, possibly, when Riverside
6 Boulevard becomes open. So that's like an
7 extension of the City that right now is causing
8 11th Avenue to be the end because once you get to
9 12th and that area you're kind of stuck there.

10 So, you know, Riverside Boulevard,
11 once that opens up, it causes that to be that link
12 to 12th Avenue and that's really where we're trying
13 to, you know, have discussions. I mean the MTA
14 will do whatever they think they want to do but
15 that's really what we're trying to get to go to
16 12th Avenue so they can circle around and go back
17 to 11th to go back east.

18 COUNCIL MEMBER BREWER: And what's
19 the timing of--I should know the Riverside
20 Boulevard is quite controversial that little
21 connection, but the issue is what's the timing of
22 that connection according to the City and your
23 project?

24 MR. WRIGHT: Well I mean--

25 MS. ROSENTHAL: [Interposing] I

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 40
2 CONCESSIONS

3 don't know.

4 MR. WRIGHT: --yeah. I don't know
5 when exactly Riverside Boulevard will be through
6 from the 70s down through to 57th Street. But
7 hopefully it will be there--I mean I don't know.

8 COUNCIL MEMBER BREWER:

9 [Interposing] Okay is there someone

10 MS. ROSENTHAL: [Interposing] We
11 don't--

12 COUNCIL MEMBER BREWER: --here from
13 DOT who can answer that question?

14 MS. ROSENTHAL: No I don't think
15 so. Council Members, you know it's not up to the
16 private applicant about the busses--

17 COUNCIL MEMBER BREWER:

18 [Interposing] Yeah but EDC is sitting with you.

19 MS. ROSENTHAL: And we can--

20 [Off mic discussion]

21 MR. PADRONE: I continue to
22 facilitate discussions with MTA. We've--they--

23 COUNCIL MEMBER BREWER:

24 [Interposing] I mean I think it should be a
25 stipulation that as part of this the MTA should do
that because just as an example today there must

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 42
2 CONCESSIONS

3 COUNCIL MEMBER BREWER: Are they
4 here?

5 CHAIRPERSON GARODNICK: Would--is
6 DOT prepared to address that? Okay. All right.
7 We have DOT speaking, registered in favor of the
8 item but...

9 COUNCIL MEMBER BREWER: No clue
10 about the bus.

11 CHAIRPERSON GARODNICK: Okay.

12 COUNCIL MEMBER BREWER: Tell
13 Jeanette she should know about that bus.

14 [Off mic]

15 COUNCIL MEMBER BREWER: Okay.

16 CHAIRPERSON GARODNICK: Okay. My
17 apologies--

18 COUNCIL MEMBER BREWER:
19 [Interposing] Number two--

20 CHAIRPERSON GARODNICK: --okay go
21 ahead.

22 COUNCIL MEMBER BREWER: --so all
23 right, all I'm saying to the Chair and to everyone
24 is we have got to get that bus there not just for
25 you but for the park. And so I think we should
make it a very high priority and have some

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 57
 CONCESSIONS

2 Friends of Hudson River Park is a
3 nonprofit organization whose mission is to both
4 advocate and provide support for Hudson River
5 Park, from The Battery to 59th Streets. Since our
6 founding ten years ago we have worked closely with
7 the community and The Hudson River Park Trust, in
8 both the park's construction and programming. The
9 site in question, while not technically part of
10 the Park, borders the Park and contains the
11 bikeway and running path that connect through it
12 and the remainder of the waterfront and adjacent
13 parks. As Mr. Budsell indicated the original
14 Master Plan for Hudson River Park suggested
15 potential changes to the Pier 94 Head House to
16 better incorporate the pier with the park and it
17 was our organization that proposed the Winter
18 Garden concept for the Head House that became part
19 of the RFP adopted by EDC.

20 We believe Merchandise Mart has
21 made a serious attempt to incorporate the concerns
22 of and feedback from the community with its need
23 to achieve certain operating milestones in
24 providing an economic development opportunity for
25 the City in an open, practice and feasible manner.

3 First and foremost we welcome and
4 applaud the additional access to Pier 94 and the
5 integration with the current design and treatment
6 of Hudson River Park. We think this will create
7 an opportunity to expand the awareness and use of
8 the Park and add value to the experience of the
9 visitors to the facility with lasting effect for
10 the City.

11 Secondly, while we recognize the
12 problems associated with impacts of increased
13 traffic, we are pleased with the effort made to
14 minimize those impacts and elimination of many of
15 the existing conflicts with the bikeway and
16 pedestrian paths as well as the inclusion of an
17 option for a future pedestrian bridge which we
18 intent to pursue.

19 We also acknowledge the difficulty
20 in incorporating the Winter Garden concept as a
21 completely public and passive recreation space
22 into an operation with uncertain resources,
23 undocumented demand, and competing objectives.
24 The creation of the smaller public amenity space
25 available on a permanent not only fulfills a large
 part of the objective for passive recreation needs

3 in the winter months, but also provides a workable
4 solution for adding capacity for more programmed
5 use that will enhance the community's experience
6 in the park.

7 We appreciate the developer's
8 attention to the specific suggestions made by all
9 of us in making the amenity most usable and
10 flexible for an area that is undergoing
11 considerable change. We also believe that the
12 proposal for sharing the larger pavilion on a
13 limited basis establishes a good faith effort to
14 integrate the needs of the park and community with
15 the reality of operating the facility in a
16 challenging economy and changing neighborhood.

17 This plan does provide additional
18 benefits to the community not currently available
19 and we expect to maintain an ongoing dialog with
20 the developer and revisit operation issues so that
21 the lessons learned can be factored into the
22 operation of the facility on a sustaining basis.

23 And for these reasons, and those
24 also expressed in the resolution of Community
25 Board 4, we recommend approval of the application.
 Thank you for your consideration.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 60
 CONCESSIONS

2 CHAIRPERSON GARODNICK: Thank you
3 very much. Go right ahead.

4 MS. DONNA KEREN: Chair Garodnick,
5 Council Member--

6 [Bell tone]

7 CHAIRPERSON GARODNICK: You're just
8 getting started, don't worry. Go ahead.

9 MS. KEREN: That was quick.
10 Chairman Garodnick, Council Members, good
11 afternoon ladies and gentlemen and thank you for
12 this opportunity to speak in support of this
13 proposal. My name is Donna Keren and I am a
14 Senior Vice President for Research and Analysis at
15 NYC & Company, New York City's official marketing
16 and tourism organization. The job of the Senior
17 Vice President for Research is to quantify and
18 track who comes to New York, why, what they spend
19 and how that affects jobs, wages and taxes across
20 the City.

21 New York City has been a premier
22 destination for the convention and exhibition
23 industry and that industry has an important driver
24 of the City's economy. Citywide New York City
25 hosts close to 4 million convention delegates

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 61
 CONCESSIONS

2 annually, as well as their family members who
3 travel with them. Convention delegates account
4 for one-third of all business travel and support
5 the City's tourism sector in both economic booms
6 and slow periods. Delegates generate almost \$3
7 billion in direct spending, which translates to an
8 economic impact of close to \$5 billion for the
9 City annually. Demand for New York as a host city
10 however has increased in recent years, despite the
11 fact that we are limited in our venue offerings.

12 Surveys have show that among trade
13 show event planners and producers the need for a
14 mid-sized trade show space such as is acute.

15 Unable to meet this demand, New York City
16 frequently has to turn away business. According
17 to records kept by NYC & Company, lost business
18 related to this demand is close to 1 million room
19 nights a year in future booking that's close to
20 \$20 million in hotel taxes that we are not
21 collecting.

22 The redevelopment of Pier 92-94 is
23 a state of the art mid-sized trade show and
24 exhibition facility will take a big step towards
25 addressing the City's deep need for more trade

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 62
2 CONCESSIONS

3 show and exhibit space. The location on the West
4 Side and Midtown provides significant advantages
5 for show organizers and attendees. When coupled
6 with the fact that it's developed and operated by
7 Merchandise Mart, the future opportunities for the
8 site with make New York City even more attractive
9 to trade show producers.

10 As you've heard from a number of
11 sources, their record in this is quite formidable
12 but we rely on this expertise and experience to
13 activate the Piers so that New York City can
14 actually compete for these mid-sized shows. As we
15 all know the City is experiencing the devastating
16 effects of the global economic downturn. One of
17 the potential antidotes to this is tourism and
18 Merchandise Mart's development of 92-94 goes a
19 long way towards bolstering the City's position as
20 a business visitor destination for the future.

21 We at NYC & Company look forward to
22 continuing to work with them, with trade show and
23 meeting planners, and with the City to generate
24 more business and economic impact for the future.
25 Thank you.

 CHAIRPERSON GARODNICK: Thank you

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 63
 CONCESSIONS

2 very much. Go ahead.

3 MR. JOHN DOSWELL: Hi. I'm John
4 Doswell. I'm representing Manhattan Community
5 Board 4. I co-chair the Waterfront and Parks
6 Committee. I also sit on the Transportation
7 Committee for Board 4. And I'm not going to read
8 every word here so I'll spare you that but I--
9 'cause some of this has been presented already.
10 But obviously this is a very important project for
11 Community Board 4 for several reasons. And after
12 many, many discussions with the developers over a
13 period of I think about eight months, we came up
14 with a list of conditions that we thought had to
15 be met before Community Board 4 could approve this
16 project.

17 I'm just going to go through some
18 of them, they were read off earlier but I want to
19 add a couple of points to this. But what we felt
20 and this is the letter that we received that has
21 also been handed out I believe, in which they have
22 agreed to them. And so what we want to have is
23 this be incorporated into the lease, either into
24 the lease language itself or as an attachment so
25 that it has some teeth and can be enforced.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 64
 CONCESSIONS

2 In any event we appreciate the time
3 the developers spent with us and as we--and I'm
4 just going to highlight 2 or 3 of the 14 things,
5 I'm not going to go through all of them. They
6 were all important to us in varying degrees. But
7 traffic was the subject of a lot of discussion,
8 the increased traffic. We recognize there will be
9 increased traffic. And we appreciate that the
10 truck plan will help reduce the round trips but it
11 is true that there are going to be more trips.

12 So we talked a lot about the
13 shuttle busses and other ways of getting the
14 people over there. It was actually our idea to do
15 the bus stop, the MTA, we initiated that and we
16 talked directly to MTA ourselves, with the
17 Transportation Committee. And I'm going to take
18 back Council Member Brewer's comments to the
19 Transportation Committee and make sure that we
20 redouble our efforts to make sure that happens.
21 So we will do everything we can to ensure that one
22 or more City busses, but the developers agreed to
23 be on our side on this and provide the space so
24 that's an important consideration.

25 We were very supportive of keeping

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 65
 CONCESSIONS

2 92 capable for cruise ships. I mean I think it's
3 an important industry. And we want to make sure
4 that we don't reduce our capacity there so we were
5 very much in favor of that. The signage
6 limitations came up and they agreed to reduce it
7 from what was required by the zoning. So we
8 appreciate that.

9 And then we spent a lot of time
10 talking about the public space and the use of it
11 and how to manage it. We were disappointed
12 initially with the 30 days; we felt it should have
13 been more. It seemed to be as far as we could go
14 but what they did that was provide a dedicated
15 space within that, the 1,800 foot public amenity
16 which as the talks progressed with the Trust would
17 actually be fully managed by Hudson River Park
18 Trust as an extension of the park so that would--
19 [timer tone] does this shut off automatically or
20 no, it doesn't [laughing]--

21 [Laughter]

22 MR. DOSWELL: So. And we also
23 wanted to make sure that in the use of the big
24 space that they provided tables, chairs and stuff
25 so that it wasn't just four walls and a ceiling

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 66
2 CONCESSIONS

2 and a floor and they've agreed to do that.

3 So really that's all I have to say.
4 Everything else is covered in the written
5 testimony. And we're pleased to support this
6 project. Thank you.

7 CHAIRPERSON GARODNICK: Thank you.
8 Thanks very much for your testimony. Sir.

9 MR. PAUL MORRIS: My name is Paul
10 Morris and I'm Vice President of MMPI Art Shows
11 and Events and one of the founders of the Armory
12 Show which Myron Mauer spoke about and which is
13 one of the trade shows currently occupying Piers
14 92 and 94 annually.

15 I'm actually here to ask you to
16 preserve New York City as the international center
17 for contemporary art. And the best way to do so
18 is to, and for me to speak in favor of this
19 proposition. The Armory Show brings in 240
20 dealers from around the world. We have annually
21 56,000 visitors. And although we enjoy lines
22 longer than those that were at the Tutankhamen
23 Exhibition at the Met or the Picasso Show at the
24 Modern, we still, before joining with MMPI had to
25 renegotiate a space in New York City. And

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 67
2 CONCESSIONS

3 speaking to Ernie's point, we--there is a shortage
4 of spaces here in New York City. Our show would
5 close. We would have to renegotiate to use the
6 Piers every year.

7 After joining up with MMPI we not
8 only grew the show and now have 240 dealers as
9 opposed to 150 which we started with, we also
10 include 11--in that group we include 11 not-for-
11 profits from New York City. And we have a
12 visitor's program that includes cultural partners
13 from across the City.

14 With MMPI's resources, we've not
15 only been able to grow the fair but we look
16 forward to enjoying one of the state of the art
17 exhibition spaces with this redevelopment. We're
18 now competing around the world with art fairs that
19 are in capitols across Europe, Asia and South
20 America. And one of our biggest competitions is
21 here in the states by a Swiss-owned company in
22 Miami.

23 This facility would put us in the
24 lead and secure our position within the
25 international art world. Thank you.

CHAIRPERSON GARODNICK: Great.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 69
2 CONCESSIONS

3 commercial, are pretty big.

4 MR. DOSWELL: Yeah.

5 COUNCIL MEMBER BREWER: It would be
6 nice for people to know that there's also public
7 space.

8 MR. DOSWELL: I love it.

9 COUNCIL MEMBER BREWER: Okay. And
10 second, when you say you'll talk to the MTA, what
11 does that mean in terms of just we have to ask.
12 I'll certainly ask with you.

13 MR. DOSWELL: Well it--

14 COUNCIL MEMBER BREWER:
15 [Interposing] 'Cause it really is absolutely
16 necessary.

17 MR. DOSWELL: I--

18 COUNCIL MEMBER BREWER:
19 [Interposing] They do this all the time by the
20 way, it's not the only situation.

21 MR. DOSWELL: Again I agree and all
22 I can do there is take it back, escalate it within
23 the Committee, Christine, J. R., I'm sure will
24 take it up, they chair it. And they will make a
25 strong effort to encourage the MTA to do that.
They were the ones that actually thought of it and

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 70
2 CONCESSIONS

3 they would continue to push that I'm sure.

4 COUNCIL MEMBER BREWER: Okay. And
5 is Maria Guzman chair of Harbor View been involved
6 with anything? In other words could we also put
7 together a meeting with the Community Board and
8 her regarding the residents of the Harbor View
9 NYCHA development?

10 MR. DOSWELL: We will put that on
11 our agenda.

12 COUNCIL MEMBER BREWER: Okay. And
13 the developer indicated that the pedestrian bridge
14 which I know we all want very much for all the
15 reasons that are obvious, is that something that
16 you feel is incorporated into the design
17 adequately?

18 MR. DOSWELL: Yes. It's
19 incorporated in both an elevator and stairs--

20 COUNCIL MEMBER BREWER:
21 [Interposing] Already.

22 MR. DOSWELL: --they have space in
23 the side near the front corner where that public
24 pavilion is that can accept it. And of course
25 then the Clinton Park's at grade so it actually
 helps the situation considerably in terms of the

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 71
 CONCESSIONS

2 expense of building that. All you have to do is
3 build the span. So we're going to continue to
4 escalate that now that we have a developer and
5 this is there to try to get that to happen. And
6 that's on our agenda as well.

7 COUNCIL MEMBER BREWER: Okay. And
8 then just finally the truck traffic, etcetera, how
9 much do you think it will increase if you've got
10 truck, taxis, etcetera? Do you have any sense of
11 what the increase will be--?

12 MR. DOSWELL: [Interposing] I think
13 the figure I heard someone, it was Al I think said
14 that, probably going to increase by 30%, not
15 because the fact is there's twice as many shows
16 over the year. And so it increases the number of
17 days in which there's truck traffic. Per show,
18 the shows are also larger. So the storage of the
19 crates is a critical element of the plan because
20 it does reduce the truck traffic for a show by
21 half although then again it's a larger show so
22 it's higher. So it's kind of a mixed thing.
23 Without the crate storage it would be a nightmare.
24 And so the crate storage we felt was a very
25 important part.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 72
CONCESSIONS

2 COUNCIL MEMBER BREWER: Okay. And
3 the 30 days will be, for the public space, that'll
4 have like an advisory committee? I know that the
5 Trust will be the coordinator and the scheduler.
6 Will that have some kind of advisory? How will
7 people know about that, etcetera?

8 MR. DOSWELL: We will--

9 COUNCIL MEMBER BREWER:

10 [Interposing] From your discussions.

11 MR. DOSWELL: We will take the lead
12 in putting the word out, number one, so that it's
13 available. Vetting the applications we'll
14 probably set up--this is kind of a--we do
15 something similar sometimes with certain other
16 applications. We'll set up a process with street
17 fairs in fact, we have a questionnaire. We'll do
18 something like that. We haven't worked out the
19 details yet but work with the Trust and with the
20 Friends and try to come up with a plan--

21 COUNCIL MEMBER BREWER:

22 [Interposing] Okay I think it would be good--

23 MR. DOSWELL: --but we have
24 discussed it with the Trust and they're aware of
25 the--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 73
 CONCESSIONS

2 COUNCIL MEMBER BREWER:

3 [Interposing] Try to make sure it's a diverse
4 group of people--

5 MR. DOSWELL: [Interposing] We
6 would do that.

7 COUNCIL MEMBER BREWER: --to whom
8 you are reaching out to and who are part of the
9 application process.

10 MR. DOSWELL: We'll definitely do
11 that.

12 COUNCIL MEMBER BREWER: And try to
13 make sure that it's something that people really
14 need and not just something that people don't want
15 to pay for.

16 MR. DOSWELL: No. We had this
17 discussion almost exactly along those lines.

18 COUNCIL MEMBER BREWER: All right.
19 Thank you very much.

20 CHAIRPERSON GARODNICK: Thank you
21 Council Member Brewer. Okay. With that, those
22 are the last folks who are interested in
23 testifying on this item. And now we will close
24 the hearing on Land Use Number 1144 and 1145, and
25 1143 and Preconsidered Land Use, that's 090-223.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 74
2 CONCESSIONS

3 And we will open the hearing on Land Use number
4 1160 which is the DOT Glendale Maintenance Yards,
5 Queens Community Board 6, C 070429 MMQ. It's a
6 DOT application for an amendment to the City Map.
7 So we will welcome DOT to the witness stand and
8 ask them to begin as soon as they're ready.

9 MS. MAURA McCARTHY: We are ready.
10 Good afternoon Chairman Garodnick and members of
11 the Subcommittee on Planning, Dispositions and
12 Concessions. My name is Maura McCarthy and I am
13 the Queens Borough Commissioner at the New York
14 City Department of Transportation. With me here
15 today is Michael Givonarro [phonetic], DOT's
16 Executive Director of Citywide Street and Arterial
17 Maintenance.

18 Thank you for the opportunity to be
19 here today to discuss DOT's ULURP application to
20 amend the City Map by eliminating, discontinuing
21 and closing two mapped roads in the Glendale
22 neighborhood of Queens. Both of the street
23 segments proposed for demapping are City owned but
24 are not operable or open to the public.

25 Since the 1930s they have been used
 as part of DOT's Glendale Yard Maintenance

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 75
2 CONCESSIONS

3 Facility. Currently the street beds are occupied
4 by an office trailer, fuel tanks, fuel dispensers,
5 a driveway and a parking area for the maintenance
6 units which occupy the lots abutting these street
7 beds. DOT is moving forward with a proposed
8 capital project to realign the facility and
9 demolish a deteriorating building. We will also
10 be relocating the driveway and parking area for
11 DOT vehicles to allow more efficient operation and
12 improved truck maneuverability.

13 At the same time the School
14 Construction Authority will be creating a
15 secondary exit for the Metropolitan Avenue School
16 campus which is adjacent to our facility. This
17 campus will have two schools, one for 700 students
18 and the other for 1,000 students, near the
19 location at Ursula Place and 70th Road. Both of
20 these schools will be an intermediate and high
21 school.

22 SCA's work will include installing
23 fencing across the portion of the currently mapped
24 but unbuilt road. Our proposed reconfiguration of
25 the Glendale Yard will minimize potential
conflicts arising from trucks entering onto 70th

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 76
2 CONCESSIONS

3 Road and the school's secondary exit. The ULURP
4 application before this Committee today will demap
5 70th Avenue between Sebilis Street and Ursula Place
6 and also demap a portion of Ursula Place between
7 70th Avenue and 70th Road, both of the segments of
8 currently unbuilt roads that will be used by DOT
9 and the School Construction Authority for
10 improvements to their facilities.

11 As the City has no intention of
12 building streets at these locations this demapping
13 will properly reflect the current and future land
14 use. We urge the Council to approve this ULURP
15 application and thank you for the opportunity to
16 be here today. And I'll be happy to answer any of
17 your questions.

18 CHAIRPERSON GARODNICK: Thank you.
19 Sounds relatively straightforward. I just want to
20 ask you about the Community Board action that was
21 approved with conditions on April 7th, 2009. Tell
22 us about the conditions and how you've addressed
23 them.

24 MS. McCARTHY: Currently also
25 adjacent to our facility are two horse stables
 that have been in use for many, many years. One

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 77
2 CONCESSIONS

3 of those stables, called Lynn Stable accesses
4 their refuse, their manure by going through these
5 unbuilt roadways. We've allowed them this use
6 unofficially for years and years. When we close
7 that portion of the mapped street, they would be
8 landlocked. They wouldn't be able to get rid of
9 their refuse. So we are giving them a permit to
10 come onto our property to dispose of their refuse.

11 That permit is not yet signed. All
12 parties have been agreeable and we expect it to be
13 signed any day.

14 CHAIRPERSON GARODNICK: That was
15 the manure permit was what the--

16 MS. MCCARTHY: [Interposing] Yeah
17 that's it.

18 CHAIRPERSON GARODNICK: --Community
19 Board was looking for. Okay and so that's what
20 you are working on achieving--

21 MS. MCCARTHY: [Interposing] Right,
22 right.

23 CHAIRPERSON GARODNICK: Okay.
24 Other questions? Seeing none, thank you very much
25 for your testimony. And we will close the hearing
 on Land Use 1160, the DOT Glendale Maintenance

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 79
2 CONCESSIONS

3 in Manhattan.

4 MS. CLARK: Thank you. This
5 consists of the proposed disposition of 1 occupied
6 8 unit City owned building located as you noted at
7 211 West 135th Street, also through HPD's Tenant
8 Interim Lease or TIL program. The training of the
9 residents in building management is a prerequisite
10 to creating these cooperatives. The TIL program
11 assists residents and their tenant associations in
12 City owned properties to purchase and manage their
13 buildings and become low income cooperatives.
14 Council Member Dickens has reviewed this project
15 and indicated her support.

16 CHAIRPERSON GARODNICK: Thank you
17 very much. And in a moment we will let her speak-
18 -oh actually I'm going to do it right now.
19 Council Member Dickens and then we've got a couple
20 of witnesses.

21 COUNCIL MEMBER DICKENS: Thank you
22 Chairman Garodnick for the opportunity to speak
23 today in strong support of this TIL building at
24 211 West 135th Street. I'm so proud of the
25 Cunninghams and the Saps, the two families that
 will be returning to the building within the next

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 85
2 CONCESSIONS

3 Member Dilan.

4 MS. CLARK: That's right Chairman
5 Garodnick. This consists of the proposed
6 disposition of 13 vacant City owned lots that are
7 located on Van Siclen Avenue, Ashford Street,
8 Pitkin Avenue, Glenmore Avenue, Lynwood Street and
9 Jerome Street for development under HPD's New
10 Foundations program. The proposed developer,
11 Cypress Homes HDFC, will construct 4 2-family
12 homes, 4 3-family homes and 7 3-unit condominium
13 buildings for sale to eligible purchasers.
14 Council Member Dilan has reviewed the project and
15 indicated his support.

16 CHAIRPERSON GARODNICK: Thank you.
17 So, I'm sorry, you said 4 2-family, 3 3-family and
18 7?

19 MS. CLARK: 4 2-family, 4 3-family
20 and 7 3-unit condominium buildings.

21 CHAIRPERSON GARODNICK: Okay. And
22 this is, I'm sorry; you said this is going to be
23 developed by whom?

24 MS. CLARK: Cypress Homes HDFC.

25 CHAIRPERSON GARODNICK: And how
were they chosen here?

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 86
2 CONCESSIONS

3 MS. CLARK: They were chosen
4 through a competitive process.

5 CHAIRPERSON GARODNICK: Great. And
6 these are sales you said of these 2 3-family homes
7 and the condo?

8 MS. CLARK: That's correct. They
9 will be sales.

10 CHAIRPERSON GARODNICK: And is
11 there any restrictions on the sales?

12 MS. CLARK: There are estimated
13 income targets and all 8 homes will be owner-
14 occupied with incomes at up to 80% of AMI for a
15 family of 4 as the target.

16 CHAIRPERSON GARODNICK: Okay.
17 Thank you. With that we have no members of the
18 public wishing to testify on Land Use 1133, non-
19 ULURP 20095675 HAK. So we will close the hearing
20 on that item and move to Land Use Number 1147,
21 College Point Corporate Park, Queens Community
22 Board Seven, C 090320 PPQ in the District of
23 Council Member Tony Avella.

24 Okay before we do that one we're
25 going to just--we're going to take a vote on the
items that we've heard today 'cause we're going to

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 87
 CONCESSIONS

2 lay over the College Point item for voting
3 purposes until tomorrow morning. So note to
4 Committee members, we will be reconvening at 9:50
5 A.M. tomorrow just before the Land Use Committee
6 for this Planning Subcommittee.

7 But we are going to take a vote on
8 all of the items that we have heard to this moment
9 on the agenda today. And for the ones that are on
10 the calendar but we did not hear, we're going to
11 lay them over at the request of the individual
12 Council Members in whose Districts these
13 properties sit. So we're going to couple the rest
14 together for voting and I'm going to as the
15 Counsel to call the roll with the Chair
16 recommending an aye vote on all.

17 COMMITTEE COUNSEL: Chair
18 Garodnick.

19 CHAIRPERSON GARODNICK: I vote aye.

20 COMMITTEE COUNSEL: Council Member
21 Baez.

22 COUNCIL MEMBER BAEZ: [Inaudible
23 response]

24 COMMITTEE COUNSEL: Council Member
25 Gonzalez.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 88
2 CONCESSIONS

3 COUNCIL MEMBER GONZALEZ: Aye.

4 COMMITTEE COUNSEL: Council Member
5 Dickens.

6 COUNCIL MEMBER DICKENS: Aye.

7 COMMITTEE COUNSEL: Council Member
8 Ignizio.

9 COUNCIL MEMBER IGNIZIO: Aye.

10 COMMITTEE COUNSEL: By a vote of 5
11 in the affirmative, none in the negative and no
12 abstentions, the aforementioned coupled items are
13 approved and referred to the full Committee.

14 CHAIRPERSON GARODNICK: Thank you
15 very much. And now we will move to College Point.
16 My apologies, Land Use 1147, let's have, who's
17 introducing this one, EDC? DCAS? Let's have
18 them. Come on down and introduce yourselves and
19 we'll be ready to get started.

20 [Witnesses getting settled]

21 CHAIRPERSON GARODNICK: Gentlemen,
22 please go ahead.

23 MR. TOM McKNIGHT: There I am.
24 Good afternoon Chairman Garodnick and members of
25 the Subcommittee. I'm Tom McKnight with the
Economic Development Corporation joined by

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 89
2 CONCESSIONS

3 Jonathan Gubay [phonetic] also from EDC. We're
4 here today to speak about an important aspect of
5 one of the City's largest and most important
6 projects, Willets Point.

7 As you know, Willets Point is a 62-
8 acre brown field in Queens that has been in
9 desperate need of remediation for generations.
10 Thanks to the overwhelming support of the Council
11 which approved a rezoning plan for the area by a
12 vote of 49 to 2 in November of last year, the area
13 is now primed for the redevelopment of mixed
14 income housing as well as retail, office, open
15 space, convention center and a school.

16 More importantly when completed
17 this crucial district which lies at the confluence
18 of a number of dense residential and commercial
19 districts will at long last not simply be cleaned
20 up but become one of the City's first LEED
21 certified districts, a stunning turnaround. As
22 you'll recall over the course of the ULURP process
23 related to Willets Point the Council repeatedly
24 and I might add correctly emphasized the need to
25 reach as many negotiated settlements with area
land owners and businesses as we could to ensure

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 90
2 CONCESSIONS

3 that these businesses which together employ some
4 1,700 people could to the greatest extent possible
5 relocate and continue to thrive and grow.

6 I'm please to report that in
7 response to your entreaties we have acquired or
8 reached agreements to acquire more than 65% of the
9 site to date. Among the properties that fall into
10 the latter category, that is properties that we
11 have reached agreements to acquire, are properties
12 on which 5 longstanding, family-owned Willets
13 Point businesses are located.

14 In the case of each of these
15 businesses we were told by their owners that they
16 would be willing to cede the land, their land
17 located in Willets Point if we were able to
18 identify alternative locations that were near
19 Willets Point as well as near each of the
20 company's customers, workers and suppliers.

21 In the case of these five
22 businesses the logical location was the College
23 Point Corporate Park. Relocating these successful
24 businesses to College Point will enable them to
25 expand their operations from a current total of
 about 175,000 square feet to more than 267,000

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 91
2 CONCESSIONS

3 square feet, more than 50% increase. The
4 businesses will also add value to their
5 neighborhood by retaining 200 jobs in Queens and
6 hiring additional workers in the coming months,
7 exactly the kind of outcome for Willets Point
8 businesses that the Council wisely demanded.

9 Separate from the actions that we
10 are proposing related to the five Willets Point
11 businesses is another action related to College
12 Point. This one involves the disposition of about
13 30,000 square feet in the Corporate Park to
14 Cofire, an asphalt manufacturing company that has
15 rented a City owned site in College Point since
16 1960. The proposed disposition would give Cofire
17 full ownership of their site and pave the way for
18 the company to make significant investments in new
19 technologies that will maximize their operations
20 and improve air quality.

21 With respect to both Cofire and the
22 five established businesses from Willets Point,
23 it's important to note in each case upon the
24 completion of the actions being requested of the
25 Council, the businesses will be required to comply
with all of the urban design requirements,

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 92
2 CONCESSIONS

3 performance requirements, zoning regulations that
4 are stipulated in the College Point Special
5 District which is also currently going through the
6 ULURP process.

7 Also they'll be required to meet
8 today's more stringent environmental regulations.
9 These regulations are among the most rigorous in
10 the City and therefore will ensure that all of
11 these businesses will fit seamlessly into the
12 existing character of College Point Corporate
13 Park, an area that is witnessing over \$18 million
14 in basic infrastructure investment by the City,
15 including the reconstruction of portions of Linden
16 Place between 20th and 28th Avenue.

17 Before concluding let me also note
18 that the applications before you are the result of
19 months of coordination with Community Board 7.
20 Thanks to this coordination we were able to
21 incorporate a number of improvements into our
22 plans for these businesses and ultimately to
23 secure approval of the application from the
24 Community Board by unanimous vote.

25 After the Board approval, the
Queens Borough President and City Planning

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 93
2 CONCESSIONS

3 Commission also approved the applications. In sum
4 it is largely thanks to the diligence of the City
5 Council during the Willets Point process that we
6 are before you today.

7 With your support we will be able
8 to deliver on the commitment that you and your
9 colleagues rightly asked us to make Willets Point
10 businesses. Honoring this commitment to the
11 businesses and workers of Willets Point while
12 simultaneously increasing economic activity and
13 employment in the College Point area. It's a
14 worthy objective especially in these trying
15 economic times. We look forward to working with
16 the Council to continue to carry out this
17 objective. Thank you.

18 CHAIRPERSON GARODNICK: Thank you
19 very much. We have some questions from Council
20 Member Avella so I'm going to go to him first.

21 MR. McKNIGHT: Sure.

22 CHAIRPERSON GARODNICK: And then
23 I'm going to come back, just talk a little bit
24 about the Community Board and Borough President
25 actions.

 MR. McKNIGHT: Sure.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 94
2 CONCESSIONS

3 CHAIRPERSON GARODNICK: Council

4 Member Avella.

5 COUNCIL MEMBER AVELLA: Thank you
6 Mr. Chairman. Do you have a handout on anything
7 that you're proposing today? I mean usually we
8 have some sort of handout, briefing--

9 MR. McKNIGHT: [Interposing] Sure,
10 yeah, we have site plans--

11 COUNCIL MEMBER AVELLA: --and I
12 heard you give--I thought it was very interesting
13 that you're proposing this application basically
14 as an extension of the Willets Point approval by
15 the City Council. But I mean I think, you know, I
16 think at this point we have to separate the issue
17 because you're going into a totally different
18 neighborhood. What is the, I mean I'm surprise
19 you haven't gone into the actual application.

20 MR. McKNIGHT: We were expecting
21 that to come through the question and answer.

22 COUNCIL MEMBER AVELLA: Okay. Well
23 I'm questioning. I'd like to hear what you have
24 to say on--I hate to do this but what are the
25 actual applications?

MR. McKNIGHT: Jonathan--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 95
2 CONCESSIONS

3 COUNCIL MEMBER AVELLA:

4 [Interposing] For each business?

5 MR. McKNIGHT: Jonathan can just
6 walk through the applications in a little bit more
7 detail.

8 MR. GUBAY: Sure. There are five
9 Willets Points businesses Tom mentioned that we
10 are proposing to relocate to College Point. In
11 your package you will see the first, or the second
12 page rather, with the site plans involves Flushing
13 Towing and Met Metals. We are proposing that they
14 will share a site on what is known as the Flag
15 Lot.

16 And you can see it on the overall
17 map at 130th Street, or 30th Street, just adjacent
18 to the airport. It's a 45,000 square foot site.
19 And as you can see from the site plan, Flushing
20 Towing would take approximately 7,000 square feet
21 and Met Metals would take about 21,000 square
22 feet.

23 As Tom had mentioned and as the
24 site plans illustrate, each of the businesses have
25 committed to comply fully with the requirements
that are stipulated in the Special District text

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 96
 CONCESSIONS

2 as it relates to setbacks, landscaped yards,
3 enclosing businesses where appropriate.

4 In terms of the other three
5 businesses from Willets Point, moving down to the
6 intersection of College Point Boulevard and 31st
7 Avenue, we are proposing to relocate T Mina
8 Supply, Feinstein Iron Works and Sambucci
9 Brothers. And again each of these proposed site
10 plans are in you package.

11 It starts with Feinstein. We are
12 proposing to relocate them to a roughly 119,000
13 square foot site. As you can see it'll have
14 access on both College Point Boulevard and 31st
15 Avenue. And again they will comply with all of
16 the requirements in the Special District text.

17 Second business is T Mina Supply.
18 And they will occupy a roughly 72,000 square foot
19 site with again frontage as well on College Point
20 Boulevard and 31st Avenue.

21 And finally Sambucci Brothers, we
22 are proposing to relocate to 31st Avenue on the far
23 east end of the five and a half acre site. This
24 whole piece is about five and a half acres. And
25 the Sambucci site will be about 48,000 square

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 97
2 CONCESSIONS

3 feet.

4 And finally the one remaining
5 disposition involves Cofire which is a
6 longstanding College Point business. As some of
7 you may know they currently operate on a roughly
8 80,000 square foot site. They own a portion and
9 have been leasing a portion from the City for
10 several decades. What we have reached agreement
11 with involves them--it involves a swap,
12 effectively.

13 So they are going to purchase a
14 portion of City owned property on the southern
15 portion of this site which you can see on your
16 maps and the yellow and hatched area. And in the
17 end they will own 40,000 square feet at the bottom
18 and the City will have a fully remediated 40,000
19 square foot parcel on the north end of the site
20 bounded by 28th Avenue and 122nd Street.

21 COUNCIL MEMBER AVELLA: Why was
22 Cofire put with this application because basically
23 it's the businesses being relocated from Willets
24 Point? Cofire is already there. So why are they
25 part of this application?

MR. GUBAY: It was--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 98
2 CONCESSIONS

3 COUNCIL MEMBER AVELLA:

4 [Interposing] Why wasn't a separate application
5 made for them?

6 MR. GUBAY: They were moving
7 through at the same time. We put them together
8 into a single application.

9 COUNCIL MEMBER AVELLA: Now you
10 just made a presentation in my Subcommittee on the
11 Special District. For the record, even if the
12 Council approves these applications, they will
13 individually still have to go before the Queens
14 Borough Board.

15 MR. McKNIGHT: That is correct.
16 Yes.

17 COUNCIL MEMBER AVELLA: Normally,
18 prior to this Administration, let me put it to you
19 that way, having worked for two Mayors and been on
20 the Community Board, my own, for nine years, when
21 EDC comes with a project like this, there's some
22 sort of an environmental review. There's a review
23 of the traffic analysis. I don't see any of that
24 in here.

25 MR. McKNIGHT: Yeah there was an
environmental review of these relocations

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 99
2 CONCESSIONS

3 completed as part of the Willets Point EIS.

4 COUNCIL MEMBER AVELLA: But there's
5 a--can I see that? Can you get me that--

6 MR. McKNIGHT: [Interposing] Sure--

7 COUNCIL MEMBER AVELLA: --
8 information--

9 MR. McKNIGHT: --by all means.

10 COUNCIL MEMBER AVELLA: --and
11 usually there's more than just a picture of the
12 site that goes along with the project description.
13 Where's the rest of the project description here?
14 What does the business do? How many trucks are
15 coming in and out?

16 MR. McKNIGHT: For the--there's
17 detailed descriptions of the projects within the
18 ULURP applications if--

19 COUNCIL MEMBER AVELLA:
20 [Interposing] But--

21 MR. McKNIGHT: --you'd like to see
22 more details--

23 COUNCIL MEMBER AVELLA:
24 [Interposing] I think not only I would like to see
25 it, I think Council Members would like to see
 that.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 100
CONCESSIONS

2 MR. McKNIGHT: Sure.

3 COUNCIL MEMBER AVELLA: That's part
4 of the normal information you would give the
5 Council Members.

6 MR. McKNIGHT: And we have done a
7 lot of outreach around the individual relocations
8 if you'd like a briefing package we can, of
9 course, provide that.

10 COUNCIL MEMBER AVELLA: I don't
11 understand. What did you just say? What does
12 that mean?

13 MR. McKNIGHT: It just means that
14 we've done extensive outreach with the community
15 in preparation--

16 COUNCIL MEMBER AVELLA:
17 [Interposing] That's not what I asked, I said
18 about Council Members. I think Council Members
19 are entitled to review a few packet--a full
20 package and not just a picture of like each site
21 that tells very little about what the business
22 does, how they're getting their employees in and
23 out, how many employees are we talking about,
24 where the truck traffic comes and goes, what are
25 the passenger cars.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §101
CONCESSIONS

2 MR. McKNIGHT: We can certainly
3 provide you the environmental review documents and
4 again I believe the ULURP application describes
5 the individual businesses--

6 COUNCIL MEMBER AVELLA:

7 [Interposing] But in the--and I don't mean to
8 interrupt your answer but in the past EDC usually
9 gives a product, I'm sorry not a product, a
10 project description which highlights all that key
11 information. I don't see that here.

12 MR. McKNIGHT: I'm not aware of
13 that. This is typically what we provide for this
14 review process. And again this is the first of
15 two or three processes that these individual
16 relocations will have to go through.

17 COUNCIL MEMBER AVELLA: I hope
18 you're not saying that the Council doesn't need to
19 have the information that other entities are going
20 to have to have.

21 MR. McKNIGHT: No of course not.

22 COUNCIL MEMBER AVELLA: Okay. What
23 businesses, let me backtrack. A number of years
24 ago when I came into the City Council, I was told
25 that all the property in the College Point

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 102
 CONCESSIONS

2 Corporate Park was allocated. Yet all of a sudden
3 we now have these businesses that have sites.
4 What happened to the businesses that were supposed
5 to get these sites? Assuming that what I was told
6 by EDC was correct at the time.

7 MR. McKNIGHT: Well I can't comment
8 on what we call the Flag Lot. I'm not sure what
9 the deep history with that is.

10 COUNCIL MEMBER AVELLA: Which one
11 is that?

12 MR. McKNIGHT: That's the site
13 where Flushing Towing and--

14 COUNCIL MEMBER AVELLA:
15 [Interposing] Okay.

16 MR. McKNIGHT: --and Met Metals are
17 going. The other site I believe was previously
18 intended for--

19 MR. GUBAY: [Interposing] It's
20 Crystal Windows.

21 MR. McKNIGHT: --it's Crystal
22 Windows. And subsequently that didn't come to
23 pass. So this became an available site. The
24 remainder of this site I think as you know is
25 planned for the Police Academy. This is really

1
2 the last remaining sites, City owned sites within
3 this Special District with the exception of
4 Flushing Airport--

5 COUNCIL MEMBER AVELLA:

6 [Interposing] Now, you know, Crystal Windows which
7 by every business magazine that I have seen is one
8 of the fastest growing businesses in the country.
9 And they had lobbied to get that piece of property
10 for years. And quite frankly I didn't understand
11 the reluctance on the part of the City. And all
12 of a sudden that fell through. Did it fall
13 through because the Mayor and EDC wanted to give
14 it to the five businesses?

15 MR. McKNIGHT: No.

16 COUNCIL MEMBER AVELLA: Or because
17 they were--

18 MR. McKNIGHT: [Interposing] They
19 withdrew. It did not. The agreement didn't work
20 out with Crystal Windows. We're continuing to
21 talk to them. Obviously, as you say, they are a
22 successful business. We want to help them.
23 Ultimately an agreement for this site did not--

24 COUNCIL MEMBER AVELLA:

25 [Interposing] Because--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §104
CONCESSIONS

2 MR. McKNIGHT: --work out.

3 COUNCIL MEMBER AVELLA: I mean they
4 had indicated to me that there was a possibility
5 that they were going to have to move out of the
6 City because they couldn't find room to expand.

7 MR. McKNIGHT: We're in regular
8 discussions with them. They have not indicated
9 that to us.

10 COUNCIL MEMBER AVELLA: So you're
11 saying the two had nothing to do with each other.

12 MR. McKNIGHT: That's correct.

13 COUNCIL MEMBER AVELLA: With regard
14 to Mets Metals and Flushing Towing, and I think
15 this point was actually brought out by the
16 Community Board as well, how do they affect the
17 extension of Linden Place to 20th Avenue? Isn't
18 that where the extension of the road is supposed
19 to go?

20 MR. McKNIGHT: No if you're looking
21 at the site plan on the eastern edge of that
22 parcel is where the future road would go. So in
23 the future that parcel on the east would border
24 the extension of Linden Place.

25 COUNCIL MEMBER AVELLA: Right,

3 right.

4 [Off mic]

5 MR. GUBAY: --adjacent to the site.

6 COUNCIL MEMBER AVELLA: Yeah you've
7 got to go on the microphone. So the site will not
8 affect the extension of the road.

9 MR. McKNIGHT: That's correct.

10 COUNCIL MEMBER AVELLA: I mean Mr.
11 Chairman, I mean obviously I have other questions
12 and I think my opposition to this has been well
13 stated but I'll pass it on to other Committee
14 members.

15 CHAIRPERSON GARODNICK: Thank you
16 Council Member Avella. Let me just go back to
17 that, the question I promised to raise here, the
18 Community Board and Borough President both
19 approved with conditions here. Can you help us
20 understand what those conditions were and how you
21 dealt with them?

22 MR. McKNIGHT: Sure. There were a
23 bunch of kind of more technical requests that the
24 Community Board had made relating to the site
25 plans, side yards, access, which we were able to
accommodate within the project.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 106
2 CONCESSIONS

3 The main, the larger issue that
4 came up during both of the Community Board and
5 Borough President review related to the Flushing
6 Airport site which as I noted is kind of the last
7 large City owned parcel within the College Point
8 Corporate Park.

9 And the Community Board's very
10 interested in trying to preserve that site. And
11 so we committed in a letter to the COMMUNITY BOARD
12 agreeing to set aside a portion of the Flushing
13 Airport either for self-recreation or natural area
14 and then working with them on a planning process
15 to identify what, if any, appropriate uses could
16 be sited on the airport site.

17 CHAIRPERSON GARODNICK: Can you
18 just identify where that is exactly--

19 MR. McKNIGHT: [Interposing] Sure.

20 CHAIRPERSON GARODNICK: --that
21 you're talking about on the map?

22 MR. McKNIGHT: Yeah. It's this
23 large triangular part.

24 CHAIRPERSON GARODNICK: Okay. So
25 the technical requests, side yards and things and
also the preservation of the Flushing Airport site

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 107
2 CONCESSIONS

3 for recreational uses, is that right?

4 MR. McKNIGHT: Those were the key
5 issues for the Community Board, yes.

6 CHAIRPERSON GARODNICK: Okay. And
7 the Borough President?

8 MR. McKNIGHT: I believe her
9 recommendations were in line with the Community
10 Board's. I guess I would note that the one issue,
11 there were two issues that we agreed would require
12 kind of further planning as we went through the
13 process towards Borough Board review.

14 And one was the appropriate way for
15 the two businesses on the Flag Lot parcel to
16 access the roadways, whether to the west, to the
17 existing street, or to the east when the Linden
18 Place extension is built. So that will be a
19 subject for further discussion with the COMMUNITY
20 BOARD.

21 And then the other issue was the
22 Board raised concerns about how the adjacency of
23 Sambucci and Feinstein and they felt that the
24 Sambucci site was constrained in terms of truck
25 access. And our response to that was that their
main concern to address that was agreeing to

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 108
2 CONCESSIONS

3 eliminate all parking and standing requirements on
4 31st Avenue which DOT agreed to, to provide a
5 little extra room for the very few trucks that
6 enter the Sambucci site to allow them to back onto
7 the property. So that was one change. We weren't
8 able to accommodate at this time, but as agreed
9 with the Board, it's something that we'll continue
10 to work with them on.

11 CHAIRPERSON GARODNICK: Thank you.

12 And it sounds to me that for all of these sites,
13 Flushing, Mets Metals, Feinstein, Sambucci and T
14 Mina, with the exception of Cofire, these were all
15 Willets Point originators, is that right?

16 MR. McKNIGHT: That's correct, yes.

17 CHAIRPERSON GARODNICK: Okay. And
18 are they in what they are moving into here, if we
19 are to approve this, the square footage is it the
20 same for all these? Is it better for all of them?
21 Is it a mixed bag? What's the situation for these
22 businesses?

23 MR. McKNIGHT: Overall it's a
24 pretty decent increase and that's good. That's
25 kind of what the businesses were looking for,
hoping to expand and grow their businesses.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 109
2 CONCESSIONS

3 CHAIRPERSON GARODNICK: And when we
4 say overall, we're not talk about on average and
5 some may have a significant increase, some a
6 slight decrease, so we're saying that for each one
7 of them it's an increase?

8 MR. McKNIGHT: You want to comment
9 on that one--

10 MR. GUBAY: [Interposing] All
11 except for Sambucci Brothers. They have a
12 slightly smaller site in their proposal. They've
13 got 54,000 square feet in Willets and will have
14 48,000 under this proposal. All the others are
15 increasing in size.

16 CHAIRPERSON GARODNICK: Okay what
17 is the agreement? Have all of the agreements been
18 worked out between the City and each of these
19 businesses for their relocation?

20 MR. McKNIGHT: Yes they have.

21 CHAIRPERSON GARODNICK: They've all
22 been finalized, pending the approval of the
23 disposition?

24 MR. McKNIGHT: That's correct.

25 CHAIRPERSON GARODNICK: Okay. Is
there additional compensation for a company like

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 10
2 CONCESSIONS

3 Sambucci where they're going from a larger site to
4 a smaller site?

5 MR. McKNIGHT: Well John can
6 comment further--

7 MR. GUBAY: [Interposing] Not--

8 MR. McKNIGHT: --but I would just
9 say that each agreement is reflective on what they
10 have today versus what they're getting in the
11 future.

12 CHAIRPERSON GARODNICK: So what
13 does that mean as to my question?

14 MR. McKNIGHT: So it means that for
15 a business that is getting more property, that's
16 reflected in the agreement versus a business like
17 Sambucci that's getting about the same amount of
18 property.

19 CHAIRPERSON GARODNICK: So meaning
20 that, I guess the question I have is in the
21 contracts that you have with these businesses it's
22 not just a straight up swap I assume. Or is it?
23 Like you take this land and we'll take the land
24 that you have in Willets Point.

25 Is it all straight land swaps or
are there other elements of these contracts where

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 11
 CONCESSIONS

2 either they are paying the City because they're
3 getting extra space and we are paying them if
4 they're getting less space.

5 MR. GUBAY: It doesn't work out
6 exactly like that. There is no line item in the
7 contracts that says for extra space or anything.
8 I mean we negotiated for several months with all
9 of them. And some are, you know, land in some
10 cases was used to some extent as currency.

11 And I guess the details of the
12 business terms will be discussed during the
13 384(b)(4) process but I don't know if that answers
14 your questions. But no, not explicitly, there
15 isn't an extra cash for a smaller site or less
16 cash for a bigger site.

17 CHAIRPERSON GARODNICK: The
18 384(b)(4) process is the one which allows the
19 Borough Board of Queens to make the final approval
20 of the dispositions here, is that right?

21 MR. GUBAY: Right.

22 CHAIRPERSON GARODNICK: And the
23 terms of the contracts are all evaluated and
24 approved at that--

25 MR. MCKNIGHT: [Interposing] That's

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 12
2 CONCESSIONS

3 part of it.

4 CHAIRPERSON GARODNICK: --charter
5 specified action.

6 MR. McKNIGHT: That's part of that
7 review process, yes.

8 CHAIRPERSON GARODNICK: Okay. Is
9 it fair to say that in these situations, in some
10 cases, the City was paying additional compensation
11 where we were providing them in College Point,
12 potentially less space?

13 MR. McKNIGHT: Well again it would
14 go by appraised value so it's--yes if someone's
15 getting less property that's going to be part of
16 the agreement. That'll be reflected in the
17 agreement.

18 CHAIRPERSON GARODNICK: Unless of
19 course that less property was appraised at a
20 higher value I guess is your point.

21 MR. McKNIGHT: Yes.

22 CHAIRPERSON GARODNICK: Okay. So
23 if they were making a trade from a higher
24 appraised value in the aggregate to a lower
25 appraised value in the aggregate then the City
would compensate them for the different is what

3 you're saying.

4 MR. McKNIGHT: Yes. And they
5 you're layering in the cost of relocation. So the
6 agreements become more complicated than simply
7 just a swap as you say.

8 CHAIRPERSON GARODNICK: Okay. You
9 have more? Back to Council Member Avella.

10 COUNCIL MEMBER AVELLA: And Mr.
11 Chairman, I wanted to just make a comment as to
12 one of the questions you asked, about one of the
13 commitments that the CB had obtained in terms of
14 light recreation for what we commonly refer to as
15 the old Flushing Airport. I seem to remember a
16 similar comment that EDC had made to me in the CB
17 when they issued the first Request For Proposal
18 for Flushing Airport, that they would go along
19 with the light recreation suggestion that we had
20 all made. And then just to show you how you can
21 take EDC's word, at the 11th hour 59th minute, the
22 winning project was something totally out of left
23 field when the Mayor wanted to put in 180, 180
24 import-export businesses on that site.

25 So even though, excuse me, EDC had
committed to supporting our community

2 recommendation the first time around, they
3 actually signed an agreement with somebody else.
4 It was only after several demonstrations where the
5 community actually stopped traffic on the
6 Whitestone Expressway service road that the Mayor
7 withdrew the project. So, you know, I'm glad you
8 asked that question but, you know, sometimes EDC
9 has a tendency to forget commitments that they
10 make. And what they say on the record and what
11 actually happens are two different things.

12 My question to EDC is with the
13 Sambucci site. Am I correct that that includes
14 the existing building for the tow pound?

15 MR. GUBAY: Yes.

16 COUNCIL MEMBER AVELLA: How much
17 did it cost the tax payers to build building and
18 when was it done?

19 MR. GUBAY: I don't know the answer
20 to that question.

21 COUNCIL MEMBER AVELLA: Is it
22 possible it cost the tax payers of, you know,
23 between \$5 million and \$10 million and was only
24 done in the last 5 years?

25 MR. McKNIGHT: We'd have to check

3 on it, we don't have the info.

4 COUNCIL MEMBER AVELLA: And what's
5 going to happen to that building?

6 MR. McKNIGHT: They're going to
7 reuse it.

8 COUNCIL MEMBER AVELLA: So the tax
9 payers paid out of capital dollars perhaps
10 somewhere between \$5 million and \$10 million which
11 is supposed to be for 30 years for the tow pound.
12 We are now going to move the tow pound someplace
13 else and we're going to give a tax payer building
14 to a private developer, to a private company. Is
15 that correct?

16 MR. McKNIGHT: Again, we can't
17 comment on the value of the building but again it-

18 COUNCIL MEMBER AVELLA:
19 [Interposing] You can't comment on the value of a
20 tax payer paid building?

21 MR. McKNIGHT: What I was going to
22 say to finish the statement was that it would be
23 reflected in the value of the property. So the
24 value of the property--

25 COUNCIL MEMBER AVELLA:

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 16
2 CONCESSIONS

3 [Interposing] You know this is like military
4 intelligence, we can't say anything because it's
5 confidential. I would think it should be a matter
6 of public record how that figures into the
7 equation. The tax payers paid to put that
8 building up. And as you know well know, capital
9 fund dollars are not for 5 years, they're not for
10 10 years, but if I remember correctly, it's
supposed to be like for 30 years.

11 So the tax payer dollars were
12 misused in this situation and now we're going to
13 give the building to a private company? And you
14 can't tell me what the value of this is? I'm
15 sorry I think that's a disgrace. I'm not saying
16 you may not be doing the right thing in terms of
17 the value but you can't keep this secret. That's
18 a disgrace. That's an absolute disgrace. You
19 have to provide me with that information. And if
20 I have to FOIL it I will do that.

21 CHAIRPERSON GARODNICK: Thank you
22 very much Council Member Avella. And gentlemen,
23 we thank you for your testimony today. We now
24 have a number of people who wish to testify on
25 this item. I'd like to invite Gene Kelty, Nola--

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 17
2 CONCESSIONS

3 MR. McKNIGHT: [Interposing] Thanks.

4 CHAIRPERSON GARODNICK: --Canal,
5 Vincent Vaquaro, Daniel Sambucci. Actually, you
6 know what? I assume that Daniel and Angela
7 Sambucci are going together, is that right? Okay.
8 So why don't you come up together. All right.
9 And bring up Howard Feinstein, Ross Holland and
10 Robert LoScalzo.

11 [Witnesses getting settled]

12 CHAIRPERSON GARODNICK: Okay. Nice
13 and crowded up here. Good. Since you have the
14 microphone right in front of you would you like to
15 get started? Say your name and go right ahead.

16 MR. CARLOS CANAL: Yeah my name's
17 Carlos Canal [phonetic] I own Flushing Towing.
18 And I'm here with my wife, Nola Canal. She wants
19 to say something about it, all right.

20 CHAIRPERSON GARODNICK: Thank you.

21 MS. NOLA CANAL: Hi my name's Nola.
22 Okay I believe Flushing Towing is a longest
23 standing family owned, - - Queens based business.
24 Flushing Towing is looking forward to moving into
25 the College Point Corporate Park. Flushing Towing
will be a good neighbor and the business will

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 18
 CONCESSIONS

2 comply with all the Corporate Park's rules and
3 regulations and improve its business operations.

4 CHAIRPERSON GARODNICK: Thank you
5 very much. Do you have anything to add?

6 MR. CARLOS CANAL: No that's it.
7 That's all.

8 CHAIRPERSON GARODNICK: Okay.
9 Thank you very much. Let's pass the microphone
10 right over.

11 MS. ANGELA SAMBUCCI: Hello. Good
12 afternoon. My name is Angela Sambucci. I'm
13 second generation Sambucci Brothers. And I am a
14 school teacher and I work with my family in the
15 summer and on the weekends. And I want to say
16 that the business has been there for 60 years. I
17 have my nephew here; he's going to speak about it.

18 I am getting a little emotional
19 when you say what is the property value of a
20 building when my father who's sitting in the back
21 over there broke his back with his brothers to
22 start this business 60 years ago Mr. Avella.

23 So is there a price on their blood,
24 sweat and tears? Where my brother took over this
25 business and now my brother has three sons who

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §19
 CONCESSIONS

2 want to continue the business in Queens because
3 that's where we have been. It's a lucrative
4 business. It's put me through college. My
5 brother, my sister. And we pay our taxes.

6 We don't get all--as you repeat
7 Mayor Bloomberg constantly with the blighted area,
8 the area may be blighted but we have a salvage
9 yard that is not blighted. It is one of the
10 cleanest yards and I do agree that you were there
11 Mr. Avella, in the yard, at one point. And I know
12 you can't say it's not a good, clean yard. So,
13 you know, that really bothers me.

14 We were there ice skating before
15 Shea Stadium; I want to get this in also. When
16 Shea Stadium wasn't there my father and my uncle
17 took us kids ice-skating in the puddles. So
18 don't--we have a tie to this area. We have a tie.
19 Then Shea Stadium came along. And now it's Citi
20 Field.

21 So it's not like we don't have a
22 tie here. We need to stay in Queens. This is
23 where we've been. This is where we need to
24 operate from. My father, who's 78, still goes
25 into work every day. So I'm speaking from an

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §20
2 CONCESSIONS

3 emotional point of view that you need to
4 understand that it is important for us.

5 You can come up with all your
6 questions but for us to stay in Queens, you are
7 taking our life. You're taking the blood, sweat
8 and tears that my family put into this business.
9 You can, you know, ask all your questions that you
10 want. I don't care. Now Danny will speak. Thank
11 you.

12 MR. DANIEL SAMBUCCI, JR.: Good
13 afternoon. My name is Danny Sambucci, Jr. and
14 I'm here today to represent Sambucci Brothers Auto
15 Salvage which has been a family owned business for
16 three generations. We've been located on the
17 corner of 126th Street and 36th Avenue for about 60
18 years. She just stated my grandfather watched the
19 construction of Shea Stadium and now just
20 witnessed City Field being built. So obviously
21 you know how long we've been down there for.

22 We are a highly respected business
23 in the recycling community and in the auto parts
24 industry. And we take pride in our work. Aside
25 from that we always put forth effort to maintain
our company's appearance both on the inside and

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 21
2 CONCESSIONS

3 the out. We are environmentally friendly and
4 fully aware of what must be done to run a safe and
5 productive facility.

6 No one is in business for 60 years
7 by accident. We work hard for what we have and
8 will continue to do so for as long as we operate.
9 We do not wish to leave our current location but
10 we do not wish to stand in the way of development.
11 However it is extremely important that we remain
12 in Queens. We need to be placed somewhere in the
13 surrounding area of our current location because
14 that is where 90% of our business is generated.

15 Moving us to College Point would be
16 a perfect solution to an ongoing problem because
17 we plan to open a state of the art auto parts
18 store and recycling center which would not only be
19 good for us but good for the community and the
20 people in it. Thank you for your time.

21 MR. ROSS HOLLAND: Hi. Good
22 afternoon. My name is Ross Holland and I'm here
23 to speak on behalf of Cofire. Cofire and its
24 affiliates have owned the site that it currently
25 operates on back in the 1960s and it was taken by
eminent domain, the creation of the College Point

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 122
2 CONCESSIONS

3 Industrial Park.

4 We've been operating continuously
5 on that site. We need to own the property. We've
6 been in long term negotiations with the EDC to
7 purchase the property. By enabling us to own the
8 property we will make the long term investment in
9 the property by putting in a new asphalt plant
10 that will be a state of the art facility. We've
11 been working with the CB, its Land Use Committee
12 as well as a local environmental consultant and
13 have addressed all of their needs in terms of the
14 new asphalt plant that we plan to put up on the
15 site.

16 Again it will be state of the art.
17 We will bring natural gas on the site eliminating
18 truck traffic of bringing truck deliveries of
19 fuel, now at the fuel plant. In addition we,
20 again, will be state of the art and we will be
21 introducing warm mix asphalt to the New York City
22 area which results in lesser emissions so not only
23 will it help the community where we'll be
24 manufacturing the asphalt but it will also have a
25 positive impact where the asphalt is laid down
 during the installation process.

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 123
 CONCESSIONS

2 Again we were an original owner,
3 we've been a long term tenant and we really need
4 to own this site. And we would request that you
5 vote in favor of this action.

6 MR. VINCENT VACCARO: Okay thank
7 you Chair and members. Yeah. I'm Vincent
8 Vaquero. I represent Met Metals. We took over an
9 existing recycling, metal recycling place there in
10 like 1982. Oh--Vincent Vaquero, Met Metals.

11 In 1982 we took it over and we've
12 expanded a little. We cleaned it up. We fixed
13 our property and we've thrived there since that
14 time, building a business with me and my father,
15 and now it's going to be me and my brother and my
16 cousin.

17 And we worked, I enjoyed, you know,
18 meeting with EDC. We gave them our needs. They
19 put the site plan they gave us, it met all our
20 needs. And again we worked with the CB 7 and I
21 enjoyed that too, that process. And I would
22 continue as living, working in College Point I
23 will continue to work with them and be a good
24 neighbor.

25 And again, me, my cousin, my

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §24
CONCESSIONS

2 brother and our eight or ten employees, depending,
3 you know, we really appreciate the opportunity to
4 be members of the community in College Point.

5 MR. GENE KELTY: Good afternoon
6 Council Members. I'm Gene Kelty, the Chairman of
7 COMMUNITY BOARD 7. I think you heard what the--
8 you have the testimony what the Board is as far as
9 what we're asking for. I can only reiterate that
10 we really want the Flushing Airport site to be
11 recreational and soft, parks and soft
12 recreational.

13 I will tell you that we've had
14 numerous meetings on this. I heard Council Member
15 Avella you were concerned about how they presented
16 the information to you. But at the Committee
17 meetings the Chair of the College Point Task Force
18 which you used to chair years ago, made each one
19 of them come in and do a presentation.

20 So if you didn't get the facts, it
21 was presented to the Committee so they did get the
22 basic information, how many people there and stuff
23 like that. Which brings into the concern that you
24 have regarding the truck traffic and stuff like
25 that which I want to talk about.

SUBCOMMITTEE ON PLANNING DISPOSITIONS §25
CONCESSIONS

We were concerned about, of course when we had that meeting everybody was telling them fine and dandy and then one of the civic members presented something that was on the internet that caused us to put up a red flag. We had the people in again and fortunately Chuck Palian [phonetic] my Chair and myself went to visit the site. And we were kind of like dumbfounded on what we saw because I knew it was bad but I haven't been down there in a quite a number of years.

What we did was the first person we saw was New York Towing. And we had a problem with him because his site was in violation of the stuff that we had. If you notice in our documentations we put a restriction in there asking them to put something in the C of O, saying that they can only have three tow trucks and six accessory parking 'cause when we got there, there was a lot of storage there.

So we felt that if we're going to end up taking them over here and we didn't have a problem with them, we just knew that space was tight over there and everybody was asking

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 26
 CONCESSIONS

2 everybody to give part of their property up. And
3 while they were storing cars for the guy next door
4 'cause he had no room.

5 Over in the Corporate Park, Willets
6 Point, you would understand that. So just to make
7 sure that didn't happen here, we put, we asked EDC
8 to put a covenant on their thing saying that on
9 the C of O it specifically states how many tow
10 trucks they can have so they can't expand out on
11 it.

12 Okay.

13 COUNCIL MEMBER DICKENS: Excuse me
14 I would like to--do you--there's one more person
15 to give testimony. Is that correct? Two more?
16 All right. I'd like to--

17 MR. KELTY: [Interposing] Do you
18 want me to come back? Come back to me or what?

19 COUNCIL MEMBER DICKENS: Come on,
20 please continue.

21 MR. KELTY: Okay. What happened
22 was with them, when they presented to us, we were
23 concerned about a towing and storage concern. And
24 they said that that was not happening. What
25 happened was they tow from a particular site right

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 127
 CONCESSIONS

2 to somebody else's place. When we got there we
3 found storage.

4 So we did--if the process was going
5 to work we had to make sure it worked the right
6 way and that's why we put a restriction on it
7 saying in the C of O 'cause that was--goes in
8 perpetuity with the property. We would make sure
9 that that happened. There was no problem with
10 that.

11 We moved onto the next site. We
12 came to Met Metals which was not a great site
13 either. We understood what it was but I'm not--he
14 was very up front with us and if he fits into the
15 new envelope that we have with the new district,
16 everything's going to be inside.

17 [Timer tone]

18 MR. KELTY: Okay. Everything is
19 going to be inside so we don't have a problem with
20 that. Those people were told about it. They know
21 that it has to be in an enclosed building. All
22 the compactors have to be inside. They have to
23 have noise--so they understood that. It's, there
24 again, a product of what was put over in the
25 Willets Point. I mean that's the extent that we

3 went through.

4 Feinstein we were very disappointed
5 with. That building didn't look like it got a
6 stick of paint put on since the foundation was put
7 in many years ago. The only thing new on the
8 Feinstein property was the sign. We didn't even
9 get access into it. We did a perimeter thing on
10 it. The place was a mess. So we were a little
11 disappointed 'cause we didn't get a chance to talk
12 to Feinstein. They were running out the door.

13 The next two people we saw was
14 Sambucci and T Mina. We were very surprised
15 because you could probably eat off the floor with
16 those two facilities. They were organized. They
17 had everything cataloged. There was a reception
18 area. Cars could pull in. They weren't impacting
19 the area. T Mina had an excellent place for his
20 stuff. All his property and stuff was duly
21 stacked and racked and was perfect, which leads to
22 the concern that you brought up about rewarding
23 people what their commitments were and stuff like
24 that.

25 When we approved this and we said
what each of the conditions was that we had in

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 130
2 CONCESSIONS

3 the amount we thought that they should reevaluate
4 that. And the Committee felt that we could only
5 go so far with our recommendation, that if we
6 asked the Council if they could end up speaking in
7 and trying to intercede to work to see if they can
8 give them a better leeway 'cause our biggest
9 concern is 31st Avenue over there.

10 It's the main route for the
11 sanitation which is the marine transfer station.
12 It's the main route for Con Edison. It's the main
13 route for the Police Academy. And once one of
14 their trucks cuts across the street, even though
15 we got DOT to give us the no standing zone, once a
16 truck goes across that street, you're not getting
17 down that block until it backs in.

18 So we approved it. We ask for your
19 support. We--with those restrictions. Thank you.

20 COUNCIL MEMBER DICKENS: Thank you.
21 And how many more to give testimony? Have you
22 signed up? All right.

23 MR. HOWARD FEINSTEIN: Chairman,
24 Council Members. Thank you. My name is Howard
25 Feinstein, Feinstein Iron Works. Feinstein Iron
Works is a multi-generational business embedded in

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §31
2 CONCESSIONS

3 the New York City area for over 78 years.

4 We are primarily involved in the
5 manufacture of structural steel for the
6 construction of public schools in the New York
7 City area. Due to the nature of my business,
8 areas are not available in New York City for the
9 manufacture of my product and we are very limited
10 at best, which has caused an exodus of my size
11 facilities outside of New York City.

12 The College Point facility will let
13 me maintain a presence in the New York City for
14 years to come, allowing my business to expand with
15 the City's growth and protecting hundreds of
16 manufacturing jobs, of skilled jobs in the future.
17 Thank you.

18 COUNCIL MEMBER DICKENS: Thank you.
19 Next please.

20 MR. ROBERT LoSCALZO: Good
21 afternoon Council Members. I am Robert LoScalzo,
22 a resident of the territory of Queens CB 7. I'd
23 like to ensure that you're aware that a very
24 disturbing condition attached by CB 7 to its
25 approval of the application has not been endorsed
by Borough President Marshall and has been

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 32
2 CONCESSIONS

3 rejected already by the City Planning Commission.

4 I urge you to do the same even
5 though the New York City Economic Development
6 Corporation has already agreed in writing to
7 accept the CB 7 condition, no matter what you do
8 with the application. The application before you
9 specifically pertains to nine properties within
10 the College Point Corporate Park and to six
11 specific businesses, five of which presently
12 operate at Willets Point.

13 The application does not pertain in
14 any way to the former site of the Flushing Airport
15 nor does it pertain to any Willets Point business
16 beyond the five that are specified. Nevertheless
17 at CB 7's request and prior to its vote on the
18 application but after it closed its public
19 hearing, EDC provided a letter to Community Board
20 7 which has been incorporated in the Community
21 Board 7's conditions and which states the
22 following policy.

23 In accordance with CB 7's support
24 for Willets Point businesses being relocated to
25 the College Point Corporate Park, and then there
 is an item number 5, the City will not relocate

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 133
2 CONCESSIONS

3 any business from Willets Point to the Flushing
4 Airport site. That police and the related CB 7
5 condition are inappropriate.

6 First as confirmed by the City
7 Planning Commission, the condition is simply
8 beyond the scope of the application. It pertains
9 to properties and businesses that are of no
10 concern to the application whatsoever.

11 Second EDC has taken the airport
12 site off the table as a potential relocation area
13 eight months before a site study which is
14 presently underway and commissioned by EDC is to
15 be completed. And the results of that may show
16 that the airport site is ideally suited to modest
17 construction to support other relocated Willets
18 Point businesses.

19 When questioned by CB 7 members,
20 EDC would not rule out the possibility that
21 pending the results of the site study later this
22 year, EDC might even advocate construction of a
23 skyscraper at the airport site. The fact is the
24 airport land may prove suitable for construction
25 and no potential relocation site for Willets Point
 businesses should be prematurely eliminated from

3 consideration merely as a bargaining chip.

4 Third and worst of all, if you'll
5 grant me another 30 seconds, EDC's policy
6 discriminates directly against Willets Point
7 businesses by predetermining that they and only
8 they are ineligible to be located anywhere at the
9 airport site. An otherwise identical business to
10 a Willets Point business that is not located in
11 Willets Point conceivably could move to the
12 airport site.

13 So let's be clear. Should this
14 application be approved it relocates a mere 1/50th
15 of the estimated 250 Willets Point businesses.
16 49/50th, remain to be relocated. Please don't sign
17 onto EDC's premature and discriminatory policy.
18 Instead follow the lead of Ms. Marshall and the
19 CPC and don't link your decision to the policy.
20 Thank you.

21 COUNCIL MEMBER DICKENS: All right.
22 Thank you very much for your testimony, all of
23 you. And I'd like you to please stay in place and
24 I'm going to ask my colleague, the Chair of
25 Zoning, Council Member Avella.

COUNCIL MEMBER AVELLA: Well

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 435
 CONCESSIONS

2 actually I just have one, a couple of questions
3 for Gene. And then I'd like to make a comment.
4 After some of the remarks that were made about me.
5 Gene, you know, and you know the Board did a lot
6 of thorough research on this but some of the
7 things you mentioned and some of the commitments
8 that the Board got refer to enforcement down the
9 line.

10 And you and I know that enforcement
11 becomes a problem. You know, in the best, you
12 know, in the best of all possible worlds, where
13 something is put in the deed or, you know, the
14 agency agrees to enforce something and lo and
15 behold, you and I see it all the time, day one,
16 day two, they immediately start violating the
17 code. And then we have to go crazy getting
18 enforcement. That's my concern. And, you know,
19 I'd like to know how the Board thought about that.

20 MR. KELTY: We, well, the option is
21 if we say no, they're still going to do it. So at
22 least if I--the old story is like at least if they
23 put it in place, I can at least take it to the
24 agency, whether it's the Department of Buildings
25 or it's EDC or it's the other one is Board of

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS §136
2 CONCESSIONS

3 Sentence and Appeals [phonetic], I can at least go
4 and fight the battle and say they're in violation
5 of their things.

6 I have to say in all fairness that
7 the agencies are getting a little better in their
8 enforcement actions. I've seen DOB, I know I
9 don't give them too much credit at time, but they
10 do have an enforcement group that does go out.

11 And they have been getting some--I think the
12 biggest problem we have Councilman is not so much
13 the enforcement it's that when it gets to court,
14 how it gets watered down. I don't like the plea
15 bargain. I don't like the stipulation that the
16 guy says he promises he'll never do it again. And
17 we give him a slap or he goes to the ECB Court and
18 he racks up \$10,000 worth of fines and he only
19 pays \$1,000 worth of fine.

20 I am currently in the Fire
21 Department. When I had the St. George Hotel in
22 Brooklyn, I was one that hit the application under
23 a violation order and said there was a full
24 certification. I opened up the door; there was a
25 lot of intensive hearings and stuff that they had
 to have. And we got them to comply. But it was

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS 137
2 CONCESSIONS

3 because they did a backhanded deal and that's what
4 got them caught. And I was the one that
5 repetitively went in and saw that the violation
6 was happening.

7 If the CB stays with that concept
8 and we do have a Civic Association that's there.
9 It is come around. It has been very vocal and
10 very visible in the area. If we get them, all I
11 can say is constant, it's like I tell them about
12 the lighthouse in Montauk, we keep chipping away
13 at it and it disappeared. There was two. It's
14 now down to one. Same thing with the businesses,
15 if we keep chipping away at them, they're either
16 going to conform or it's going to cost them a lot
17 of money to keep going to court for violations.

18 I know it's not the perfect thing
19 but that's the only best way I can say is to keep
20 going after them. And I have to say in all
21 fairness a lot of times, either through your
22 office or our office, we call the applicant in.
23 We'll call the owner in and say we're not having a
24 good relation, what's going on. Sometimes that
25 person doesn't even know what he's removed or
 she's been removed from the site. All of a sudden

3 they yell at their CEO or whoever's in charge. It
4 has worked at time. Okay so that's the best I can
5 tell you how it works. All I can say is we'll be
6 vigilant.

7 COUNCIL MEMBER DICKENS: All right.
8 I will dismiss this panel if you're completed.
9 And I thank you so much for coming in and giving
10 testimony. Council Member Avella.

11 COUNCIL MEMBER AVELLA: Thank you.
12 I just wanted to take a moment to respond on the
13 record to that comment that was made about me
14 personally. The comments that I made about the
15 building are I think very legitimate. As of this
16 time Sambucci doesn't own that building. It's
17 owned by the tax payers. That has no reflection
18 on the business. It's a question about how EDC
19 operates and trades City property and something
20 that was built with tax payer money.

21 And I think the word blighted was
22 mentioned. And I've used that in the past because
23 that's been the Mayor's words. And, you know,
24 that's an issue for me, how the Mayor can call
25 these businesses in the Willets Point area
blighted but then somehow move them to another

1 SUBCOMMITTEE ON PLANNING DISPOSITIONS & 139
2 CONCESSIONS

3 neighborhood and now they're not. And that's not
4 a, you know, something that I say about the
5 businesses. I'm just commenting on the fact that
6 the Mayor has said that.

7 And, you know, he talks out of both
8 sides of his mouth. So I used that word to
9 contradict what the Mayor has said. It is not a
10 reflection on the individual businesses, and yes I
11 was at Sambucci. And it was a clean operation.

12 COUNCIL MEMBER DICKENS: Thank you
13 so much. And thank you to all of you for coming
14 in. This Committee on Planning, Dispositions and
15 Concessions will be recessed until tomorrow,
16 Tuesday, July 28th at 9:50 A.M. at the Committee
17 Room in City Hall. Thank you.

18 [END 1002]

19

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____ Laura L. Springate _____

Date _____ August 17, 2009 _____