

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

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June 2, 2016
Start: 1:21 p.m.
Recess: 2:24 p.m.

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

B E F O R E:
INEZ E. DICKENS
Chairperson

COUNCIL MEMBERS:
Darlene Mealy
Ydanis A. Rodriguez
Andrew Cohen
Mark Treyger
Peter A. Koo
Rafael Salamanca, Jr.
Inez D. Barron

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

Baaba Halm
Assistant Commissioner
Government Relations & Regulatory
Compliance
NYC Housing Preservation and Development

Jaclyn Sachs
Senior Planner
NYC Housing Preservation and Development

Frank Dubinsky
Monadnock Development

Chris Kui
Asian Americans for Equality

Franz Hewitt
Deputy Director
HUD Multifamily Program
NYC Housing Preservation and Development

Joe Lynch
Counsel
Bronx Borough and Nixon Peabody

Gary Sloman
Director of Operations
Division of Housing Supervision
NYC Housing Preservation and Development

Lenny Sipe
Director of Small Homes
NYC Housing Preservation and Development

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

Larry Hirschfield
Developer
Van Buren/Greene

Jonathan Beuttler
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Mixed-Income Programs
NYC Housing Preservation and Development

Matt Drury
Director
Government Relations
New York City Department of Parks and
Recreation

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
2 CONCESSIONS

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2 [gavel]

3 CHAIRPERSON DICKENS: Good afternoon; I'm
4 Council Member Inez E. Dickens, Chair of the
5 Subcommittee on Planning, Dispositions and
6 Concessions. I welcome everyone to today's hearing
7 and I want to thank and acknowledge my Sergeant at
8 Arms, Eddie Collazo and Colin Todd. Also I want to
9 thank my Land Use Director, Raju Mann, Deputy
10 Director Amy Levitan; my Attorneys Dylan Casey and
11 Julie Lubin, and Project Managers Brian Paul, Chris
12 Rice and James Lloyd.

13 I want to ask you to please forgive me
14 for my lateness; we're in budget negotiations; I am
15 on BNT and so I'm doing BNT; I'm doing borough
16 delegations and I'm running over here to ensure that
17 land use continues in the City of New York.

18 We're joined today by Council Members
19 that are members of this committee -- well he was
20 here, Andy Cohen, and Mark Treyger, and we have
21 joining us today Council Member Koo, who has a very
22 large land use item on the agenda today.

23 We have 12 items on our calendar today
24 and we are laying over Land Use Item No. 0388,
25 Lambert Houses, and we are holding a hearing for One

2 Flushing, but laying over the vote. That's Land Use
3 Items 0378, 0379, 0380, 0381 and 0382, known as One
4 Flushing, which are all related.

5 One Flushing's application was submitted
6 by the New York City Housing Preservation and
7 Development, better known as HPD, seeking the
8 designation of property at 133-45 41st Avenue as an
9 Urban Development Action Area Project (UDAAP) and
10 disposition of said property.

11 HPD also seeks approval for an Article 11
12 tax exemption for a 40-year term for properties
13 located in Council Member Koo's district in Queens.

14 I'm going to ask first, before I ask the
15 applicants and HPD to please come up, that anyone
16 that has anything that they would like to say on this
17 item or any other land use item, please see my
18 Sergeant of Arms, fill this little piece of paper and
19 give it back to the Sergeant of Arms, who will bring
20 it up to me. Thank you.

21 I'm gonna call up the applicants and HPD.
22 [background comments] Please identify yourselves,
23 with your title before you begin.

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
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3 BAABA HALM: Good afternoon. I am Baaba
4 Halm, HPD's Assistant Commissioner for Government
5 Relations and Regulatory Compliance.

6 JACLYN SACHS: Good afternoon. I'm
7 Jaclyn Sachs, a Senior Planner of Queens and Staten
8 Island Planning at HPD.

9 CHAIRPERSON DICKENS: Have these
10 gentlemen filled out one of these forms?

11 FRANK DUBINSKY: We have. I'm Frank
12 Dubinsky from Monadnock Development; one of the
13 development partners on the project.

14 CHRIS KUI: Chris Kui Asian Americans for
15 Equality; also one of the co-partners.

16 CHAIRPERSON DICKENS: Please begin.

17 BAABA HALM: As you mentioned, Chair
18 Dickens, LU 0378-0382 are related to a ULURP action
19 seeking a UDAAP designation, project approval and the
20 disposition of vacant City-owned land located at 133-
21 45 and 133-51 41st Avenue, also known as the One
22 Flushing Project in Council District 20 in Queens.

23 The site was identified for affordable
24 housing development in 2013 as part of the Willets
25 Point Points of Agreement, which committed to

3 ensuring the creation of affordable housing in
4 Community Districts 3, 4 and 7 in Queens.

5 Under HPD's Mix & Match Program, the
6 sponsor is proposing to construct one multifamily
7 building with a range of affordability. The project
8 area consists of an underutilized municipal parking
9 lot, Block 5037, Lot 64 and a small landlocked vacant
10 lot that is part of a discontinued railway right-of-
11 way once under the jurisdiction of the MTA but
12 transferred to City ownership in 1968, when the Long
13 Island Railroad tracks were elevated.

14 The project will be developed entirely on
15 Lot 64, using the development rights of Lot 65; the
16 area is proposed for rezoning, including adjacent
17 lots on Main Street, Block 5037, Lots 60, 61, 62, and
18 63 and part of Lot 5. Lots 60-63 have been included
19 in the proposed rezoning area in order to facilitate
20 a consistent neighborhood character, and Lot 5 has
21 been included in order to simplify zoning district
22 boundaries and removing a dog tail portion of the
23 rezoning area that would have otherwise been
24 included.

25 The sponsor is proposing to construct a
10-story mixed-use building with approximately 231

3 units which will serve seniors and families and it
4 has one unit for a superintendent. There's a mix
5 of unit types, including studios, one-bedrooms, two-
6 bedrooms and three-bedroom apartments and the rent
7 will be affordable to families at different AMI
8 ranges, including 37 percent, 47 percent, 57 percent,
9 80 percent, and 100 percent of AMI. And the rents
10 are anticipated to be between \$548 for a studio up to
11 \$2,302 for a three-bedroom unit, based on the
12 existing HUD income limits. All units will be rent-
13 stabilized and 66 units will be designated for
14 seniors, and those units are gonna be primarily
15 studios and one-bedrooms.

16 The project will also have 26,219 sq. ft.
17 of ground-floor commercial space and is expected to
18 be a lease for rental shops ranging from 500-3,000
19 sq. ft. It would also have 19,000 sq. ft. of open
20 space on the 2nd floor and a rooftop farm. The open
21 space will include a garden that the seniors can use
22 as a center, and a seating area and a children's play
23 area for residents. There is also 14,428 sq. ft. of
24 community facility space on the ground floor and 2nd
25 floor and the ground floor will include a space for
community exhibitions, as well as a meeting space.

3 The 2nd floor community facility area
4 will offer a range of care services for senior
5 residents, which will be managed by AAFECare Flushing
6 and HANAC, in partnership with the Parker Jewish
7 Institute for Health Care and Rehabilitation. These
8 services will include adult day care services, such
9 as education, exercise opportunity, case management,
10 as well as comprehensive care services for higher
11 need residents, including health screening, medical
12 referrals and specialized care.

13 So as you mentioned, the One Flushing
14 project seeks a number of land use-related actions,
15 including LU 0378, which consists of a zoning map
16 amendment that proposes to change approximately
17 45,000 sq. ft. of the disposition area from the
18 existing C4 district to a C4-5X and the amendment
19 will also affect approximately 10,000 sq. ft. of
20 privately-owned and MT-owned property, allowing for
21 the development of commercial, residential and
22 community facility uses.

23 We are also requesting a zoning text
24 amendment through LU 0379 to designate the rezoning
25 area as a Mandatory Inclusionary Housing area that
will require a certain number of permanently

3 affordable low- and moderate-income household options
4 and the proposal is to meet MIH Option 2. The
5 project was entirely planned to be affordable housing
6 prior to the passage of MIH. The MIH Option 2 will
7 require 30 percent of the residential floor area to
8 remain permanently affordable for residents with
9 incomes averaging between 80 percent AMI and it will
10 again, be permanently affordable, 70 of the 231
11 units.

12 LU 0380 consists of a special permit for
13 a public parking area with 229 spaces; the parking
14 facility will be construction in conjunction with the
15 residential development and will be located in the
16 cellar level.

17 LU 0381 consists of a special permit to
18 allow for the development of approximately 10,647 sq.
19 ft. of development rights, which was part of the
20 discontinued railroad right-of-way I mentioned
21 earlier and it will allow for 9 additional affordable
22 housing units to be part of the project development.

23 In order to maintain the affordability of
24 the rental units, we are also seeking approval of a
25 UDAAP designation, disposition, project approval and

2 tax benefits under Article 11 for a term of 40 years
3 to coincide with the regulatory agreement.

4 CHAIRPERSON DICKENS: Thank you so much,
5 Baaba. Anyone else wanna add? Mr. Dubinsky..

6 FRANK DUBINSKY: Yeah.

7 CHAIRPERSON DICKENS: Do you have
8 anything you wanna add in support of this application
9 or Mr. Kim [sic]...? [crosstalk]

10 FRANK DUBINSKY: I will be.. I'll be brief
11 and I'll turn it over to Chris Kui.

12 We've been working long and hard with the
13 councilman and the community on this project; I think
14 we've made a lot of progress in changing the project
15 to react to many concerns and we think we have a
16 great project that serves this community in many
17 ways; not only our residents, but the community-at-
18 large and is responsible development and it is really
19 a project that we and the community can be proud of.

20 CHRIS KUI: Yeah, uh no, I wanna...
21 [background comments] okay, sure; it's Christopher
22 Kui; I'm the Executive Director of Asian Americans
23 for Equality and I just wanna echo what Frank just
24 spoke about and I also wanna thank Council Member
25 Koo, who's been very, very supportive in terms of

2 really bringing this project into fruition and then
3 also, it's a project that's gonna meet the needs of
4 the community, so thank you.

5 CHAIRPERSON DICKENS: Does anybody else
6 have any other statement? I'm gonna ask Council
7 Member Koo in whose district this is to please issue
8 a statement.

9 COUNCIL MEMBER KOO: Thank you, Chair
10 Dickens and members of this committee and I also
11 wanna thank HPD and AAFE and Monadnock being here to
12 testify.

13 One Flushing is an opportunity to create
14 a 100 percent of affordable housing development with
15 a community center that's open to the public in the
16 heart of Flushing, Queens. While this development
17 comes at the expense of one of our community's
18 cherished municipal parking lots, it addresses one of
19 the greater needs we face today; the need for
20 affordable housing.

21 Just down the street another 100 percent
22 affordable housing, called Macedonia Plaza, cut its
23 ribbon last year. This building had an astounding
24 40,000 applicants for only 140 apartments; it goes to
25

3 show how desperate New Yorkers are for affordable
4 housing.

5 I recently came to an agreement with the
6 administration not to move forward with the rezoning
7 of Flushing West because of larger infrastructure
8 concerns in this part of Flushing. So I am hoping
9 today that we can also explore how One Flushing does
10 its part to help address some of those same concerns
11 in terms of traffic mitigation, community center
12 management and affordable housing.

13 So I have a few questions to ask. Number
14 one is; there are many private and public parking
15 lots around the area, but drivers may not be aware of
16 them, so what are the plans for interim parking?

17 FRANK DUBINSKY: So we've committed to
18 the community, as part of our process in talking to
19 the Community Board, to provide sufficient wayfinding
20 signage during construction so that people can easily
21 find local parking lots; whether they be down on
22 College Point Boulevard or across Main Street, people
23 need to know where to go and instead of turning on
24 41st Avenue and coming down our street, perhaps it's
25 easier for them to find the closest parking lot and

2 the ones they wanna choose from an affordability
3 perspective.

4 COUNCIL MEMBER KOO: Do you have any
5 plans to subsidize the parking in the private parking
6 lots?

7 FRANK DUBINSKY: We do not. We don't
8 control any of these other parking lots and it's hard
9 to tell who we could subsidize; how we would do it,
10 and furthermore, from a financial perspective, we
11 don't have the funds to do so.

12 COUNCIL MEMBER KOO: Okay. And then,
13 what are you gonna do with the commuter bus that's
14 between Chinatown and Flushing, because they have
15 four to six buses always on the street, you know?

16 FRANK DUBINSKY: Yes they do. We have an
17 existing relationship with the operators of these
18 buses, so we need to sit down with them and work our
19 an interim plan for another location they can stop at
20 during construction, and make sure people know about
21 it, so make sure that it keeps working, keeps
22 functioning the way it does now and that they can
23 return once we're finished.

24 COUNCIL MEMBER KOO: And what about the
25 parking rate once the building is done, you know; how

2 much are you gonna charge people for parking in your
3 own parking lot; is this commercial rate or people
4 that live in the building, they get a discount...

5 [interpose]

6 FRANK DUBINSKY: Sure. The people in the
7 building would get a discount, but otherwise it would
8 be market rate parking from that perspective.

9 COUNCIL MEMBER KOO: What do you mean by
10 market rate; isn't the market rate free... [crosstalk]

11 FRANK DUBINSKY: Well I... right. I don't
12 know what parking rates are going to be three years
13 from now and so we've made some conservative
14 assumptions, but we don't know what people, a. will
15 be willing to pay... we want people to use the lot...

16 COUNCIL MEMBER KOO: Yeah.

17 FRANK DUBINSKY: there's no point in
18 charging an exorbitant amount if people don't use
19 your lot, so I think the market will dictate;
20 commuters will tell us what they're willing to spend
21 and we'll provide our residents with a better deal.

22 COUNCIL MEMBER KOO: Okay, yeah. So now
23 I'll go to my next question. I wanna ask HPD, like
24 what kind of HPD programs will be used to help with
25 affordability? We have found that even 40 percent

2 AMI is too high for many in our community, so do you
3 have any like programs to help people that don't meet
4 the 40 percent **[inaudible]**?

5 BAABA HALM: HPD does not have any rental
6 assistance programs.

7 COUNCIL MEMBER KOO: None at all. Okay.

8 BAABA HALM: Yeah.

9 COUNCIL MEMBER KOO: So they have to be
10 qualified according to the plan...? [crosstalk]

11 BAABA HALM: Yeah, they have to income
12 qualify and then, as I said, this project has a range
13 of affordability as low as 37 percent AMI; it's a 100
14 percent affordable project; the highest AMI is 100
15 percent AMI and so we believe that there is a large
16 number of folks in the Flushing area that will be
17 able to meet the various affordability and fill these
18 units.

19 COUNCIL MEMBER KOO: Okay. So now it
20 goes to my last question. One of my larger concerns
21 is the management of the proposed community center.
22 We are giving up an entire parking lot in one of
23 Flushing's most congested areas, so we should make
24 sure that the space is run by the community and for
25 the community and is readily available to the

2 community, so this community center should be under
3 local control of a nonprofit consisting of local
4 community groups; not the developers, and they should
5 pay minimum rent and how can the City help ensure the
6 center be managed properly for the next 40 years? So
7 I don't know; maybe HPD can answer this or...

8 BAABA HALM: Yes, Council Member, we are
9 aware of your interest in seeing the community
10 facility space being managed by a local not-for-
11 profit and we're happy to have that discussion with
12 you.

13 COUNCIL MEMBER KOO: Okay. So in the
14 next few days you would... [crosstalk]

15 BAABA HALM: Yes, we expect to be able to
16 come back to you in the next couple of days.

17 COUNCIL MEMBER KOO: Okay. So I finished
18 my questions. Thank you, Chair Dickens. Thank you.

19 CHAIRPERSON DICKENS: Thank you so much,
20 Council Member Koo. And I wanna thank you, HPD, for
21 briefing me last night, late after budget on this
22 project so that I would have an understanding of
23 exactly what this is. Now there is one lot that has
24 the right-of-way from the railway; is this DOT or
25 MTA; that's one. The second part of my question is;

3 who actually owns the lot; is it the City or is it
4 MTA, the State?

5 JACLYN SACHS: So the small landlocked
6 parcel that you're referring to is owned by the City;
7 it's under the jurisdiction of DOT. It used to be
8 under the jurisdiction of the State, the Long Island
9 Railroad, but it was transferred to the City's
10 ownership in 1968, when the tracks were elevated; the
11 station used to be at ground level and then it was
12 elevated, so it came into City ownership; it's under
13 DOT's jurisdiction and HPD, on behalf of the City, is
14 able to dispose of these lots.

15 CHAIRPERSON DICKENS: The disposition of
16 these lots; is there a cost attributable or what and
17 if so, what is it?

18 JACLYN SACHS: It's a dollar.

19 CHAIRPERSON DICKENS: Are there any
20 questions from my colleagues? Seeing none, I'm going
21 to close the public hearing on this, but I'm leaving
22 it open for a vote, because we're not gonna vote
23 today.

24 Are there any other members of the public
25 that want to testify on this? Seeing none, because
you should have filled out one of these forms -- I'm

2 gonna remind everybody, just in case -- but in any
3 case, seeing none, I'm closing the public hearing,
4 but I'm leaving it open because we will vote at a
5 later date.

6 I wanna thank you for coming and giving
7 testimony. And I wanna acknowledge that we've been
8 joined by Council Member Rafael Salamanca of the
9 Bronx, who has two items on today's agenda that's
10 also in The Speaker's district, and Council Member
11 Inez Barron from Brooklyn.

12 Thank you so much.

13 JACLYN SACHS: Thank you.

14 CHAIRPERSON DICKENS: And thank you,
15 Council Member Koo.

16 I am now going to open LU Item No. 0385,
17 New Vision Community, an application submitted by HPD
18 seeking for the approval of a new Article 11 tax
19 exemption for properties located in Speaker Melissa
20 Mark-Viverito and Council Member Salamanca's
21 districts in the Bronx. I'm gonna call up -- it is
22 HPD only here to testify, Baaba Halm and Frank [sic]
23 Hewitt; is Frank Hewitt here? Frank Hewitt, please
24 come up. Please identify yourselves and begin
25 testimony.

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
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20

3 BAABA HALM: Good afternoon, Chair
4 Dickens; I am Baaba Halm for HPD, Assistant
5 Commissioner for Government Relations and Regulatory
6 Compliance.

7 FRANZ HEWITT: Franz Hewitt, Deputy
8 Director, HUD Multifam... [crosstalk]

9 CHAIRPERSON DICKENS: I can't hear you.

10 FRANZ HEWITT: Franz Hewitt, Deputy
11 Director, HUD Multifamily Program, HPD.

12 BAABA HALM: We are here on LU 0385,
13 which consists of two Section 202 supportive housing,
14 multiple dwellings located at Block 2283, Lot 33 and
15 Block 2377, Lot 20, now known as New Vision Community
16 Redevelopment HDFC. This project consisted of the
17 Judge Gilbert Ramirez Apartments and Carmen Parsons
18 Housing for the Elderly. The two housing
19 developments received City Council approval on March
20 22nd, 2016, Resos 1017 and 1018, to amend their tax
21 exemptions retroactive to 2004 to address arrears
22 that had begun to accrue.

23 During that March 22nd hearing of this
24 committee, it was noted that HPD and the New York
25 State Division of Housing Community Renewal were
working towards merging the two HDFCs into one

3 entity. That merger has since occurred and we are
4 now therefore seeking a new Article 11 tax exemption
5 for the newly merged entity, which will coincide with
6 a new 40-year regulatory agreement. The prior tax
7 exemption will be discontinued and the Article 11
8 benefits will allow the new HDFC to continue to
9 operate as Section 8-based rental housing for low-
10 income seniors.

11 Each building has 97 units; there are no
12 vacancies; the one located at Block 2283, Lot 33
13 contains 87 one-bedroom and 10 two-bedrooms and the
14 building located at Block 2377, Lot 20 contains 24
15 studios, 72 one-bedrooms, with a superintendent
16 apartment. Thank you.

17 CHAIRPERSON DICKENS: Thank you so much.
18 Anything you wanna add, Mr. Hewitt?

19 FRANZ DEWITT: No, **[inaudible]**.

20 CHAIRPERSON DICKENS: Council Member
21 Salamanca, please.

22 COUNCIL MEMBER SALAMANCA: Thank you,
23 Madame Chair. I just wanted to personally come and
24 show my support for this project. A few weeks back I
25 visited the Carmen Parsons building with the Board of
Directors, did a tour of the facility, spoke to some

2 of my constituents, the seniors there; they're
3 excited as to what's coming and the work that has
4 been done and the work that will continue to be done
5 and again, as I mentioned, just wanted to come and
6 show my support for this.

7 CHAIRPERSON DICKENS: Are there any
8 questions from members of the committee? Alright, I
9 have one question. Did I understand, Baaba, that
10 this is HDFC?

11 BAABA HALM: Yes.

12 CHAIRPERSON DICKENS: 100 percent?

13 BAABA HALM: Yes.

14 CHAIRPERSON DICKENS: Okay. And the
15 highest on the... what was the cost attributable to
16 those who are already living there; what is the
17 average AMI?

18 [background comments]

19 BAABA HALM: It's a senior building; the
20 average AMI, we estimate it at around 27 percent.

21 CHAIRPERSON DICKENS: And how many units
22 are there?

23 BAABA HALM: Combined?

24 CHAIRPERSON DICKENS: Combined.
25

2 BAABA HALM: Uh... it's about 200 units
3 combined.

4 CHAIRPERSON DICKENS: Very impressive,
5 Council Member Salamanca. And the new Article 11
6 will allow the continuation of the affordability of
7 these units; is that correct?

8 BAABA HALM: Yes.

9 CHAIRPERSON DICKENS: Alright. Are there
10 any members of the public wishing to testify? Seeing
11 none, [gavel] I'm gonna close the public hearing on
12 Land Use Item 0385.

13 I will now open up on Preconsidered Land
14 Use, Woodycrest Apartments/Sharon House and Leggett
15 Apartments, application submitted by HPD for the
16 approval of the termination of Article 5 tax
17 exemption and approval of a new Article 11 tax
18 exemption for properties located in Speaker Melissa
19 Mark-Viverito's and Council Member Salamanca's
20 district in the Bronx.

21 Please identify yourselves, and do I
22 have... thank you.

23 JOE LYNCH: Hi, I'm Joe Lynch; I'm
24 Counsel for the Borough and Nixon Peabody.

3 BAABA HALM: Baaba Halm, HPD Assistant
4 Commissioner, Government Relations.

5 FRANZ HEWITT: Franz Hewitt, Deputy
6 Director, HUD Multifamily HPD.

7 CHAIRPERSON DICKENS: Please begin.

8 BAABA HALM: Chair, this preconsidered
9 item consisting of an exemption area, including 5
10 multiple dwellings with project-based Section 8
11 rental assistance. The project is made up of three
12 housing complexes located in Council Districts 8 and
13 17 in the Bronx; specifically, Block 2504, Lot 21;
14 Block 2507, Lot 34; Block 2511, Lot 74 is know as the
15 Woodycrest Apartments; Block 2647, Lot 5 is known as
16 Sharon House; and Block 2684, Lot 68 is known as the
17 Leggett Avenue Apartments. And this project includes
18 one Article 5 housing complex, the Woodycrest.

19 Under the proposed projects, the Bronx-
20 Brooklyn HDFC will acquire all of the buildings and
21 undertake the rehabilitations of the property,
22 including repair and installation of new roofs,
23 compactors, floors and façades. The individual units
24 will be upgraded with new kitchens, including new
25 cabinets, countertops, stainless steel sinks and
single-lever faucets and outlet. The bathrooms will

2 have new fixtures and all the work will be done while
3 tenants remain in place. There is a mix of unit
4 types, including studios, one-, two- and three-
5 bedrooms; the average rents range from \$287 to \$365.
6 In order to maintain the affordability of the
7 Section 8 rental units, HPD is seeking the
8 termination of the exemption for the Article 5
9 property, known as Woodycrest Apartments, and is
10 seeking a new Article 11 for the entire project,
11 including the Woodycrest Apartments, Sharon House and
12 Leggett Avenue properties. The Article 11 will run
13 with the term of the new regulatory agreement for the
14 project. Thank you.

15 CHAIRPERSON DICKENS: Mr. Lynch; do you
16 have anything you would like to add, please?

17 JOE LYNCH: Not at this time, thank you.

18 [pause]

19 CHAIRPERSON DICKENS: I apologize.
20 Council Member Salamanca; do you have anything you
21 wanna add?

22 COUNCIL MEMBER SALAMANCA: Yes. First I
23 wanna thank you, Mr. Lynch; I know you came and met
24 with me and I know that I put you through a grueling
25 process; I made you go through the community board

2 and they were tough on you. I just have a few
3 questions. In terms of the Class C violations; how
4 many Class C violations does the Leggett Avenue
5 building have?

6 [background comments]

7 JOE LYNCH: In total 26, but... [crosstalk]

8 COUNCIL MEMBER SALAMANCA: 26; that's for
9 two buildings?

10 JOE LYNCH: That is... which one is that
11 on, Franz, **[inaudible]**... [crosstalk]

12 FRANZ HEWITT: I think 26 is across the
13 entire...

14 JOE LYNCH: That's all three, to our
15 knowledge. But I'd like to point out that in the
16 course of the rehab, all violations will be removed.

17 COUNCIL MEMBER SALAMANCA: Yes. Okay, I
18 just wanted to get that on the public record.

19 And in terms of the local hiring; how
20 would that work, to ensure that there's local hiring
21 for these repairs?

22 JOE LYNCH: The contractor will do their
23 best to outreach primarily to local contractors and
24 subcontractors to make sure.

2 COUNCIL MEMBER SALAMANCA: But how would
3 that work; how will we ensure that there's local
4 hiring? I mean, you can say and tell me that
5 subcontractors will work on that, but how is my
6 office gonna ensure that there's actual local hiring?

7 JOE LYNCH: We can be in contact with
8 your office during the hiring process and we can meet
9 and talk about it.

10 COUNCIL MEMBER SALAMANCA: Okay.
11 Alright. And then finally, you know, what's really
12 exciting, Madame Chair, about this project, and my
13 colleagues, is the fact that this building hasn't
14 **[inaudible]** repaired in over 20 years; we have
15 seniors, you know, older seniors, Section 8 vouchers,
16 who are very low-income families and to get their
17 apartments repaired, again, new countertops and new
18 refrigerators; new stoves, is really exciting to see
19 that their apartments are being remodeled and I thank
20 you for that.

21 CHAIRPERSON DICKENS: Thank you so much,
22 Council Member.

23 I'd like to know, give me an example of
24 some of the Class C violations and are there any
25 Class A's?

3 JOE LYNCH: There are -- let's go through
4 the Class C's first **[inaudible]**. Would you like to
5 know... Council Member Dickens, would you like to know
6 how many violations first and then talk about the
7 description...? [crosstalk]

8 CHAIRPERSON DICKENS: Well you told us
9 how many were Class C; I'd like to know... give me an
10 example of what the Class C violations are; not all
11 of them, but just an example.

12 [background comments]

13 BAABA HALM: We don't have the breakdown
14 of the nature of the violations, we just have the
15 number.

16 CHAIRPERSON DICKENS: Would you get that
17 to Council Member Salamanca please so that he's
18 aware... [crosstalk]

19 JOE LYNCH: Sure.

20 BAABA HALM: Sure, we will do that.

21 CHAIRPERSON DICKENS: of what comprises
22 some of the violations so that his office can be made
23 aware that the repairs are actually done? And I
24 wasn't quite sure if I heard a distinct answer to the
25 Council Member's question about the local hiring; in
addition, will there be any opportunity for any

2 training, on-the-job training for maybe residents of
3 the development?

4 JOE LYNCH: I am sure we can work that
5 out with the Council Member's office; maybe we can
6 schedule a meeting right now, after this and we'd
7 love to sit down with you and talk about it.

8 CHAIRPERSON DICKENS: Alright, well I'm
9 gonna ask that you do schedule that; I'm sure that I
10 will work it out; there isn't [sic] a lot of
11 significance... [crosstalk]

12 JOE LYNCH: [laugh] Understood.

13 CHAIRPERSON DICKENS: but other than I
14 wanna make sure that you do schedule an appointment
15 with the Council Member and that the area is
16 protected; that's the only way that the area median
17 income can be raised and a protection of the
18 community in order to see to it that displacement
19 does not continue. I apologize if I'm stepping on
20 you, Council Member, but I just wanted to be sure.

21 We've been joined by Council Member
22 Ydanis Rodriguez, thank you so much.

23 Do any of my colleagues have any
24 questions that they want to ask? Are there any
25 members of the public that have any statements to

2 make? Seeing none, [gavel] I am going to close the
3 public hearing on Preconsidered Land Use Woodycrest
4 Apartments, Sharon House and Leggett Apartments.

5 I wanna thank Council Member Salamanca
6 for being here for testimony and thank you all that
7 came to testify.

8 I'm now gonna open the hearing on Land
9 Use Item 0387, Newport Gardens, application submitted
10 by HPD for the approval of conveyance from existing
11 owner to a new owner, consent to the dissolving of
12 the existing Article 5 of the Private Housing Finance
13 Law **[inaudible]** termination of the existing V tax
14 exemption approval of new property tax exemption
15 under Article 11 for properties located in Council
16 Member Barron's in Brooklyn.

17 Please identify yourselves.

18 [background comments]

19 BAABA HALM: Baaba Halm, HPD Assistant
20 Commissioner for Government Relations.

21 GARY SLOMAN: Director of Operations,
22 Division of Housing Supervision, HPD.

23 JOE LYNCH: Joe Lynch, Nixon Peabody,
24 Counsel for the HDFC.

25 BAABA HALM: L... [interpose]

2 CHAIRPERSON DICKENS: You're very busy
3 today, Mr. Lynch.

4 JOE LYNCH: Thank you.

5 [laughter]

6 CHAIRPERSON DICKENS: Is that a good
7 thing? Did you fill out one of these papers, please?

8 BAABA HALM: Gary?

9 GARY SLOMAN: No, I...

10 CHAIRPERSON DICKENS: Gary.

11 GARY SLOMAN: No, I did not, actually.

12 CHAIRPERSON DICKENS: Alright. Sergeant,
13 please see to it that one is filled out. Continue..
14 you can do it afterwards; please continue.

15 BAABA HALM: Okay, thank you. LU No.
16 0387 consists of an exemption area containing 9
17 multiple buildings known as the Newport Gardens
18 Apartments, located at Block 3516 [sic], Lot 1 in
19 Council District 42. The Newport Gardens Apartments
20 is an Article 5 redevelopment housing company that
21 provides Section 8-based rental housing for low-
22 income households. The current owner is proposing to
23 convey the exemption area to a new sponsor that will
24 undertake the rehabilitation of the buildings funded
25 with low-income housing tax credits.

3 There are 240 units in the exemption area
4 that include 48 one-bedrooms, 143 two-bedrooms and 48
5 three-bedrooms in addition to a superintendent's
6 unit. The rehabilitation will include renovations of
7 the lobby area, the replacement and upgrading of
8 building mechanics and the installation of new
9 energy-efficient heating systems, new roofs, new
10 doors, in-unit upgrades including new floors,
11 windows, radiators, kitchens, and bathrooms. In
12 addition, the security system at the property will be
13 completely overhauled; that will include the
14 installation of 200 DVR surveillance cameras.
15 Tenants will not be displaced during the
16 rehabilitation process.

17 In order to continue the affordability of
18 the dwelling units, HPD is seeking approval from the
19 Council to dissolve the Article 5 redevelopment
20 company, to terminate the Article 5 tax exemptions
21 and to approve the conveyance of the properties to
22 this new HDFC and to approve an Article 11 tax
23 exemption for the HDFC for a term of 40 years that
24 will coincide with a new regulator agreement. The
25 properties will then be subject to governance under
the HDFC guidelines. Thank you.

2 CHAIRPERSON DICKENS: Thank you so much.
3 I'm gonna ask Council Member Barron please.

4 COUNCIL MEMBER BARRON: Yes. Can you
5 tell us about the violations that currently exist in
6 this project?

7 CHAIRPERSON DICKENS: In the future HPD,
8 please know that we're going to ask about the
9 violations; be prepared to bring the breakdown of A,
10 B and C's, how many, and an example of what they
11 comprise of. Thank you.

12 JOE LYNCH: Thank you. There are 32
13 Class A violations, 175 Class B and 13 Class C, which
14 the new owner will have removed during the course of
15 the renovation work.

16 COUNCIL MEMBER BARRON: So how long is
17 this project expected to last, the renovation?

18 JOE LYNCH: I believe it's a two-year...
19 [interpose]

20 BAABA HALM: It's one year, one year...
21 [crosstalk]

22 JOE LYNCH: One year, I'm sorry, one
23 year. Sorry.

24 BAABA HALM: 12 months... the
25 rehabilitation work will take 12 months to complete.

2 COUNCIL MEMBER BARRON: And at the
3 completion of the rehabilitation, all of these
4 violations will be resolved?

5 BAABA HALM: Yes.

6 JOE LYNCH: Yes.

7 COUNCIL MEMBER BARRON: And what... Okay,
8 that's the only question I have; I have questions for
9 the developer [**inaudible**], when they come up.

10 COUNCIL MEMBER BARRON: You wanna...

11 JOE LYNCH: I can ans... Yeah, I can
12 answer.

13 COUNCIL MEMBER BARRON: So in terms of
14 local hires.

15 JOE LYNCH: Uhm-hm. Again, we will work
16 with the local contractors and do our very best
17 efforts to use local hiring.

18 COUNCIL MEMBER BARRON: Okay. I did
19 wanna say that I wanna thank those who are involved
20 for coming and meeting with me; this developer
21 operates several other projects in my district, three
22 other projects -- Noble Drew Ali, Remeeder and Grace
23 -- and in coming to my decision today about this
24 project, I did ask that I be invited to meetings that
25 occurred with each of these locations. I wanted to

3 get a sense of what is the history of this developer
4 in terms of what has been operating for the last 10
5 years in the district to get a sense of what we could
6 expect going forward. I always think that if you
7 look at what a person has done that will give you an
8 idea of what we can expect going forward and I do
9 want to put on the record that at those meetings
10 those critical issues that were presented, the
11 developer has said he will expedite resolution of
12 those issues raised by the tenants, and one issue was
13 lack recreational facility outdoors and the developer
14 has said that he will in fact address that and one of
15 those locations should in fact be resolved by the end
16 of the summer or within the next month or two;
17 utilization of community room, they're going to
18 develop a plan and a project for utilization of that
19 room, and in terms of the very critical area at Noble
20 Drew Ali Plaza, there is an issue involving smell of
21 sewage that is an ongoing issue and has existed for
22 many years and what the developer has said is that
23 they will work in conjunction with DEP to identify
24 who the responsible persons or parties are to resolve
25 that issue and that that issue will be resolved; I
think it's unconscionable that it has not been

2 resolved heretofore, so we are going to look at that
3 and expeditiously resolve all of these matters so
4 that persons can have appropriate living conditions
5 and it is important that this is a project-based
6 Section 8 housing and that the units are resolved at
7 60 percent of the AMI and I think there were five
8 units perhaps at 80 percent [background comment] of
9 the AMI. So the bulk of these units are classified
10 at 60 percent of the AMI and I have met with them and
11 I'm satisfied that they will be responsible and they
12 know that I will be involved going forward to make
13 sure that all of the things that were agreed upon and
14 all of the promises that are outlined in the paper in
15 the description will be adhered to and they have
16 agreed that that in fact is what they will do, so
17 with that understanding, I support the project.

18 CHAIRPERSON DICKENS: Thank you so much,
19 Council Member.

20 Question... [interpose]

21 COUNCIL MEMBER BARRON: One other point,
22 Madame Chair.

23 CHAIRPERSON DICKENS: Please.

24 COUNCIL MEMBER BARRON: Thank you. The
25 tenants are excited about this project going forward

2 and they are very much expecting that that it will be
3 resolved and go forward. So with that understanding,
4 I do support it.

5 CHAIRPERSON DICKENS: So there will be no
6 displacement at all...

7 COUNCIL MEMBER BARRON: Correct.

8 CHAIRPERSON DICKENS: during construction
9 or during rehabilitation?

10 JOE LYNCH: No.

11 CHAIRPERSON DICKENS: And it's gonna take
12 about a year, you said?

13 JOE LYNCH: Yes, 12 months.

14 CHAIRPERSON DICKENS: Council Member, and
15 this is a question I'm really posing to you, have you
16 been assured of local hiring?

17 COUNCIL MEMBER BARRON: I have known that
18 this organization, this developer has in the past,
19 has a record and a history of doing that, so I expect
20 that going forward that will be the case.

21 CHAIRPERSON DICKENS: Alright. Thank you
22 so much. Are there any members of the committee that
23 have questions? Are there any members of the public
24 with any questions or statements? Seeing none, I'm
25 gonna close [gavel] the hearing on Land use Item

2 0387. And I wanna thank Council Member Barron for
3 being here to show support for this item in her
4 district.

5 I'm now gonna open Land Use Item 0384,
6 Van Buren/Greene, applications submitted by HPD
7 seeking an amendment of the project summary and site
8 datasheet of a resolution approved by the City
9 Council in June, UDAAP approval and approval of tax
10 exemptions under Article 11 of the Private Housing
11 Finance Law for property located in Council Member
12 Cornegy's district in Brooklyn.

13 Please identify yourselves and again I'm
14 gonna remind anyone that has anything they want to
15 add, please fill out one of these little pieces of
16 paper [background comments] with my sergeant of arms.

17 BAABA HALM: Baaba Halm, HPD Assistant
18 Commissioner, Government Relations.

19 LENNY SIPE: Lenny Sipe [sp?], Director
20 of Small Homes, HPD.

21 LARRY HIRSCHFIELD: Larry Hirschfield,
22 Van Buren/Greene developer.

23 [background comment]

24 CHAIRPERSON DICKENS: Please begin.
25

3 BAABA HALM: Chair, LU 0384 consists of
4 the proposed amended project for the disposition of
5 seven City-owned vacant lots located at Block 1791,
6 Lots 17, 18, 19; Block 1814, Lot 15; Block 1852, Lots
7 8, 9; and Block 1641, Lot 68, also known as the Van
8 Buren/Greene Project in Brooklyn, Council District
9 36. Four of the parcels... [interpose, background
10 comment] previously received City Council approval
11 for disposition under the New Foundations Program in
12 June of 2008 under Res. 1521; however, the
13 development of the sites were stalled during the
14 economic downturn. The original project also
15 included three sites that have been subsequently
16 designated at Greene Thumb Gardens; therefore, HPD is
17 replacing those sites with Blocks 1852, Lots 8, 9 and
18 Block 1641, Lot 68. In addition to the City-owned
19 sites, the development area also includes three
20 adjacent Third-Party Transfer (TPT) properties owned
21 by Restored Homes HDFC, so we are proposing to convey
22 the seven City-owned lots under the New Infill
23 Homeowners Opportunities Program (NIHOP) to a new
24 composition of the development team selected in 2008.
25 Due to their jurisdiction over the three adjacent
Third-Party Transfer program sites, Restored Homes

2 HDFC will replace the prior partner, the partnership
3 as a sponsor for the project.

4 Under NIHOP, one- to three-family homes
5 are constructed for families within a range of
6 various affordability; the program also requires that
7 owners occupy their unit as a primary residence for a
8 term of 20 years. Upon construction completion,
9 there will be 10 two-family homes for a total of 20
10 units affordable to families earning between 80 and
11 130 percent AMI; each home will have a rental unit
12 and be affordable to families earning no more than
13 the same AMI as the purchasing homeowner. Thank you.

14 CHAIRPERSON DICKENS: Do you have
15 anything you'd like to add, either Mr. Hirschfield or
16 Mr... [interpose]

17 LENNY SIPE: We're available to respond
18 to any questions, of course.

19 CHAIRPERSON DICKENS: Mr. Hirschfield,
20 please add something to **[inaudible]**... [crosstalk]

21 LARRY HIRSCHFIELD: I'm very... I'm very
22 pleased to be able to go forward with this project;
23 affordable homes in a neighborhood where prices have
24 skyrocketed in recent years beyond the reach of many,
25 many people and these are much-needed affordable

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2 homes and that we do have a plan for local outreach,
3 local hiring and have a history of doing so.

4 CHAIRPERSON DICKENS: Now does Council
5 Member Cornegy support this?

6 BAABA HALM: Yes, Council Member, he...

7 LARRY HIRSCHFIELD: Yes.

8 CHAIRPERSON DICKENS: What are the sizes
9 of the units?

10 BAABA HALM: These will be two- to three-
11 family homes.

12 CHAIRPERSON DICKENS: Two- to three-
13 family homes. Alright. And how many?

14 BAABA HALM: There's gonna be 20.

15 LENNY SIPE: This is 10, 10 two-family
16 homes.

17 [background comment]

18 CHAIRPERSON DICKENS: Ten...

19 LENNY SIPE: Yes, I'm sorry...

20 LARRY HIRSCHFIELD: Ten homes.

21 LENNY SIPE: Ten homes, right.

22 CHAIRPERSON DICKENS: Ten two-family
23 homes.

24 LARRY HIRSCHFIELD: Each with one rental.

25

2 CHAIRPERSON DICKENS: Great. Alright.
3 Alright. Do any of the members... Alright, Council
4 Member Andy Cohen, please.

5 COUNCIL MEMBER COHEN: Good afternoon.
6 I'm just curious; is the affordability guaranteed for
7 20 years; is that... like obviously the owner might not
8 stay for 20 years?

9 LENNY SIPE: Right. There is a large
10 enforcement note and mortgage that's gonna be liened
11 against each of the homes, which is a pro rata amount
12 of the public construction subsidies and the land
13 debt, so if the initial owner chose to sell, any kind
14 of appreciation that would be realized would be
15 recaptured by the City for a period of 20 years, so
16 it's a very strong disincentive to any kind of
17 speculation.

18 COUNCIL MEMBER COHEN: But if I... I'm not
19 eligible, but if I were... [crosstalk]

20 LENNY SIPE: Yeah.

21 COUNCIL MEMBER COHEN: eligible and I
22 bought and in six years my wife's job got transferred
23 and I wanna move, just how does it work; what hap..
24 what...

2 LENNY SIPE: You could sell, but any
3 appreciation that was realized would have to be
4 repaid back to the City.

5 COUNCIL MEMBER COHEN: I can sell it for
6 any amount I want, but the appreciation... [crosstalk]

7 LENNY SIPE: Yes...

8 COUNCIL MEMBER COHEN: goes back...

9 LENNY SIPE: would be recaptured and
10 returned to the City of New York and to the New York
11 State Affordable Housing Corporation.

12 COUNCIL MEMBER COHEN: And the seller can
13 sell... But the seller has to sell to someone who meets
14 the eligibility requirements?

15 LENNY SIPE: No, not necessarily, right.

16 COUNCIL MEMBER COHEN: So in other words,
17 we're gonna satisfy... if the property is sold, that
18 person, although the owner doesn't get a windfall,
19 the first buyer...

20 LENNY SIPE: Right.

21 COUNCIL MEMBER COHEN: the property will
22 subsequently be out of affordability?

23 LENNY SIPE: For 20 years there are still
24 regulatory requirements attached to the property,
25

3 even if it's for the subsequent purchaser; the
4 property still must be owner occupied.

5 COUNCIL MEMBER COHEN: But the subsidy
6 mortgage will be paid off?

7 LENNY SIPE: Right, it would be paid off
8 through the recapture of the public dollars that were
9 allocated to the project.

10 COUNCIL MEMBER COHEN: Okay. Thank you
11 very much.

12 LENNY SIPE: You're welcome.

13 CHAIRPERSON DICKENS: Council Member
14 Treyger, please.

15 COUNCIL MEMBER TREYGER: Just a quick
16 question about what happens if the owner sells the
17 property?

18 CHAIRPERSON DICKENS: For instance, what
19 if the owner, his job relocates or there's death in
20 his family?

21 LENNY SIPE: If the own... Let's say if the
22 owner sells the property...

23 CHAIRPERSON DICKENS: And I understand
24 about the recapture, but what if the recapture...

25 [crosstalk]

LENNY SIPE: it's a recap.

2 CHAIRPERSON DICKENS: is insufficient to
3 pay off the mortgage; is that mortgage assignable is
4 what his question is?

5 LENNY SIPE: I'm not sure I'm
6 understanding the question. Repeat the question,
7 please.

8 [background comments]

9 CHAIRPERSON DICKENS: The question... I'm
10 sorry, Council Member, but... [crosstalk]

11 LENNY SIPE: Yeah, I don't wanna...

12 CHAIRPERSON DICKENS: but if the property
13 is sold...

14 LENNY SIPE: Yeah.

15 CHAIRPERSON DICKENS: and I understand
16 the recapture, but what if the recaptured amount
17 isn't sufficient to pay off the balance of the
18 mortgage; is that mortgage assignable to the new
19 owner?

20 LENNY SIPE: The new purchaser wouldn't
21 be able to get a mortgage, because the debt is going
22 to appear on title, so when the new purchaser
23 attempts to close the project, they're gonna have to
24 get a payoff letter and they're gonna have to satisfy
25 that mortgage in order to consummate the... [interpose]

2 CHAIRPERSON DICKENS: So then the
3 current... the one who... the original purchaser must
4 stay there for 20 years; is that my understanding?

5 LENNY SIPE: They don't have to stay
6 there for 20 years, no, but there's an owner-oc... did
7 you wanna...

8 BAABA HALM: We believe that requiring an
9 owner occupancy requirement for 20 years will mean
10 that the community and the property is stabilized for
11 that term. Generally homeowners on average stay in
12 their home for 10 plus more years and so we... and
13 that's the reason why this program was structured
14 that way.

15 CHAIRPERSON DICKENS: I'm not quite sure
16 I fully comprehend or agree, based upon my
17 understanding, but maybe, Baaba, you'll explain it to
18 me. It sounds more like something like how it's done
19 in Mitchell-Lama; originally that the original owner
20 had to commit to remaining the owner occupant for X
21 number of years.

22 BAABA HALM: Yes, the purchaser, the
23 first purchaser... [crosstalk]

24 CHAIRPERSON DICKENS: **[inaudible]**
25

2 BAABA HALM: has an owner occupancy
3 requirement of 20 years; if they choose to sell the
4 property before that 20-year period; what Lenny was
5 describing is the penalty provisions that the City
6 will enforce, meaning that the City will be able to
7 reclaim any value that the property has acquired in
8 order to pay off the City's subsidizing of that unit,
9 the construction-related costs that went into the
10 creation of the unit.

11 CHAIRPERSON DICKENS: Then my question
12 is; what happens if the recapture amount is not
13 sufficient to pay off the existing debt?

14 BAABA HALM: Right, like so the new
15 purchaser would be responsible for it, so if the
16 purchase price would not be sufficient to capture the
17 City's subsidization; the new purchaser will have to
18 make up that difference in order to purchase; I mean
19 we're not gonna reduce the mortgage amount; we're not
20 gonna reduce the value of the City subsidy.

21 CHAIRPERSON DICKENS: I'm not asking you
22 to reduce it, I'm trying to get an answer to my
23 question as to whether that the City would then take
24 on the new purchaser as the owner occupant purchaser

2 or whether they would have to go out and get another
3 mortgage in order to pay off the differential.

4 BAABA HALM: Yeah, they would have to..
5 [crosstalk]

6 CHAIRPERSON DICKENS: That's the answer.

7 BAABA HALM: they would have to satisfy
8 [background comments] the City in order to

9 **[inaudible]** a new owner... [crosstalk]

10 CHAIRPERSON DICKENS: Then that's the
11 answer.

12 BAABA HALM: Yeah.

13 CHAIRPERSON DICKENS: That's the answer.
14 Alright, thank you. Are there any other questions?

15 COUNCIL MEMBER TREYGER: Thank you,
16 Chair. Council Member Andy Cohen; go ahead.

17 COUNCIL MEMBER COHEN: How much is the
18 subsidy mortgage gonna be?

19 BAABA HALM: It depends on the size of
20 the unit and the AMI and they have different purchase
21 prices.

22 COUNCIL MEMBER COHEN: Do you know what
23 the range will be? There's 10 units; right?

24 LENNY SIPE: Are we talking about the
25 subordinate debt, the... **[inaudible]** debt...? [crosstalk]

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2 COUNCIL MEMBER COHEN: Yes...

3 BAABA HALM: Yeah...

4 COUNCIL MEMBER COHEN: Yes.

5 BAABA HALM: Yeah, the range.

6 COUNCIL MEMBER COHEN: Per unit.

7 LENNY SIPE: Per unit, it's significant;
8 it's close to half-a-million dollars.

9 COUNCIL MEMBER COHEN: So each one will
10 be encumbered with a half... [crosstalk]

11 LENNY SIPE: Yes.

12 COUNCIL MEMBER COHEN: approximately a
13 half-a-million dollar mortgage... [crosstalk]

14 LENNY SIPE: Yes, it's a piece of the...
15 it's a piece of the capital subsidy, which is \$70,000
16 a unit, so that's \$140,000; it's New York State
17 Affordable Housing Corporation funding, which is
18 significant, and then it's a piece of the land debt
19 and the land is... in Bed-Stuy the appraised value is
20 significant, so you... [crosstalk]

21 COUNCIL MEMBER COHEN: And then...

22 LENNY SIPE: so you attach that to each
23 home at the end loan closing and there is a
24 significant debt.

25

2 COUNCIL MEMBER COHEN: And the purchaser
3 will come in with... they're gonna put their own equity
4 in though in addition, like they'll be a purchase
5 price?

6 LENNY SIPE: Yeah, there is an effective
7 purchase price, there's a 5 percent, you know, down
8 payment.

9 COUNCIL MEMBER COHEN: Okay.

10 LENNY SIPE: Right?

11 COUNCIL MEMBER COHEN: Yeah. Thank you
12 very much.

13 LENNY SIPE: You're welcome.

14 CHAIRPERSON DICKENS: Are there any other
15 questions from my colleagues? Are there any members
16 of the public wishing to give testimony on this?
17 Then I'm closing the Land Use Item No. 0384, Van
18 Buren/Greene in Council Member Cornegy's district and
19 I will open the public hearing on Land Use Item 0386,
20 East Tremont Apartments, an application submitted by
21 HPD for an amended project summary previously
22 approved by the Council for properties located in
23 Council Member Torres' district in the Bronx. I'm
24 calling up the applicant as well as HPD, Baaba,
25 you're on again.

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3 BAABA HALM: Yes I am.. [crosstalk]

4 CHAIRPERSON DICKENS: **[inaudible]**

5 BAABA HALM: Baaba Halm, HPD Assistant
6 Commissioner, Government Relations.

7 JONATHAN BEUTTLER: Jonathan Beuttler,
8 HPD Director of Mixed-Income Programs.

9 CHAIRPERSON DICKENS: Please proceed.

10 BAABA HALM: LU 0386 consists of an
11 amendment to a previously approved project by the
12 Council on April 6, 2011, Res. 0774, for a project
13 that was constructed at 1172 East Tremont Avenue,
14 Block 3909, Lot and 1160 Lebanon Street, Block 4007,
15 Lot 15, also known as the East Tremont Apartments.

16 LU 0386 was approved under HPD's Low-
17 Income Rental Program and the sponsor constructed
18 three buildings with a total of 141 rental units.
19 The project was to include 7,444 sq. ft. of space for
20 commercial use. The sponsor completed the
21 construction, as I mentioned before, and all the
22 residential units have been rented with an AMI up to
23 60 percent. However, rather than building the 7,444
24 sq. ft. of commercial space, 7,909 sq. ft. of space
25 for commercial or community space was developed
instead and so we're seeking an amendment to reflect

3 this change, the increase in the size of the
4 commercial space that was actually built.

5 We are also seeking to correct the
6 address for one of the buildings. The resolution
7 noted the address as 1176 East Tremont Avenue rather
8 than 1172 East Tremont Avenue; the block and lot
9 haven't changed, but we need an address correction.

10 Thank you.

11 CHAIRPERSON DICKENS: Do you have
12 anything you'd like to add?

13 JONATHAN BEUTTLER: Just one point of
14 clarification; the community facility space is
15 located in 1175 East Tremont Avenue, which is one of
16 the three buildings; it contains universal pre-
17 kindergarten space and HPD was happy to support this
18 mayoral initiative.

19 CHAIRPERSON DICKENS: So then the total
20 commercial space will no longer really be commercial;
21 it'll be community space... [interpose]

22 JONATHAN BEUTTLER: Correct.

23 CHAIRPERSON DICKENS: is that my
24 understanding?

25 JONATHAN BEUTTLER: Correct, a portion of
the space will be community space, yes.

2 CHAIRPERSON DICKENS: And it will be what
3 per square footage?

4 JONATHAN BEUTTLER: About 4,000 sq. ft.
5 of interior space will be tenanted by the universal
6 pre-kindergarten and about 1,500 sq. ft. of outdoor
7 space will be tenanted by the universal pre-
8 kindergarten.

9 CHAIRPERSON DICKENS: Do any of my
10 colleagues have any questions? Are there any members
11 of the public wishing to testify? Seeing none, I'm
12 gonna close on Land Use Item 0386 and I will now open
13 up on Preconsidered Land Use, Christopher Park, an
14 application submitted by HPD seeking... [background
15 comments] application submitted by HPD... [background
16 comments] not HPD? So it's not HPD, but instead, the
17 application submitted by Department of Citywide
18 Administrative Services, seeking the approval of
19 City-owned park land, known as Christopher Park, to
20 the federal government for property locate din
21 Council Member Corey Johnson's district in Manhattan.

22 Who's here to testify, please? Please
23 identify yourself.

24 MATT DRURY: Good afternoon, my name's
25 Matt Drury; I'm the Director of Government Relations

2 for New York City Department of Parks and Recreation.

3 I had a short statement, if that's okay.

4 CHAIRPERSON DICKENS: Please go right
5 ahead.

6 MATT DRURY: Thanks very much.

7 Good afternoon, Chair Dickens and members
8 of the Subcommittee on Planning, Dispositions and
9 Concessions. My name is Matt Drury, as I said.
10 Thanks for giving me the opportunity to be here to
11 testify in support of the proposed transfer of
12 Christopher Park to the federal government, AKA
13 Application No. 20165637 PNM, submitted by the
14 Department of Citywide Administrative Services (DCAS)
15 on behalf of the Department of Parks and Recreation.

16 Christopher Park and the surrounding
17 vicinity, located in Greenwich Village in Manhattan
18 is recognized by many as the birthplace of the modern
19 LGBT civil rights movement; as such, local and
20 national advocates have joined with elected officials
21 and local residents in support of the creation of a
22 national park unit to commemorate its special place
23 in the history of human and civil rights.

24 National park units can be created by
25 Congressional legislation or by Presidential

3 designation under the provisions of the Antiquities
4 Act of 1906. The Antiquities Act allows the
5 President to establish national park units from
6 existing federal land, meaning that a piece of real
7 property needs to be under the jurisdiction of the
8 federal government before a designation of this sort
9 can be made. New York City Parks supports the
10 necessary actions that will facilitate this
11 designation; in this instance, the City Council's
12 consideration and approval of the transfer of
13 Christopher Park to the federal government.

14 If a national park unit is formally
15 designated, the National Park Service and the City
16 will engage in a collaborative relationship with
17 shared operational goals resulting in an effective
18 management system for the protection and
19 interpretation of this site; the City will enter into
20 a Cooperative Management Agreement with the National
21 Park Service to establish a framework enabling both
22 entities to work jointly to protect, preserve,
23 interpret and maintain Christopher Park as a national
24 park unit that will continue to thrive as a
25 neighborhood open space resource. Under the
envisioned management system, the City will continue

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3 to perform daily routine maintenance, open and close
4 the park, continue to preserve and care for the
5 park's public art and also perform preventative
6 maintenance. The National Park Service will maintain
7 current hours and consult with the community if
8 changes to such hours are contemplated and continue
9 to use the current designated park name, Christopher
10 Park. National Park Service will also request
11 additional operational funding in order to supplement
12 and/or replace City funding over time; they will seek
13 capital funds for projects as appropriate, establish
14 formal relationships through signed agreements with
15 the current partner organization that provides
16 volunteer support for the park and develop a
17 management plan with full public involvement to
18 address long-term approaches to the operations,
19 programming, education and interpretation of the
20 national park unit consistent with its established
21 purpose.

22 So pursuant to Section 72-h of the New
23 York State General Municipal Law, on May 26, 2016,
24 notice was issued to the City Council regarding the
25 Mayor's authorization of this disposition of real
property located at Block 592, Lot 87 in the Borough

2 of Manhattan, known as Christopher Park to the
3 federal government and so we're here today to express
4 our support for this disposition and respectfully
5 request the Council's consideration and approval of
6 this transfer. Thanks for the opportunity.

7 CHAIRPERSON DICKENS: Thank you so much.

8 I might add that it is the Chair's distinct pleasure
9 to have had a conversation with members that are very
10 active with the Stonewall Inn and the civil rights
11 revolution that occurred down there and Greenwich
12 Village; it's imperative that we recognize that this
13 was indeed the civil rights fight; I am very happy
14 that the National Park Service is gonna take it over,
15 maintain it, provide the funds for it so that forever
16 this will stand as a beacon to the entire world that
17 the LGBT and Q rights must be maintained, supported
18 and indeed remembered as an historic moment in the
19 history of New York City.

20 Are there any questions from... Council
21 Member Cohen.

22 COUNCIL MEMBER COHEN: This is not park
23 alienation 'cause it's getting a park; is that the
24 determination that was made?
25

2 MATT DRURY: Actually no; alienation
3 legislation was technically authorized through State
4 Legisla... sorry, I have the bill numbers here, but
5 yeah, bill was passed through the Senate and Assembly
6 and signed by the Governor... [crosstalk]

7 COUNCIL MEMBER COHEN: Right, there you
8 go. Very good. Thank you.

9 MATT DRURY: No problem.

10 CHAIRPERSON DICKENS: Are there any
11 member of my committee that have any questions? Are
12 there members of the public that seek to have a
13 statement? Seeing none, then I will close the public
14 hearing on Preconsidered Land Use Christopher Park
15 application seeking to transfer City-owned parkland
16 known as Christopher Park to the federal government
17 for the property located in Council Member Johnson's
18 district.

19 I am now going to put up the items for
20 vote; I note for the record that the applications we
21 are voting on today have the full support of the
22 local Council Members as well as mine as Chair. I
23 will now call on counsel to call the roll on a vote
24 to approve Land Use Items 0384, 85, 86, 87,
25 Preconsidered Land Use Woodycrest Apartment, Sharon

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2 House and Leggett Apartments, Preconsidered Land Use
3 Christopher Park. We are holding, I wanna remind us
4 that we are holding it open for future vote to allow
5 Council Member Koo to continue his negotiation on
6 Land Use Items 0378, 0379, 0380, 0381, 0382, also
7 known as One Flushing. I am now going to ask my
8 counsel to call the roll.

9 COMMITTEE COUNSEL: Council Member
10 Dickens.

11 CHAIRPERSON DICKENS: I vote aye on all.

12 COMMITTEE COUNSEL: Council Member
13 Rodriguez.

14 COUNCIL MEMBER RODRIGUEZ: Aye.

15 COMMITTEE COUNSEL: Council Member Cohen.

16 COUNCIL MEMBER COHEN: Aye.

17 COMMITTEE COUNSEL: Council Member
18 Treyger.

19 COUNCIL MEMBER TREYGER: Aye.

20 COMMITTEE COUNSEL: Land Use Items 0384,
21 0385, 0386 and Preconsidered Item 20165635 HAX and
22 Preconsidered Item 20165637 PNM are approved by a
23 vote of 4 in the affirmative, 0 in the negative and 0
24 abstentions.

25

2 CHAIRPERSON DICKENS: Thank you so much
3 and I would like to thank all the members of the
4 public, my colleagues, of course my sergeant of arms,
5 my counsel, the Land Use staff for attending today's
6 hearing; this hearing is hereby adjourned.

7 [gavel]

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C E R T I F I C A T E

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



Date June 21, 2016