

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ZONING AND FRANCHISES

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May 15, 2018
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HELD AT: 250 Broadway-Committee Rm, 16th Fl.

B E F O R E: FRANCISCO P. MOYA
Chairperson

COUNCIL MEMBERS:

COSTA G. CONSTANTINIDES
MARGARET S. CHIN
BARRY S. GRODENCHIK
RORY I. LANCMAN
STEPHEN T. LEVIN
ANTONIO REYNOSO
DONOVAN J. RICHARDS
CARLINA RIVERA
RITCHIE J. TORRES

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

Adam Rothkrug
Partner at Rothkrug, Rothkrug and Spector, LLP,
Representative of Markland 745 and JCAL
Development

Brian Newman
Director of Architectural Services at Newman
Design

William Bollinger
Principal/Development Specialist of JCAL
Development Group LLC

Josh Weissman
Founder and President of JCAL Development Group
LLC

Mellissia Marshall
Employee of the 9/11 Memorial Museum, Member of
32BJ Union

Annie White
City Planner at the New York City Department of
City Planning

Dominick Answini
Attorney/City Planner at the New York City
Department of City Planning

David Karnovsky
Member of the Real Estate Department, Partner at
Fried Frank, Land Use Counsel

Nat Barranco
Principal at Urbahn Architects

Lacey Tauber
Development and Planning Director at the
Department of Housing and Buildings, HPD

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

Eugene Flotteron
Director of Architecture at CetraRuddy
Architecture DPC

Richard Ellenson
CEO of the Cerebral Palsy Foundation

Mike Schweinsburg
President of the 504 Democratic Club

Edith Prentiss
Former President of the 504 Democratic Club and
Current Transit Chair and President of DIA

Jessy Yates
Constituent Near J Line in Bushwick

Madelyn Wils
President and CEO of Hudson River Park Trust

Marcie Kesner
Urban Planner with the Kramer Levin Law Firm

Steven Charno
President of Douglaston Development

Jack Robbins
Principal/Director of Urbann Design at FX
Collaborative

Mohan Madibeak
Member of 32BJ Union

Justin Sherman
Senior Project Manager at Ismael Leyva Architects

Matthew Klein
Executive Director of the Mayor's Office for
Economic Opportunity

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

Aleta LaFarge
Representative of Manhattan Plaza Tenants
Association

Panos Kutrise
Member of the 32BJ Union

Lee Compton
Co-Chair of the Community Board Four's Chelsea
Land Use Committee

Betty Mackintosh
Co-Chair of the Manhattan Community Board Four's
Land Use Committee

Paul Devlin
Member of the Chelsea Land Use Committee of
Community Board Four

Lowell Kern
Co-Chair of the Waterfront Parks and Environment
Committee of Community Board Four

Joe Restuccia
Co-Chair of the Housing, Health and Human
Services Committee of Community Board Four

Adrienne Ford
Representative of the Manhattan Plaza Tenants
Association, Resident of Hell's Kitchen

Connie Fishman
Executive Director of Hudson River Park Friends

Rita Jakubowski
Member of the 44th Street Block Association

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[gavel]

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COUNCIL MEMBER GRODENCHIK: good morning,

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I am obviously not Francisco Moya, we expect him a

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little bit later. My name is Barry Grodenchik, member

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of this committee and I will be failing.. filling in

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for Chair Moya this morning. At this time, we are

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joined by two of my colleagues, Queens is definitely

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in the house, Councilman Donovan Richards and

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Councilman Rory Lancman and I see Councilman

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Salamanca about to make his way in, the Chair of the

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Land Use Committee. Today we will start with a

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hearing on Land Use 70, the proposed revocable

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consent for Café Tabu to operate an unenclosed

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sidewalk café at 227 Dyckman Street in Manhattan in

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Council Member Ydanis Rodriguez's district. I am now

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going to open the hearing on Land Use 70, but I don't

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think we have any... do we have any speakers on...

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COMMITTEE CLERK: No, ask if any members

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of the public are here to testify.

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COUNCIL MEMBER GRODENCHIK: Anybody here

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to testify on, on this café? Alright, in that case

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we're going to... [cross-talk]

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COMMITTEE CLERK: Seeing none I'm going

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to close the hearing on... [cross-talk]

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2 COUNCIL MEMBER GRODENCHIK: Okay, I've
3 done this before. Seeing none we're going to close
4 the hearing on Land Use 70. This is kind of like
5 getting married, speak now or forever hold your
6 peace. Thank you. Our next hearing is on Land Use
7 Numbers 86, 87 and 88, the Willow Avenue rezoning for
8 property in Council, Council Member Rafael
9 Salamanca's district in the Bronx. The applicant
10 Markland 745 LLC seeks approval of a zoning map
11 change to permit, permit residential use and a zoning
12 text amendment to designate the area as a mandatory
13 inclusionary housing area subject to MIH option
14 number one. These actions will permit the
15 redevelopment of the applicant site into an eight-
16 story mixed use building with 126 residential units
17 all of which will be affordable. In addition, HPD
18 seeks a tax exemption pursuant to Article 11 of the
19 Private Housing Finance law to achieve this 100
20 percent affordability. I will now open up the hearing
21 on Land Use Numbers 86, 87 and 88 and with us now is
22 Councilman Salamanca, would you like to make remarks
23 Mr. Chairman?
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COUNCIL MEMBER SALAMANCA: Thank you,
thank you Mr. Chair, I will make my remarks after
the... their presentation.

COUNCIL MEMBER GRODENCHIK: Thank you Mr.
Chair. We are joined this morning by... we have a
number of people on this panel; I see Adam Rothkrug
and Lacey Tauber from HPD.

[off-mic dialogue]

COUNCIL MEMBER GRODENCHIK: Okay. Okay,
if you could... the other members of the panel could...
if you could all state your names and then you'll be
sworn in by the counsel.

ADAM ROTHKRUG: Good morning, Adam
Rothkrug.

WILLIAM BOLLINGER: William Bollinger.

BRIAN NEWMAN: Brian Newman.

LACEY TAUBER: Lacey Tauber.

COUNCIL MEMBER GRODENCHIK: Counsel.

COMMITTEE CLERK: Do you swear or affirm
that the testimony that you're about to give will be
the truth, the whole truth and nothing but the truth
and that you will answer all questions truthfully?

ADAM ROTHKRUG: I do.

LACEY TAUBER: Yes.

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ADAM ROTHKRUG: Yes.

COUNCIL MEMBER GRODENCHIK: Please begin.

ADAM ROTHKRUG: Good morning Councilman Grodenchik and members of the council. I'm Adam Rothkrug, I'm here on behalf of Markland 745 and JCAL Development in connection with our applications for a proposed rezoning and text change for a mandatory inclusionary housing area designation of the property on Willow Avenue between East 133rd Street and East 134th Street in the Port Morris section of the Bronx. The applications include a rezoning of the development site from M1-2 to M1-4/R7D, MX which would facilitate development of a mixed-use building, in this case a proposed eight story building with commercial use on the first floor and 126 apartments on the upper floors with off street parking for 29 cars in the cellar. The applications include a... the mapping of a mandatory inclusionary housing area and selection of option one requiring that a minimum of 25 percent of the building comply with the affordable housing regulations and aside from that the developer as you'll hear testimony to have been actively working with Councilman Salamanca with regard to the numbers and income bands applicable to this building.

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2 As indicated on the tax map, the site outlined in red
3 currently consists of four lots, a total of 20,646
4 square feet, approximately 200-foot frontage on
5 Willow Avenue and 100 feet in depth running from East
6 133rd Street to East 134th Street. Two existing
7 buildings on the lot, a three-story commercial
8 building and a small one-story warehouse will be
9 demolished. No existing residential or manufacturing
10 occupancies will be displaced or otherwise affected by
11 the proposed actions. There's one other building that
12 will be included in the rezoning, a one-story
13 manufacturing building approximately 18,000 square
14 feet in area occupied by the Empire Safe Company,
15 this property is currently located in M1-2 district
16 and will be rezoned to M1-2/R6A, MX, it will also be
17 included in the MIH district so that any future
18 residential development would include mandatory
19 affordable housing. The development site and the
20 Empire Safe site were the only properties excluded
21 from the March 2005 extension of the original 1997
22 Port Morris Bruckner Boulevard rezoning which
23 expanded the MX district in this neighborhood and
24 included the rest of this block except for these
25 properties. In approving the 2005 extension the

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2 commission found that the existing infrastructure had
3 capacity to support residential growth and that the
4 area is well connected to Manhattan and the region.
5 Subsequent to 2005 the Randall's Island connector was
6 approved and constructed making the subject area even
7 more desirable and appropriate for the introduction
8 of additional residential and mixed-use development
9 in the area. As indicated in the land use map more
10 than half of this block is already developed with
11 residential uses including a new residential building
12 under construction on the North side of East 133rd
13 Street. The introduction of new affordable
14 residential use at this location is appropriate on
15 this particular block. The development site and the
16 remainder of the block was not included in the Port
17 Morris industrial business zone map in 2013. The
18 proposed R7D/M1-4 district permits a maximum floor
19 area ratio of 5.6 resulting a total permitted floor
20 area of 115,600 square feet, in this case the plans
21 indicate 15,000 square feet of commercial area on the
22 first floor and approximately 100,000 square feet of
23 residential floor area including 126 dwelling units
24 and a 3,000 square foot tenant recreation area with
25 parking for 29 cars provided in the cellar. The plans

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2 include plans for a green roof with both solar
3 panels, vegetation and an outdoor tenant recreation
4 area. Obviously, we are pleased to have obtained the
5 approval of Community Board Number one and Borough
6 President Ruben Diaz who noted that this development
7 could be transformative with respect to design and
8 occupancy. I'd now like to introduce Brian Newman
9 from Newman Design to give an overview of the
10 proposed development and we have other
11 representatives of the development team that have
12 signed up to speak to provide further overview of the
13 proposed development including the affordable housing
14 that's proposed. Thank you.

15 BRIAN NEWMAN: Good morning, the
16 rendering you see here depicts the front elevation on
17 Willow, the right side of, of the rendering is 134th,
18 the left would be 133rd. As you can see here we have
19 an eight-story building, 85 feet which is the max
20 base height, maximum allowed under the R7D is
21 actually 100 feet. As you can see we stepped the
22 building back on 134th as well as 133rd to better
23 related to the residential buildings be, behind this
24 property. The front elevation or the architectural
25 style of this building is, is one of, I'll say an

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2 industrial... a modern interpretation of industrial
3 warehouse which directly relates to the warehouse
4 across the street from this parcel, that building
5 happens to be 88 feet, so the height of our building
6 is in context with, with the, the surroundings
7 directly across the street. What you can see here,
8 top left corner sort of the grey is a site plan, the,
9 the dark grey is the main eight story, the two
10 lighter grey square areas flanking the sides that's
11 where it's steps down to six and right in the middle,
12 the very light grey, that's the roof of the one...
13 first floor. That's perfect, if you can just go back
14 one... just go back one...

15 WILLIAM BOLLINGER: Did that one on
16 purpose... [cross-talk]

17 BRIAN NEWMAN: You did that on purpose,
18 no problem.

19 WILLIAM BOLLINGER: Did you want to go
20 back?

21 BRIAN NEWMAN: Yeah, just one back, yeah
22 there... perfect. Just a quick overview of the plans,
23 the orange color that was... that would be your first
24 floor, that's the commercial aspect. As you can see
25 the commercial wraps all three street frontages, it's

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2 approximately 15,000 square feet, we have the
3 residential lobby which is the blue, blue section on
4 134th. The ideal with having the commercial wrapping
5 all three street frontages is to allow for pedestrian
6 access and activity at all times. As I get further
7 along in the renderings you'll see we have... we have
8 it well lit and it will have activity at all times.
9 As you can see here, the retails wrapping all
10 corners, that's... the right side is the residential
11 entrance with the canopy, we have façade lighting
12 that wraps all three street frontages which add for
13 pedestrian safety and access to the retail, it allows
14 flexibility. As far as... you can leave it there...

15 [cross-talk]

16 WILLIAM BOLLINGER: Leave it there...

17 [cross-talk]

18 BRIAN NEWMAN: ...that's the residential
19 entrance here, a close up, we can see that's 130...
20 34th. As far as design techniques we're utilizing New
21 York active design when we first come into the lobby,
22 the stairs, one of the first things you'll see in
23 there. In addition to being in front of the elevator
24 we've incorporated local artists to, to incorporate
25 artwork inside the stairwells so they're not the, the

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2 dark grey dingy stairwells that unfortunately occurs
3 so often. As far as the amenities, inside this
4 building there's package rooms, there is also a large
5 recreation room on the second floor approximately
6 3,500 square feet which walks directly out to that
7 roof on that second floor for the resident's use. In,
8 in addition to that we have on those terraces on the
9 sixth floor those are terraces right off the elevator
10 lobby for the residents use as well and on the main
11 roof we... as Mr. Rothkrug mentioned prior we have a, a
12 green roof for the... there's a, a, a close up view of
13 that site plan, of that roof plan where you can see
14 the active green roof, the blue stripe or strip
15 behind that is photovoltaics that will help power the
16 LED light fixtures. In addition, other green
17 techniques, we'll have will be low flow plumbing
18 fixtures, high, high SRI roof, electrical vehicle,
19 vehicle charging stations in, in the parking garage,
20 all finished materials will have, have high recycled
21 content and low VOC paints and adhesives. So, this
22 aerial view you can see as I was talking before had
23 the two terraces on either side and that low roof in,
24 in between. That's fine, just go back to where you
25 just were... you can go, go ahead one more... so, this is

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2 the middle of a... of Willow Avenue, this is a recessed
3 area that we've created to accommodate multiple
4 entrances for the retail, as I said before it wraps
5 around but this also gives us an opportunity to have
6 a prominent entrance for a larger tenant if possible
7 or... and it also allows flexibility for all three
8 sides or all three possible tenants. You can also see
9 here the second floor is actually the laundry room
10 that I was mentioning prior so instead of putting it
11 in the cellar we've located it on the second floor to
12 benefit the tenants, they have glass, they can look
13 out, the opposite side of this is also that roof or
14 the... for the access for the tenants and the community
15 room so it's, it's a... it's open to all the residents
16 and they can come back and forth as they please and
17 they're not in the basement. This is the rendering on
18 133rd where again you can see the retail wrapping,
19 you can see the stepping of the building from eight
20 down to six. In this picture you see the warehouse
21 building across the street as I was mentioning and
22 the... on the bottom left of this façade that is the
23 vehicular access to the parking garage which has 29
24 cars. This is just an aerial view from 134th looking
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2 down as an overview, similar for the opposite side.
3 Turn it over to unit... for unit distribution.

4 WILLIAM BOLLINGER: Okay, thank you
5 Brian. You'll see on, on this slide that we have a, a
6 good distribution of units of which we actually have
7 a decent amount of three-bedroom units so we're,
8 we're gearing up for a larger family size unit. As
9 far as affordability levels go, you know we started
10 off early in the process looking to do an M square
11 project and working in consultation with the Council
12 Member Salamanca we've had a variety of iterations of
13 those affordability levels, four to be exact to where
14 you'll see on the right-hand column is what we've
15 proposed now, and we've been working in coordination
16 with HPD on those bands as well. As Brian had
17 mentioned from accessibility factor this is... it,
18 it's, it's ideally suited amongst highway
19 transportation, it's not far from the number six
20 train and it has great... and, and what we're trying to
21 take advantage of great access to bike lanes that
22 have been created by the city including the Randall's
23 Island connector. So, from a sustainability
24 perspective we're near a lot of large employers
25 including the New York Post, Fresh Direct and nothing

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2 is more sustainable than a location where you can
3 either walk or bike to work. This just kind of gives
4 a context to some of the other things in the
5 neighborhood, there's been a lot of new development
6 in the neighborhood; Silvercup Studios is what you
7 see up to the North. Again, to the... to the lower left
8 you see where Fresh Direct and Fed Ex in... and the New
9 York Post is in proximity, you see the Randall's
10 Island connector, the large yellow strip and the...
11 excited about the 132nd Street pier which is going to
12 be rebuilt at the end of 132nd Street and hopefully
13 the Gantry Park just to the North of that, its caddy
14 cornered from the Port Morris Distillery and, and
15 Tavern and there's a lot of new uses coming up into
16 the area. From a marketing strategy we're very much
17 committed to making sure that the project not just
18 meets the HPD 50 percent goals as far as community
19 board preference but greatly exceeding that and, and
20 how we do that is... I know the Council Member's
21 actually been coordinating with HPD on some strategy
22 sessions to help local residents with issues such
23 that can impair them as credit scores and things like
24 that, how to correct that. The other thing is just
25 making sure that people are aware of when it happens

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2 because through the HPD lottery process there's a
3 very tight window that one has in order to, to apply
4 so one other thing is that we're going to be doing
5 proactively is we're going to be placing a, a sign on
6 the site because people go past our developments all
7 the time that will tell them where to sent an email
8 for information, obviously it's a lottery process
9 they have to go through but if we let them know as
10 soon as the marketing ad hits then we'll have a
11 better chance of having more people from the
12 community board submit applications and hence greater
13 opportunity to ensure that we're going to exceed the
14 50 percent community preference. We're very much
15 committed, we've been in partner... and myself and, and
16 I should mention Josh Weissman and Barry Altmark are
17 part of our development team on the partner side
18 we've all been in the Bronx since the early 90's, in
19 fact the Almarks since the 70's, we're committed to
20 working with the local MWBE companies, we buy a lot
21 from the local suppliers, CASA and a lot of our
22 trades are within the local community so it's very
23 important to us to make sure that we reach out and we
24 have as much local participation as possible. Retail
25 tenant mix; one of the things that's very key in a

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2 lot of upcoming neighborhoods is the fear of, of not
3 just gentrification but gentrification of the retail
4 aspect, the big boxes coming in or, or, or corporate
5 change coming in and squeezing out mom and pops so
6 we're very sensitive to this so.. and some other
7 developments and areas we've worked with local MWBE
8 type businesses in the case.. we have Alexander
9 Avenue, the young lady on the top there is Noel
10 Santos, she's opening up the first book store in the
11 Bronx since the one up in Co-op City closed and down
12 below are two gentlemen who started the Bronx Draft
13 House and have several other concepts including the
14 Bistro that you'll see opening up in the Bronx very
15 soon so what we.. what we care about is reaching out
16 and making sure that we, we, we actually enhance and,
17 and appeal to the likes of kind of the local
18 atmosphere and maintaining the culture because that,
19 that's very important to these neighborhoods as they
20 change making sure that everyone from within has
21 opportunity. So, all those are just extra slides. So,
22 one of the things that we're also committed to we..
23 as, as Brian had mentioned we have.. we'll have ample
24 amount of cameras surrounding the building, we have
25 access at certain location points, the parking

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2 underneath will have a lot of cameras as far as
3 security features go and we're, we're going to use a,
4 a variety of systems that maintain like who has
5 access to the building and who doesn't so that's a
6 very important aspect as far as the development goes.
7 And then finally with respect to the retail, you know
8 we have heard a lot of desire for some type of, of,
9 of like commercial grocery store so we're talking to
10 tenants who we've had other developments that have
11 done grocery stores so we're going to be talking to
12 them about the possibility of putting a small store
13 within the project. And that's kind of the project in
14 a nutshell.

15 COUNCIL MEMBER GRODENCHIK: Thank you
16 very much Mr. Salamanca...

17 LACEY TAUBER: Actually, I have a
18 testimony about... [cross-talk]

19 COUNCIL MEMBER GRODENCHIK: Oh, I'm
20 sorry... [cross-talk]

21 LACEY TAUBER: ...the Article 11
22 application... [cross-talk]

23 COUNCIL MEMBER GRODENCHIK: Okay.

24 LACEY TAUBER: Sorry...

25 COUNCIL MEMBER GRODENCHIK: I'm sorry.

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LACEY TAUBER: No problem.. [cross-talk]

COUNCIL MEMBER GRODENCHIK: Don't be shy.

LACEY TAUBER: My name is Lacey Tauber, I'm with HPD Government Affairs and so I'll be speaking specifically on their Article 11 application. Land Use Number 88 consists of a proposed Article 11 tax benefit for exemption area known as 111 Willow Avenue which is privately owned land located on block 2562, lots 59... or sorry, 49, 56, 58 and 60 in Bronx council district 17. The sponsor for the project currently has before the Zoning Subcommittee a zoning text amendment, an establishment of a mandatory inclusionary housing MIH area related to the land use items 86 and 87. Summarizing the 111 Willow Avenue project, the sponsor will construct one nine story mixed use building with 126, 126 residential units under HPD's mix and match program for low income families and ground floor retail space, 15,125 square feet. It is anticipated that approximately 32 units will be permanently affordable under MIH option one. In addition, another 19 units are anticipated to be permanently affordable as HPD will provide subsidy for the MIH units. In total approximately 51 units

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2 will be permanently affordable, the overall project
3 area will be approximately 148,702 square feet. The
4 proposed building with consist of 19 studio units, 66
5 one bedroom, 22 two bedrooms including one
6 superintendent's unit and 19 three bedrooms. In
7 accordance with the mix and match program terms and
8 also conversations with the Council Member, the
9 overall proposed affordability mix is as follows; 15
10 percent of the units will be affordable to formally
11 homeless households earning up to 30 percent of AMI,
12 ten percent of the units will be affordable to
13 households earning up to 30 percent of AMI, ten
14 percent of the units will be affordable to households
15 earning up to 40 percent of AMI, ten percent of the
16 units will be affordable to households earning up to
17 50 percent of AMI, five percent of the units will be
18 affordable to households earning up to 100 percent of
19 AMI and 32 percent of the units will be affordable to
20 households earning up to 130 percent of AMI plus the
21 super's unit for a total of 126. Common areas such as
22 a laundry room, bicycle storage and a community room
23 will be available to all residents. There will be 29
24 residential parking spaces available for rent. The
25 project will also include 15,125 square feet of

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2 ground floor retail space. Overall the total project
3 will be approximately... sorry, there's a typo here. As
4 mentioned HPD is before the council seeking approval
5 of an Article 11 tax exemption for a term of 40 years
6 that will coincide with the regulatory agreement in
7 order to assist with facilitating long term
8 affordability. The projected cumulative tax benefit
9 is approximately 25,824,875 dollars and the net
10 present value is 6,699,883.

11 COUNCIL MEMBER GRODENCHIK: Thank you,
12 Councilman Salamanca.

13 COUNCIL MEMBER SALAMANCA: Thank you Mr.
14 Chair and I want to welcome you all for your
15 presentation, thank you very much. And I want to open
16 up by really thanking this group on working with me
17 on this project and just to point something out for
18 this committee, when the Almark and JCAL group
19 originally came to see me they, they proposed an M
20 square project where 75 percent of their project was
21 80 percent AMI to 120 percent AMI and only 25 percent
22 of their project was at a 40 percent AMI to 60
23 percent AMI with no homeless set aside and my concern
24 with this particular location was that this area is
25 right for gentrification, I mean it's, it's... and you

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2 know it's a Port Morris community, it's an industrial
3 area, it's an up and coming community but I also
4 understood that there was... there was a certain block
5 in which... where this project falls under there's
6 residential and there was a rezoning that was done
7 years ago and there was... never understood why this
8 part of that block was not rezoned, I mean you made a
9 brief explanation but years later, you know I, I know
10 that you guys regret that. So, we went from set...
11 from, from the 75 percent of 80 to 120 and 25 percent
12 from 40 to 60 to now there's going to be a 15 percent
13 homeless set aside, 34 percent of the project is for
14 families making 30 percent AMI to 60 percent AMI and
15 we've reduced the 80 percent AMI to 120 percent AMI
16 from 75 percent of the entire project to 50 percent
17 of the entire project and we changed the M square to
18 MIH option one. This is what's truly affordable for
19 my community and as just a message that I'm sending
20 out to all the developers, there's a lot of
21 development happening in my community, I am... I, I am
22 in favor of developing underdeveloped land but please
23 come correct, please come with projects that that are
24 truly affordable for my community, I will not accept
25 anything less than that. With that said I just have a

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2 question in terms of.. I, I know that there's concerns
3 in terms of labor workings, specifically I know 32BJ
4 will speak on that, I just want to hear on the record
5 what, what are the concerns because I'm hearing that
6 this project does not allow financially.. it's not
7 financially feasible to have maintenance workers
8 from, from labor whether it's 32BJ or anybody else if
9 you can just please explain that to me on the record?

10 WILLIAM BOLLINGER: Sure, first of all we
11 are committed to providing living wage and, and we
12 will be trying to work with HPD in the next, you know
13 short period of time to, to try to, you know kind of
14 figure out what that gap is. Basically, what happens
15 is when you add any kind of extra expense to a
16 project that's not anticipated it reduces the cash
17 flow that's there to service the debt and ultimately
18 HPD through their house... sister housing agency, the
19 Housing Development Corporation provides long term
20 taxies and bond financing for the project and so far
21 we have to be kind of mindful and sensitive to making
22 sure that we're able to service the debt because what
23 we don't want to get ourselves and the project in
24 trouble certainly the, the people doing the financing
25 have concerns with their bond holders to make sure

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2 that the project is, is, is a buyable project so
3 we've started these conversations and, and, and we
4 would, you know like to expedite that as much as
5 possible but we have to work with them as well
6 because we can't do this in a vacuum ourselves but
7 we're committed... we're committed to that.

8 COUNCIL MEMBER SALAMANCA: Alright, well
9 I'm also committed to that, you know I am also
10 committed to having a, a side conversation with you
11 maybe changing, you know certain I guess AMI units
12 without losing the affordability of this project to
13 ensure that we can accommodate labor there, I mean
14 it's important to me and I'm pretty sure it's
15 important to this body that we get as many good
16 paying jobs within labor which offers protection so
17 we, we really advocate for that so again... but I want
18 to thank you for really working with me and moving
19 this project around to fit the needs of my community.
20 In terms of job creation, can you speak about some of
21 the jobs that this development will create for
22 construction?

23 WILLIAM BOLLINGER: I think we, we
24 figured around 80 jobs off and on throughout the
25 entire process so you're talking about a 24 month to

1
2 30-month process, roughly 80... I mean it'll be more
3 than 80 jobs but, but, but typically 80 to 120
4 people... Josh what's... about that on, on the site at
5 the height of the...

6 [off-mic dialogue]

7 COUNCIL MEMBER SALAMANCA: I'm sorry, can
8 you just come to the mic please... [cross-talk]

9 WILLIAM BOLLINGER: Yeah, do you want to
10 come up... [cross-talk]

11 COUNCIL MEMBER SALAMANCA: ...if you're
12 going to...

13 WILLIAM BOLLINGER: Josh really runs the
14 construction side of things, so I don't want to
15 misspeak.

16 JOSH WEISSMAN: Hi... Josh... [cross-talk]

17 COUNCIL MEMBER GRODENCHIK: Could, could...
18 before you speak I'm going to ask the counsel to
19 swear you in.

20 COMMITTEE CLERK: Do you swear or affirm
21 that the testimony that you're about to give will be
22 true?

23 JOSH WEISSMAN: Yes.

24 COUNCIL MEMBER GRODENCHIK: Thank you.

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JOSH WEISSMAN: So, a job like this typically you'll have between let's say 60 to 100 men and women working at one time. For instance, when you first start, and you'll just have the foundation company there, there could be 20 guys but once you have super structure going up, plumbers, electricians, carpenters following the chain you'll have many more, so I would say you're north of 200 jobs throughout the project, but we would basically be at 60 to 90 at any specific time.

COUNCIL MEMBER SALAMANCA: How will you... how will you ensure that there's local hiring in this project... [cross-talk]

JOSH WEISSMAN: And so, we're... our... most of our business is in the Bronx, our office is in the South Bronx and our electricians, our plumbers, our roofing supply, our masonry supply, our electrical supply all comes from within the borough, it, it, it behooves us to have that also because it's easier for the men and women to get to work if they're coming from the Bronx and staying in the Bronx and dealing with two hours of traffic like I had to deal with this morning and also it's good because supplies if we're missing something we could easily get it

1
2 quickly if we're getting it from CASA, Melrose, Gena,
3 we get from Tremont Supply Electrical, S and J's
4 Roofing, Palace Plumbing is our supply for... on
5 Southern Boulevard for plumbing so it, it, it helps
6 everyone on the project to stay local.

7 COUNCIL MEMBER SALAMANCA: Yeah, I want
8 to also commend you, I, I, I've done my research and
9 I know that you, your company when you do
10 developments there is... you use local businesses and
11 you really keep your word, a lot of developers come
12 and say, you know we're going to use local businesses
13 but we don't hear from them again but you guys do
14 have a track record on that. My other questions for
15 HPD, you know housing forums is something that I,
16 I've implemented in my... in my district, I just want
17 to get a commitment from HPD that you will work with
18 this group, having a housing forum, ensuring that
19 there's true community... there's a real community
20 preference and what that means educating the
21 community, having an event, I just want to get a
22 commitment on the record that you will host something
23 side by side with my office.

24 LACEY TAUBER: Yeah, that is absolutely
25 something that we're committed to do, we can work

1
2 with... I don't know if you are working with any
3 specific local groups, we can make connections to,
4 you know our housing ambassadors and folks who can
5 help people fill out the applications and we can also
6 host workshops locally in the community to make sure
7 that people get connected.

8 COUNCIL MEMBER SALAMANCA: Yeah, the..
9 recently we've had a few housing forums with MHANY
10 Management... [cross-talk]

11 LACEY TAUBER: Uh-huh... [cross-talk]

12 COUNCIL MEMBER SALAMANCA: ...a non for
13 profit... [cross-talk]

14 LACEY TAUBER: Yeah, we did two with each
15 one of your community boards... [cross-talk]

16 COUNCIL MEMBER SALAMANCA: Yes... [cross-
17 talk]

18 LACEY TAUBER: ...I believe... [cross-talk]

19 COUNCIL MEMBER SALAMANCA: So, you know
20 they... it's, it's worked, maybe we can keep it in...
21 consistent, I mean I'm open.

22 LACEY TAUBER: Yeah...

23 COUNCIL MEMBER SALAMANCA: ...to anyone..
24 for the developer looking at the recommendations for
25 Bronx community board one, they were very specific

1
2 about who their property manager is and I know I've
3 set this on the record and I'll say it again,
4 Wavecrest is, is a... is a major concern in our
5 communities and we recommend all new project
6 developers not to use Wavecrest, do we have a
7 commitment that you will not be using Wavecrest for
8 this project as well?

9 JOSH WEISSMAN: Yes, we've already spoken
10 with Sandra Erickson who's a South... a, a Bronx
11 management company, an MWBE called Sandra Erickson
12 Management.

13 COUNCIL MEMBER SALAMANCA: Yes, she is a
14 local business, thank you. With that said thank you
15 again for all your work and working with me and
16 we'll... I'm mostly excited about I just want to point
17 out to my colleagues another project at 15 percent
18 homeless set aside and I really hope that my
19 colleagues will partner with me on potential projects
20 in their district for a homeless set aside at 15
21 percent. Thank you, Mr. Chair.

22 COUNCIL MEMBER GRODENCHIK: Thank you
23 Councilman Salamanca, we have been joined at this
24 hearing by Council Member Costa Constantinides from
25 Queens and Council Member Carlina Rivera from

1
2 Manhattan. At this point I don't believe there are
3 any more questions for this panel, but we do have two
4 more people willing to testify... wishing to testify.
5 I'm going to call up first Barry Almark, is he here?

6 WILLIAM BOLLINGER: Yes, Mr. Almark is
7 one of the developers... [cross-talk]

8 COUNCIL MEMBER GRODENCHIK: Okay... [cross-
9 talk]

10 WILLIAM BOLLINGER: ...speaking on this.

11 COUNCIL MEMBER GRODENCHIK: We love you
12 Mr. Almark. The person... the next person who wishes to
13 testify is Mellissia Marshall, if you could clear out
14 that and Miss Marshall if you could come forward.
15 Miss Marshall if you could start, the Sergeant at
16 Arms is going to set the clock for two minutes due to
17 the large crowd that we have here today.

18 MELLISSIA MARSHALL: Okay.

19 COUNCIL MEMBER GRODENCHIK: But if you
20 start now you get extra time.

21 MELLISSIA MARSHALL: Great, good morning
22 Chairperson, I don't want to mispronounce... [cross-
23 talk]

24 COUNCIL MEMBER GRODENCHIK: Just call me...
25 [cross-talk]

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MELLISSIA MARSHALL: ...your name... [cross-

3

talk]

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COUNCIL MEMBER GRODENCHIK: ...Barry.

5

MELLISSIA MARSHALL: Okay, Barry. Good

6

morning and the zoning committee. My name is

7

Mellissia Marshall, I work at the 9/11 Memorial

8

Museum. I'm here today on behalf of 32BJ the union.

9

My project will... excuse me, this project will create

10

much needed affordable housing in the Bronx, a goal

11

that our union supports but without a commitment to

12

provide good jobs at the development workers would

13

like... workers like me often making poverty wages.

14

Affordable housing is about lifting working people up

15

but on behalf of housing... but affordable housing

16

fails to achieve this mission unless it goes hand in

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hand with jobs that pay families... family sustaining

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wages and, and benefits. We think that Altmark and

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HPD have an opportunity and responsibility to promote

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high road employment at this site. Development

21

projects that rely on taxpayer's resources should

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never undercut a hard earn labor standard workers

23

have fought for that's why we are arguing that city

24

council to ensure that Altmark commits the payment... I

25

mean, excuse me, paying industry standard wages and

1

2 benefits for workers and the Bronx. We also call the
3 city to use the role to support good building
4 services jobs and development. My union and I
5 understand how important the new affordable housing
6 is for, for this neighborhood, a good job commitment
7 is important steps towards ensuring that this
8 development truly benefits the Bronx. Thank you.

9 COUNCIL MEMBER GRODENCHIK: Thank you for
10 your testimony here this morning and thank you for
11 your work at the museum, it's very important... [cross-
12 talk]

13 MELLISSIA MARSHALL: Thank you Barry..
14 [cross-talk]

15 COUNCIL MEMBER GRODENCHIK: ...for, for all
16 New Yorkers. Thank you very much.

17 [off-mic dialogue]

18 COUNCIL MEMBER GRODENCHIK: There are at
19 this time no other people wishing to testify at... on
20 this issue... [cross-talk]

21 COMMITTEE CLERK: Say are there any more
22 people who wish to testify... [cross-talk]

23 COUNCIL MEMBER GRODENCHIK: I'm asked to
24 ask if there's anybody else, alright...

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COMMITTEE CLERK: And seeing none I close
the public... [cross-talk]

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[off-mic dialogue]

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COUNCIL MEMBER GRODENCHIK: Okay, page
six. Our next hearing is on the Hudson Boulevard and
Park text amendment, Land Use Number 85. The special
Hudson Yards district in Speaker Johnson's district
in Manhattan was established in 2005 to transform
Hudson Yards into a dynamic transit oriented urban
center with a variety of mixed uses including
commercial, residential, open space, cultural and
entertainment. One of the major goals was to create a
20-acre open space network, the primary open space in
this network is the Hudson Boulevard and Park, a
linear North South Park running from West 33rd to
West 39th Street midblock between 10th and 11th

1
2 Avenues. The Hudson Boulevard and Park has been
3 planned in two phases, phase one which runs from 30...
4 West 33rd Street to West 36th Street, blocks one
5 through three was acquired and built out by the city
6 and open to the public in 2015. Phase two which runs
7 from West 36th to West 39th Streets, blocks four
8 through six still remains in private ownership, this
9 text amendment proposed by the Department of City
10 Planning would facilitate the private development of
11 phase two of the Hudson Boulevard Park for use by the
12 public. We are joined this morning by Annie White of
13 the Department of City Planning and Dominick Answini,
14 that's worse than Grodenchik, also from the
15 Department of City Planning. I'm going to now ask the
16 Counsel to swear you both in. Good morning.

17 COMMITTEE CLERK: Please state your
18 names.

19 ANNIE WHITE: Annie White.

20 DOMINICK ANSWINI: Dominique Answini.

21 COMMITTEE CLERK: Do you swear or affirm
22 that the testimony that you're about to give will be
23 the truth, the whole truth and nothing but the truth
24 and that you will answer all questions truthfully?

25 ANNIE WHITE: I do.

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DOMINICK ANSWINI: I do.

COUNCIL MEMBER GRODENCHIK: Please begin your testimony.

ANNIE WHITE: Thank you, thank you for having us. We are here to discuss City Planning Department's application for a text amendment to modify sections of the Special Hudson Yards District. This section regulates floor area transfers and the contribution and kind authorization for the phase two of the Hudson Boulevard and Park. So, overall the goal of this text amendment is to further facilitate the process through which private developers may build out portions or entire lots, blocks of the Hudson Boulevard and Park so that the community and the city may see an expedited development of the public open space in Hudson Yards. For some background the Special Hudson Yards District was adopted in 2005 with the intention of fostering a mixed use, medium to high density business district with an extensive open space network. The primary open space is the Hudson Boulevard and Park which I've indicated here by the red outline. It's a linear North South Park bordered by a treelined boulevard that upon completion will run from West 33rd Street

1
2 to West 39th Street between 10th and 11th Avenues. The
3 park was planned in two phases, phase one of the park
4 running from West 33rd to West 36th Street includes
5 what we refer to as blocks one through three and
6 it's... and these sites were acquired by the city for
7 redevelopment and open to the public in 2015. Phase
8 two which is the subject of this text amendment and
9 also indicated here by the red outline runs from West
10 36th to West 39th Street and includes blocks four
11 through six. This phase is not yet under construction
12 and lots in phase two are still in private ownership,
13 they are subject to special regulations and this
14 Special Hudson Yards District designed to facilitate
15 their improvement as the boulevard and park will also
16 allowing owners to recognize value from their... from
17 their property by selling off development rights to
18 subdistricts throughout the special district or
19 getting a district improvement fund bonus in exchange
20 for construction of the boulevard and park. This is
21 a... just aerial to put, put the boulevard and park
22 into context, you can see that it runs North of what
23 is now the currently being developed Eastern Rail
24 Yards and it's just directly East of Javits Center.
25 So, Section 9332 of the zoning resolution is the

1
2 subject of this text amendment and it outlines
3 certain floor area mechanisms for this phase two of
4 the boulevard and park. So, just to run through these
5 first, there can be no new development or expansion
6 of buildings in the mapped boulevard and park, owners
7 of property can transfer development rights from
8 mapped park parcels to receiving sites throughout the
9 special district and three, owners may seek a
10 contribution in kind authorization which allows
11 property owners to build out portions or entire
12 blocks of the boulevard and park in exchange for
13 district improvement bonus development rights. So, in
14 July of last year the City Planning Commission
15 approved the first of these contribution in kind
16 authorizations for Tishman Speyer for a portion of
17 the park on block four. So, this is the current phase
18 plan for that block four of the park just to give you
19 an idea of what this may look like. The previous
20 contribution and kind I mentioned is shown in that...
21 the... number one, the upper left portion where they
22 will be building out that L-shaped fairly large
23 portion of the park and this... I want to just show
24 this phasing plan as an example of how we anticipate
25 this park can be built out as individual lots are

1
2 acquired and incorporated into the overall approved
3 design. So, the Department of City Planning is
4 pleased that this mechanism is being used as we want
5 to see the expedited development of the... of the park
6 however City Planning has been approached by multiple
7 parties including the Hudson Yards Development
8 Corporation and private developers who claim there
9 are certain limitations in the current text that
10 discourage private applicants from seeking this
11 authorization and the text was... the proposed text is
12 meant to address these specific concerns and I'll
13 kind of run through those now. The, the, the most
14 substantial change is the first one I'm going to
15 mention and the rest are fairly... they're, they're
16 more clean up actions so... the most significant
17 concern is regarding the sequencing of the
18 requirements for the contribution in kind
19 authorization so, currently before seeking this
20 authorization applicants must first acquire the
21 boulevard and park lots or lots, sell off the
22 development rights and clear that... and clear and deed
23 the site over to the city, that process can delay the
24 contribution in kind approvals as it's often
25 difficult to... as you can imagine it'd be difficult to

1
2 secure funding to go out and actually acquire lots in
3 the boulevard and park prior to having that
4 authorization in hand so the proposed text would
5 allow owners to seek the authorization prior to
6 fulfilling those previously stated conditions as long
7 as those conditions were accomplished as of the date
8 of the authorization or in accordance with agreements
9 or instruments entered into by the city. And there's
10 some checks that are built into that to ensure that
11 we do... to... you know other... beyond the, the legal
12 documents that require them to build out the... portion
13 of the boulevard and park. The proposed text also
14 requires that the entity responsible for the
15 contribution in kind so the entity that's building
16 out the park will... actually has site control prior to
17 receiving a building permit for that bonus floor
18 area. Moving on, currently the contribution in kind
19 requires a construction schedule at the time of
20 authorization but the text is unclear as to how
21 detailed that schedule must be, and the text just
22 clearly clarifies that we do not need a full
23 construction schedule but an outline of the schedule
24 including major milestones such as 50 percent
25 complete and then substantially complete. Number

1
2 three, currently only owners of the granting and
3 receiving site can apply for this authorization but
4 as we know from the, the previously stated issue now
5 applicants may be seeking the authorization prior to
6 having site control so the proposed text would allow
7 both owners and contract vendees to apply for
8 transfers of floor area. The fourth change is that
9 the current zoning doesn't explicitly outline how
10 that contribution in kind bonus would be calculated,
11 the text just clarifies that this bonus would be the
12 reasonable cost of the contribution in kind or the
13 cost of the construction of the park divided by the
14 price of the district improvement fund bonus at the
15 time of the authorization. So, this is the exact same
16 calculation that was done for that previously granted
17 authorization that everyone agreed to its just
18 formalizing this in zoning. And then finally, the
19 current text is somewhat unclear regarding the type
20 of legal documents that are, are required and the
21 text just outlines that the transfer agreement and a
22 notice of restrictions is required for the transfer
23 of floor area and a restrictive declaration is
24 required for the contribution in kind authorization.
25 So, this and the... throughout the public review was

1
2 unanimously approved by community board four and the
3 borough president chose to not write a recommendation
4 for this item and I just want to stress that this
5 text amendment does not substantially change the
6 process through which developers may seek the... may
7 improve the boulevard and park or the process through
8 which the boulevard and park may be developed but
9 intends to further facilitate that process so that
10 private developers may take advantage of the
11 contribution in kind mechanism that's already set in
12 the zoning so that the entire city may see the
13 development of public open space in Hudson Yards.
14 Thank you.

15 DOMINICK ANSWINI: No.

16 ANNIE WHITE: Just here for questions...

17 DOMINICK ANSWINI: Just for questions.

18 COUNCIL MEMBER GRODENCHIK: Okay, I've
19 got a couple...

20 ANNIE WHITE: Sure...

21 COUNCIL MEMBER GRODENCHIK: And you may
22 not be able to answer this but when does City
23 Planning anticipate the completion of phase two?

24 ANNIE WHITE: So, the city and Hudson
25 Yards Development Corporation are wanting to continue

1

2 conversations about the completion of the park with
3 the city council.

4

COUNCIL MEMBER GRODENCHIK: Okay and are
5 there any efforts being made to build out blocks five
6 and six or is that just a little too early as well?

7

ANNIE WHITE: There are definitely...
8 there's definitely interest, you know there have been
9 previous discussions with owners, block five is a bit
10 more complicated as there's a lot... there's many
11 owners still in that area of the park but we're
12 hoping that by, you know this text amendment would
13 not just be applied for block four where we know
14 there is immediate interest but could potentially be
15 utilized by owners in the future.

16

COUNCIL MEMBER GRODENCHIK: And when
17 we're done some day... [cross-talk]

18

ANNIE WHITE: Yes... [cross-talk]

19

COUNCIL MEMBER GRODENCHIK: Will this be
20 a city... I have to ask this question because I'm Chair
21 of Parks, will this be a city park, or will it be a
22 privately owned but accessible to the public park?

23

ANNIE WHITE: It's a... [cross-talk]

24

DOMINICK ANSWINI: It's, it's mapped as a
25 park right now... [cross-talk]

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COUNCIL MEMBER GRODENCHIK: So, will be...

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it will be... who will own it at the end of the day?

4

Who do you think?

5

DOMINICK ANSWINI: Which entity?

6

COUNCIL MEMBER GRODENCHIK: I won't... I, I

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know you're sworn to just... but I won't hold you to

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it.

9

DOMINICK ANSWINI: I think parks.

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COUNCIL MEMBER GRODENCHIK: You think

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parks, okay. Alright, so it will be mapped as

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parkland, that's good to know. Any other questions,

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Mr. Constantinides, no, okay.

14

COMMITTEE CLERK: You can say they're

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dismissed.

16

COUNCIL MEMBER GRODENCHIK: You want me

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to say that, huh?

18

COMMITTEE CLERK: Yeah... [cross-talk]

19

COUNCIL MEMBER GRODENCHIK: Alright, you

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guys can leave, you're dismissed, thank you very

21

much.

22

ANNIE WHITE: Thank you.

23

COUNCIL MEMBER GRODENCHIK: Are there any

24

members of the public here to testify on this

25

application, seeing none we will close this hearing

1
2 and we'll get on to our next hearing which is on Land
3 Use 84 which is the 45 Broad Street subway
4 improvement bonus special permit application. The
5 applicant Madison 45 Broad Development LLC is
6 proposing to make improvements to two subway stations
7 including the installation of two elevators in order
8 to receive a floor area bonus of up to 3.0 floor area
9 ratio which is 71,391 square feet. This floor area
10 would be used... excuse me... in a proposed 80 story
11 mixed use building on property located at 45 Broad
12 Street within the special Lower Manhattan District in
13 Council Member Margaret Chin's district. If you are
14 ready I am going to open up the hearing on Land Use
15 84, I think we will hear from Councilwoman Chin in a
16 bit. So, on this panel we have Matthew Klein... [cross-
17 talk]

18 COMMITTEE CLERK: No...

19 COUNCIL MEMBER GRODENCHIK: Oh, I'm
20 sorry...

21 COMMITTEE CLERK: Okay, those three...

22 COUNCIL MEMBER GRODENCHIK: These three,
23 okay so we have... why don't you identify yourself.

24 DAVID KARNOVSKY: Okay, David Karnovsky,
25 Fried Frank, Land Use Counsel to the applicant.

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COUNCIL MEMBER GRODENCHIK: Good morning...

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NAT BARRANCO: Nat Barranco, Urbahn

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Architects.

5

EUGENE FLOTTERON: Eugene Flotteron from

6

CetraRuddy Architecture, principal in charge.

7

DAVID KARNOVSKY: And members of the

8

development team have signed up and are available to

9

answer... [cross-talk]

10

COUNCIL MEMBER GRODENCHIK: Okay.

11

DAVID KARNOVSKY: ...questions.

12

COUNCIL MEMBER GRODENCHIK: Alright, I'm

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going to ask the Counsel to swear you in. We've been

14

joined now by Councilwoman Chin and I'm going to ask

15

her before we start with you if she has an opening

16

statement to make or if she'd like to follow up.

17

COUNCIL MEMBER CHIN: No, I, I have a

18

statement.

19

COUNCIL MEMBER GRODENCHIK: Okay, we will

20

now hear from Councilwoman Chin.

21

COUNCIL MEMBER CHIN: Thank you...

22

COUNCIL MEMBER GRODENCHIK: Thank you

23

Councilwoman.

24

COUNCIL MEMBER CHIN: Good morning, my

25

name is Council Member Margaret Chin and I represent

1

2 Council District one in Lower Manhattan where this
3 application for a special permit is located and thank
4 you to Chair Moya but like you're, you're sitting in
5 Barry?

6

7

COUNCIL MEMBER GRODENCHIK: I'm pinch
hitting.

8

9

COUNCIL MEMBER CHIN: Alright, well thank
you... [cross-talk]

10

11

COUNCIL MEMBER GRODENCHIK: Right John...
[cross-talk]

12

13

COUNCIL MEMBER CHIN: ...to the substitute
Chair.

14

15

COUNCIL MEMBER GRODENCHIK: I don't dress
as well but I'm better looking.

16

17

COUNCIL MEMBER CHIN: I don't know, this
is on record Barry... [cross-talk]

18

19

COUNCIL MEMBER GRODENCHIK: Yes, ma'am...
[cross-talk]

20

21

COUNCIL MEMBER CHIN: ...so be careful,
alright... [cross-talk]

22

23

COUNCIL MEMBER GRODENCHIK: Go ahead.

24

25

COUNCIL MEMBER CHIN: And thank you to my
colleague on the Subcommittee for this opportunity to
speak about this important application and thanks to

1
2 the workers and community members for attending this
3 hearing. The transit improvements included in this
4 application which includes elevators to the J/Z Broad
5 Street station are incredibly important for riders
6 with disabilities who are often denied access to our
7 subway system. If approved these elevators would make
8 this station one of the only six accessible stations
9 along a 13.5-mile subway line stretching from Lower
10 Manhattan to Jamaica, Queens. The fact that these
11 vital improvements for the tens of thousands of
12 differently able New Yorkers are being proposed as a
13 result of a land use application is a disgrace, that
14 should be discussed more fully at another place and
15 time. At this hearing with the applicant my
16 colleagues on the Subcommittee and the members of the
17 community present I would like to reaffirm my
18 priority for this project which I believe are shared
19 by the vast majority of people in the community that
20 I represent, I believe that the residents of every
21 community in our city deserve the right to quite
22 enjoyment of their homes. Today residents in my
23 council district from Lower Manhattan to Tribeca to
24 NoHo have had to endure sleepless nights with windows
25 shut against a racket, the dust and the disturbance

1
2 of after hours and weekend work. As part of this
3 process and hopefully for long after I trust that the
4 applicant will continue to participate in these
5 important conversations for our community and our
6 city and I think that there are other people here who
7 might be talking about this project and as in
8 district one in Lower Manhattan we want to make sure
9 that we also have good paying jobs, so I think that's
10 something that I know that the, the project is, is
11 very open to and I'm happy that has happened but I
12 just want to make sure that going forward the project
13 will be a good neighbor because you're surrounded by
14 residents so hopefully through the, the process you
15 keep to the promise that you made. So, thank you
16 Chair for this opportunity to speak.

17 COUNCIL MEMBER GRODENCHIK: Thank you
18 Council Member Chin, thank you for being with us this
19 morning on this very important issue in your
20 district. I'm now going to ask the Counsel to swear
21 you in so please raise your right hands.

22 COMMITTEE CLERK: Please also state your
23 names.

24 NAT BARRANCO: Nat Barranco.

25 DAVID KARNOVSKY: David Karnovsky.

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EUGENE FLOTTERON: Eugene Flotteron.

COMMITTEE CLERK: Do you swear or affirm that the testimony you're about to give will be the truth, the whole truth and nothing but the truth and to answer all questions truthfully?

DAVID KARNOVSKY: Yes.

NAT BARRANCO: I do.

EUGENE FLOTTERON: I do.

DAVID KARNOVSKY: Good Morning members of the committee and Council Member Chin, again I'm David Karnovsky from Fried Frank Land Use Counsel to the applicant, Madison 45 Broad Development LLC. This is an application for a special permit to provide a floor area bonus for a proposed new mixed-use building at 45 Broad Street in connection with a provision of improvements to the Broad Street Station of the Nasa J/Z Subway line and the Wall Street Station of the Lexington 45 line which is connected to the Broad Street Station by an underground passage. I'm going to provide a very basic overview of the project, I'll be followed by Nat Barranco of Urbahn Architects who will describe the subway improvements in more detail and then by Eugene Flotteron of CetraRuddy, the architects for the

1
2 building. The development site is a vacant lot on the
3 East side of Broad Street between Exchange Place and
4 Beaver Street, it is approximately 12,000 square feet
5 of lot area, it's on a zoning lot shown here that
6 also includes an adjacent parcel to the North
7 occupied by an 11... an 11 story approximately 93,000
8 square foot, a private school. The site is within the
9 special Lower Manhattan district zoned C5-5, this is
10 a district that permits a basic... base maximum FAR of
11 15 for commercial or community facility uses of which
12 12 FAR may be for residential use if recreation space
13 is provided. At 15 FAR a total of approximately
14 356,000 square feet could be provided on the zoning
15 lot, since the school building exists and is to
16 remain an as of right building on the development
17 site could have approximately 263,000 square feet.
18 The zoning lot as you can see from this slide is
19 adjacent to the Broad Street Station and as such the
20 applicant is eligible to apply for it and receive a
21 subway improvement bonus of up to three FAR for
22 improvements to the Broad Street and the Wall Street
23 Stations. Three FAR over the zoning lot is equivalent
24 to 71,391 square feet. In 2015 the applicant
25 approached the New York City Transit Authority to

1
2 identify bonus eligible improvements for this station
3 and the authority identified an important need for
4 elevators to provide ADA compliant access as well as
5 the need to improve egress and ingress at two control
6 areas at the Wall Street Station, Nat Barranco will
7 describe these in more detail, but I wanted to make a
8 couple of points about the importance of the
9 elevators to the station and to the system. By one
10 estimate only 23 percent of New York City's subway
11 stations are ADA accessible, this compares
12 unfavorably to San Francisco, Atlanta, L.A. and Miami
13 where a 100 percent of stations are accessible;
14 Boston where 94 percent are accessible, Chicago where
15 65 percent are accessible and the District of
16 Columbia where 50 percent of stations are accessible.
17 A recent article in the Wall Street Journal noted
18 quote that, "a major hurdle to installing elevators
19 from street to subway systems is that construction is
20 costly, and this is especially tricky", the Wall
21 Street Journal said, "in New York City". As you're
22 well aware the authority and the MTA have capital
23 constraints and there's no funding available for
24 elevators at this station. Its fair to say that the
25 elevators will not otherwise be built for many years

1
2 absent the floor area bonus. The application proposes
3 two elevators, one at the Northbound platform and one
4 at the terminus Southbound platform materially
5 increasing accessibility for the disabled in Lower
6 Manhattan. The special permit would increase the
7 floor area permitted on the zoning lot up to a
8 maximum of 18 FAR allowing the proposed building to
9 contain 274,000 square feet of residential floor area
10 above a commercial base of approximately 60,000
11 square feet. If the floor area bonus is improved the
12 building height and the building envelope will not
13 increase beyond what has already been approved by the
14 Department of Buildings for an as of right building
15 at 15 FAR now under construction instead the
16 applicant will reduce floor to ceiling heights within
17 the envelope of the approved as of right building.
18 The zoning resolution states that in determining the
19 amount of a bonus the city shall consider the degree
20 to which general accessibility and security of the
21 subway station is improved by the provision of new
22 connections etcetera including provision of
23 escalators or elevators, we believe that the addition
24 of these two elevators is a major improvement to the
25 system as the Council Member noted and that the full

1
2 bonus is warranted under these circumstances. I'm
3 going to now turn it over to Nat Barranco who will
4 describe the improvements in more detail.

5 NAT BARRANCO: Thank you David. The Broad
6 Street station is located under Broad Street as its
7 name implies, it's North in terminus... term... the
8 Northern end of that station is at Wall Street and
9 its Southern end is midblock between Exchange Place
10 and Beaver Street and touches upon the property under
11 discussion. It also connects to the Wall Street
12 Northbound platform through a passage way from the
13 upper mezzanine at Wall Street. This station is the
14 terminal station for the J and Z line and that line
15 as Councilman said has currently five accessible
16 locations only one of which is in Manhattan and that
17 location is about eight blocks and 1,800 feet North
18 of this location and the terrain between that station
19 and this location is... was not created for ADA
20 accessibility, it's very difficult if you're in a
21 wheelchair or if you... if you can't walk very well so
22 the bring... providing accessibility to this station
23 will be a major benefit to the accessible community
24 and the community in which its located. The plans you
25 see above, the... I... for geographic reference North is

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2 to the right so the plan accepted by New York City
3 Transit involves two elevators at the intersection of
4 Exchange Place and Broad Street. The elevator on the
5 Northeast side of Exchange Place provides access to
6 the Northbound control area which is the... which is
7 the entry platform for that line and the elevator on
8 the Southwest corner of Exchange Place and Broad
9 provides access to the Southbound platform which is a
10 discharge platform. The elevators do sit... fall at the
11 street level which in the historic mapped district as
12 such we've... we, we applaud... we went to LPC they've
13 approved the location, there will be some curb
14 realignment which we've discussed with DOT, DOT has
15 accepted the realignment, their main concern because
16 this... although this is a pedestrian zone their main
17 concern was the fire department access in emergencies
18 which we've provided in the reconfiguration of the
19 street and all the materials that we're using with
20 the historic area is going to be consistent with
21 what's currently present. At the platform level the
22 South... the plat... elevator which accesses the
23 Northbound platform which is the departure platform
24 will be... you will discharge yourself at the platform
25 level into an expanded unmanned control area, on the

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2 Northbound platform you will be... we will be
3 reconfiguring the... I'm sorry, at the Southbound
4 platform we will be reconfiguring the control area to
5 accommodate the elevator, passengers who enter from
6 the street will come down the elevator to the
7 uncontrolled... unmanned control area and enter the
8 platform through the fairway and at the discharge
9 platform Southbound you will come through the control
10 area, come into the elevator and go up to the street.
11 As part of this project there are improvements to two
12 control areas on the Southbound platform of Wall
13 Street currently those two locations have what's
14 called high entrance and exit wheels which impede the
15 movement of passengers through the fairway during
16 normal ingress, ingress as the train arrives and
17 departs, at the Northern end of that station transit
18 is considering four different... three different
19 options once they decide that will be implemented and
20 at the Southern end of the Southbound platform there
21 is only one reconfiguration in that area, this
22 improvement will improve access... daily access in and
23 out of the station during normal operations and in
24 emergency situations. The elevator... the street
25 architecture for the elevator kiosk is the standard

1
2 New York City transit elevator kiosk as approved by
3 PDC, this is the location on the Northeast side of
4 Exchange Place and this is the elevator at the
5 Southwest side of Exchange Place. Sorry.

6 EUGENE FLOTTERON: Okay, so what you see
7 on the screen is the, the sections of the building 15
8 FAR compared to 18 FAR. It's important to note when
9 we started the project as the architect we were
10 contemplating a, a very... a mixed-use building and
11 creating a, a live, work, play type of environment,
12 we were looking at how we can utilize all the FAR
13 with, within the, the building envelope limitations
14 of zoning which there is no height limit in this
15 particular district. So, it's... what's an important
16 critical number to realize is at, at a, a number of
17 220 feet above grade is where our building breaks
18 over the Claremont Preparatory School, it's about 60
19 feet above that portion which is required for legal
20 light and air so our residential always started at
21 that height. Below that height we have mechanical
22 floors, residential amenity floors and then we had
23 our commercial office program, so we had four floors
24 of commercial office, 32-foot floor to floor heights
25 and then our residential again above the 220 heights

1
2 with 12 foot floor to floors and gaps for structural
3 air wind breaks and mechanical spaces that go off to
4 a tall tower to get us to our 1,100 foot tall... it's
5 1,115 feet tall building. So, in contemplating the
6 bonus area and based on the timing of this approval
7 process as well the limitations of... and timing
8 related to construction we wanted to make sure we
9 designed and engineered a building that we could
10 build as of right but if we were to get the, the
11 bonus we wanted to understand how that would impact
12 the, the building so we, we just basically looked at
13 how we can, you know add the 70,000 square feet by..
14 so, we, we... our strategy was to basically double the
15 amount of commercial we were... commercial office we
16 provided in the building and then the remaining area
17 would be... moved to the residential portion and we
18 basically reduced the floor to floor from a 12 foot
19 floor to floor height to about a ten foot... ten floor
20 to height... floor to... floor height and that would... it
21 gave, gave us the ability to kind of keep the size of
22 the building exactly the same and the locations of
23 the structural wind break openings relatively the
24 same locations so it would be an easy transition for
25 the process. I think as you guys are aware the

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2 building is under construction right now and the
3 foundations are underway. So, this is our... is our,
4 our building which we think is going to be an elegant
5 tower added to the downtown skyline, its very much
6 contextual I think with the... with the downtown
7 aesthetic, even the colors of the glass and metal are
8 in... keeping in context to some of the warmer tones
9 that you find downtown in the taller buildings. So,
10 what you see here is a view looking, looking North so
11 you see basically on this side this is our Southern
12 wall which is our lot line wall with the adjacent 55
13 Broad property and the shaping of our tower is done
14 in a way where all the residents would get, you know
15 views not only South and North, you know around,
16 around the, the building footprint. So, here is a
17 section of... this is a blow up of the upper... of the...
18 portion of the building looking South so this is that
19 Northern façade that's... you know has legal light and
20 air facing North on the upper levels and you can see
21 how the wind break elements that are a part of the
22 structural design of the building there's a, a... this
23 articulation that is I think very reminiscent of some
24 of the taller buildings that were in the downtown
25 area and are still in the downtown area. And then

1
2 you'll see... this is the view looking Northeast and
3 kind of a blow up of the upper part of the building.
4 So, the articulations again go up the two wind, wind
5 break floors and kind of terminate the crown the
6 crown of the building where it meets the sky. And
7 then that articulation is brought down and present at
8 the base of the building, it actually highlights the
9 residential entry into the building which is in the
10 center, we have a separate commercial entrance to the
11 North that... for the commercial tenants and then we
12 have a, a, a separate service entrance that will be
13 shared by both the residential and the commercial
14 tenants of, of the building. On the second floor
15 you'll see some... this mechanical space, we're in a
16 flood zone so major mechanical elements like
17 electrical boilers and generators are, you know above
18 grade and on the second floor. And our service... it's
19 important to note that our client is going to on
20 trash service that the trash will be bought out and
21 be commercially picked up both residential and
22 commercial to avoid staying on the street for any
23 long periods of time.

24 DAVID KARNOVSKY: Questions? Before we
25 close I wanted to address the two points raised by

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2 the Council Member in her remarks. First with respect
3 to jobs, good jobs and second with respect to
4 construction. With respect to jobs, the applicant
5 takes seriously the need to provide good jobs and pay
6 prevailing wage. There have been a series of
7 discussions with 32BJ and its representatives, it's
8 my understanding that an understanding is being inked
9 today and will be provided to 32BJ and that it's been
10 concluded. With respect... with respect to construction
11 similarly we're very much aware that we are in a high
12 density, mixed use neighborhood with many residences,
13 in fact we are proposing to a residential building
14 and take that very seriously as well, we've been in
15 discussion with your office and will continue to do
16 so and will adopt a variety of measures to help
17 address that. One of the ones that was discussed with
18 your office which we are in the process of
19 implementing is the creation of a website that will
20 provide neighbors with a look ahead, information
21 about construction, opportunities to directly access
22 the team to register concerns and complaints and so
23 forth and so on so that's among the things that we
24 are doing, and other representatives of the team are

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2 available to provide more detail on that if you'd
3 like.

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COUNCIL MEMBER GRODENCHIK: Thank you for
5 your testimony. I just have one question before I
6 turn it over to Councilwoman Chin, the additional
7 three FAR how much bigger is this going to make the
8 building in terms of height, in terms of stories?

9

DAVID KARNOVSKY: Okay, as, as we were
10 explaining the, the height of the building is 1,115,
11 did I get that right James?

12

JAMES: Yes.

13

DAVID KARNOVSKY: Thank you, and the...
14 that is an as of right building which has been
15 permitted by the Department of Buildings Excavation
16 Foundation, the work is in progress, if the bonus is
17 granted rather than increase height the interior of
18 the building will be... the plans for the interior of
19 the building will be modified and the floor to
20 ceiling heights will be reduced from roughly 12 feet
21 to about ten feet to ten inches and the floor area
22 will be accommodated within the same envelope and in
23 that regard I would just say that the approval as
24 granted by the City Planning Commission requires
25 essentially that that height be maintained, we've

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2 committed to that height, we have no intention of
3 increasing that height and we will accommodate the
4 floor area as described.

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COUNCIL MEMBER GRODENCHIK: Thank you,
6 I'm going to now turn this over to Councilwoman Chin
7 for her questions.

8

COUNCIL MEMBER CHIN: Thank you. It is a
9 tall building, very tall, I hope it's not the
10 tallest, right?

11

DAVID KARNOVSKY: No...

12

EUGENE FLOTTERON: No.

13

COUNCIL MEMBER CHIN: It better not be
14 taller than the World Trade Center will be... [cross-
15 talk]

16

DAVID KARNOVSKY: No, it's not.

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COUNCIL MEMBER CHIN: Okay, but it is... it
18 stands out and I'm your neighbor, I'm not that far
19 away so you got to keep to your promise about being a
20 good neighbor and I think that one of the issues is
21 these after hour variances which means doing
22 construction after regular working hours in the
23 evening, in the weekend and that is something that we
24 want you to minimize as much as possible. As I said
25 in my opening statement, we deserve a restful, you

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2 know sleep at night and not have to hear drilling at
3 ten, eleven o'clock at night or even worse because
4 that's what's happening now in the neighborhood and
5 we're, we're hearing complaints from constituents
6 some of them might not be from your building because
7 there are renovations going on right next to you...
8 [cross-talk]

9 DAVID KARNOVSKY: Uh-huh... [cross-talk]

10 COUNCIL MEMBER CHIN: ...so I think that
11 the after-hour variance is a really key issue and
12 that is something that we are going to be really
13 focusing on, so I hope that you take that into
14 account and really minimize as much as possible,
15 that's one thing. And I'm really glad to hear that..
16 the garbage situation because like right now we walk
17 down Exchange Place, it's like a garbage dump on
18 pickup... you know the night before picking up so it's
19 good to hear that you will not be contributing to
20 that, right, so I won't see... I won't see any garbage
21 laying out in front of 45 Broad Street.

22 EUGENE FLOTTERON: No, it'll be minimal,
23 we have all refrigerated storage in the building and
24 then it'll be brought out and coordinated with the
25 commercial pickup schedule, so it should be sitting

1
2 on the street much shorter durations than you get now
3 with... when the city picks up the... [cross-talk]

4 COUNCIL MEMBER CHIN: But the... your
5 residential garbage you got to be using the same...

6 EUGENE FLOTTERON: Yes, our, our client
7 has committed to doing the same with the residential
8 as they have to do with the commercial, they'd have
9 commercial pickup with the residential garbage and
10 that way for the city.

11 COUNCIL MEMBER CHIN: That's great, that
12 is something that we, we should mandate all the new
13 buildings going forward because the situation right
14 now is really unbearable with... [cross-talk]

15 EUGENE FLOTTERON: Yes... [cross-talk]

16 COUNCIL MEMBER CHIN: ...all the garbage on
17 the streets... [cross-talk]

18 EUGENE FLOTTERON: I think... our client
19 felt very strongly that it was worth the extra cost
20 to keep the, the trash off the street as... and get it
21 off as fast as possible... [cross-talk]

22 COUNCIL MEMBER GRODENCHIK: Mike... [cross-
23 talk]

24 COUNCIL MEMBER CHIN: That's good to
25 hear... [cross-talk]

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COUNCIL MEMBER GRODENCHIK: If I can just interrupt for a second... [cross-talk]

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COUNCIL MEMBER CHIN: Yes... [cross-talk]

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COUNCIL MEMBER GRODENCHIK: ...because I am due at City Hall, I am happy to hand over this hearing to the rightful Chair, my dear friend Francisco Moya, thank you Chair Moya, thank you all for your being here this morning and good luck on your development and thank you Councilwoman Chin. Mr. Chairman... [cross-talk]

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COUNCIL MEMBER CHIN: Thank you Council Member Grodenchik. I just wanted to also follow up with the, the question about the subway, now when you mentioned earlier about connecting to Wall Street there's no elevator on Wall Street so that's really not that helpful, right, but I think that from our discussion earlier was that the, the owner is also going to maintain the elevator so it's not going to be maintained by the MTA but it's going to be maintained by the, the owner of 45 Broad?

DAVID KARNOVSKY: That is correct, there will be a... an agreement between the owner and the transit authority with respect to ongoing maintenance at the expense of the owner.

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COUNCIL MEMBER CHIN: That, that's... I think that's very good so this way if, if the elevator has problems there's a direct number that we can call?

DAVID KARNOVSKY: Yeah, the, the protocols for... are, are for contacting the contractor or the owner haven't been developed but... yet but we understand the importance of there being a real, you know on time instant ability to, to, to identify problems.

COUNCIL MEMBER CHIN: Can you also go into a little bit more detail because that, that was a really interesting point, I remember when we met about... in the case one of the elevators is broken that the other... [cross-talk]

NAT BARRANCO: Okay, so, so the way the station functions you come in on the Southbound platform and all passengers are discharged, the train pulls out of the station and pulls back into the Northbound platform where, where, where the passengers enter so in the event that the elevator on the Northbound... you know the big thing is to... not to get trapped in the station so in the event that in the Northbound elevator is down for some reason... I'm

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2 sorry, in the... in the event that the Southbound
3 platform elevator which is the discharge elevator is
4 not working for some reason a person in a... in... a
5 disabled person can get onto the station come back
6 and come back onto the Northbound platform discharge
7 and get out that elevator as opposed to currently
8 when an elevator is not working at Fulton Street you
9 have to struggle to go back and figure a way to get
10 home, excuse me?

11 [off-mic dialogue]

12 NAT BARRANCO: Okay, so you, you know...
13 yeah, you go all the way to Brooklyn, so this would
14 avoid that extensive trip for them so it's, it's a
15 real plus.

16 COUNCIL MEMBER CHIN: That's, that's
17 good, I think that's something that we wanted to kind
18 of emphasize and I'm glad to hear about good paying
19 jobs, prevailing wage with good benefits so that's,
20 that's, that is a model that we wanted to continue.
21 So, thank you Chair Moya, I, I'm finished with my
22 questions, thank you.

23 CHAIRPERSON MOYA: Thank you and I want
24 to thank my colleague, Barry Grodenchik for stepping
25

1
2 in while I was delayed but thank you so much and
3 thank you.

4 COUNCIL MEMBER GRODENCHIK: You're
5 welcome.

6 CHAIRPERSON MOYA: So, I'm going to call
7 three names and I just want to know if you're
8 actually testifying or just here to answer questions;
9 Matthew Klein?

10 MATTHEW KLEIN: I'm not testifying.

11 CHAIRPERSON MOYA: You're not testifying?
12 Eric and I can't make out the last... [cross-talk]

13 COMMITTEE CLERK: He's not testifying..
14 [cross-talk]

15 CHAIRPERSON MOYA: Not testifying, okay..
16 [cross-talk]

17 COMMITTEE CLERK: ...and Bob Gladstone..
18 [cross-talk]

19 CHAIRPERSON MOYA: And Bob Gladstone, not
20 testifying, okay. We're going to move to the next
21 panel which is... so we have Richard Ellen... how do you
22 say it?

23 RICHARD ELLENSON: Ellenson...

24 CHAIRPERSON MOYA: Ellington, Edith
25 Prentiss?

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EDITH PRENTISS: Yes.

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CHAIRPERSON MOYA: Michael Schweinsburg
and Jessy Yates. To make a statement?

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RICHARD ELLENSON: Yes. Okay... [cross-
talk]

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CHAIRPERSON MOYA: Can you just state
your name please?

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RICHARD ELLENSON: Yeah, I'm Richard
Ellenson, I'm the CEO of the Cerebral Palsy
Foundation and people with cerebral palsy are the
12th largest city in America, if you included all the
families of people with cerebral palsy we are the 5th
largest city in America, if we... excuse me?

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EDITH PRENTISS: Sorry.

RICHARD ELLENSON: No worries at all.

[off-mic dialogue]

RICHARD ELLENSON: You're good?

EDITH PRENTISS: Yeah, I'm fine, thank
you.

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RICHARD ELLENSON: If we consider all the
people with disabilities in America we are a larger
city than New York City if you consider the people
who use wheelchairs, but the thing is we don't hear
enough about those folks, we don't see enough, and we

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2 don't know enough, and this is the reason is because
3 people with disabilities so often are forced to give
4 up. After you encounter so many stations that you
5 can't get out of, so many curbs that you can't get
6 down, so many restaurants that aren't available
7 people give up, they stop going out and so what we
8 really have is a crisis of spirit here and we really
9 need to change that. Our foundation did a video
10 called Zach Anner and the Quest for the Rainbow Bagel
11 that some of you might have seen, it's about a guy in
12 a wheelchair who leaves New York to get the rainbow
13 bagel which is a cool thing in Brooklyn and it takes
14 him seven hours to get there because there are no
15 accessible subways, he ends up taking a ferry because
16 it's closer to take the ferry than to take the
17 subway, this is an issue that really, really needs to
18 change. This amazing city that we have for people in
19 wheelchairs its less than half the size as it is for
20 everybody else and we need to look at public, private
21 partnerships to change this because what people in
22 wheelchairs are hearing every morning when they get
23 up is that the city doesn't care, imagine if every
24 morning you had to find ways to get to work, if you
25 knew that if an elevator was broken and they didn't

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2 have a second one you'd have to go all the way back.
3 I'm also here as a father of a child with cerebral
4 palsy, my son Tom is 20 years old now, we live on
5 88th and 1st and we are the beneficiary of that
6 fabulous new two line so he can get down but I work
7 near Columbus Circle and he can't get back up, this
8 really needs to change and what you have here is a
9 group who is not only envisioning this amazing
10 building that you can look up and you can be inspired
11 by it but they're looking at the ground, they're
12 looking at the every day life that is going on,
13 they're looking at the real challenges not just up
14 there but at pragmatics and they're looking at how we
15 can make this city better so we need to... [cross-talk]

16 CHAIRPERSON MOYA: So, we're, we're,
17 we're... [cross-talk]

18 RICHARD ELLENSON: ...support... [cross-talk]

19 CHAIRPERSON MOYA: ...keeping everyone to
20 two minutes so if you can... [cross-talk]

21 RICHARD ELLENSON: Yeah, I just... [cross-
22 talk]

23 CHAIRPERSON MOYA: Do you want to wrap it
24 up?

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RICHARD ELLENSON: And... exactly, so I just want... that's what that ding was... [cross-talk]

CHAIRPERSON MOYA: Yes... [cross-talk]

RICHARD ELLENSON: I thought it was an angel getting its wings. So, I, I just cannot say how much this matters to this community and as you all go home tonight take a look at curb cuts, take a look at subway elevators, take a look at the restaurants that you couldn't get into and as you fall asleep last night ask yourself why doesn't this matter more to this city and if everyone leaves this room making it matter a little bit more to each of us in sharing that there's no question that this should happen. Thank you.

CHAIRPERSON MOYA: Thank you.

MIKE SCHWEINSBURG: Good morning, my name is Mike Schweinsburg and I'm the President of the 504 Democratic Club and Council Member Chin many of the comments I wanted to offer you so eloquently opened with and I thank you for those. So, I would just like to offer a couple of points that were touched on but not fully covered. The FAR bonus that they're seeking will not result in a taller building, this is the first time I'm seeing a picture of the building by

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2 the way, it's pretty interesting. The innovation lies
3 in lowering the ceilings. This... the... our involvement
4 in this has begun a much broader conversation
5 bringing folks together from government, real estate
6 and the advocacy world to brainstorm about potential
7 modifications to existing zoning procedures that will
8 allow new rules to make subway accessibility bonuses
9 available to developers throughout the city and the
10 504 dem's won't speak necessarily for DIA but other
11 advocacy organizations representing the disability
12 community stand committed to furthering this goal and
13 we will keep our friends in the city council well
14 informed and hopefully you'll join those discussions
15 because really this is nothing less than a matter of
16 our civil rights. We are the largest minority and I
17 ask you what other minorities would accept being told
18 you can't enter here, you can only enter there, you
19 can't exit here, you have to exit elsewhere. We know...
20 I applaud our... the new President of New York City
21 Transit and his commitment to help us get there but
22 this may be the ideal way to accomplish that goal
23 through this private part... public partnership so I
24 applaud the developer and ask for your help going
25 forward, thank you kindly.

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CHAIRPERSON MOYA: Thank you.

EDITH PRENTISS: Hi, my name is Edith Prentiss, I am the former President of 504 and I'm the current Transit Chair or whatever and I'm the President of DIA. I stand very firmly supporting this station and these elevators whether or not I will ever use them. I believe every station should be accessible, our fantasy, along with taxis, okay but I think that this partnership is probably the only way we're really going to get to 100 percent, you know the MTA is promising, it's promising, we still have a number of the 100 key stations which the list was created in the early 1980's Governor Mario Cuomo signed that settlement which was a massive citywide lawsuit that encompassed almost every disability organization that went from the late 70's to the early 80's and we're still waiting for many of those. The S at Times Square was only supposed to be finished in 2008 so let's not hold our breath. I think it's very important there is nothing... there's no such thing as a bad elevator, all good and I'm very happy with the plan about the roll around, I mean how many times have all of us in a disability community gone around underneath City Hall, you know

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2 you get to City Hall on the six, the elevators out,
3 you get back on the train and it brings you around to
4 the uptown side. One of the major problems we're
5 faced with is the lack of information for how though
6 sorts of changes can be made and I certainly hope
7 that this station starts a relationship with the MTA
8 that will help us all travel easier and better. Thank
9 you very much.

10 CHAIRPERSON MOYA: Thank you.

11 JESSY YATES: I basically just want to
12 echo everything that everyone has said thus far...
13 [cross-talk]

14 CHAIRPERSON MOYA: Could you... could you
15 just state your name... [cross-talk]

16 JESSY YATES: Oh, I'm... [cross-talk]

17 CHAIRPERSON MOYA: ...for the record...
18 [cross-talk]

19 JESSY YATES: ...Jessy Yates and I'm
20 actually a constituent, I live off of the J line in
21 Bushwick so, this is something that directly affects
22 me every day. I often take the Fulton Station... or
23 take the Fulton Station to my apartment in Bushwick
24 and the amount of times that I have gotten stuck at
25 that station because of lack of maintenance there

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2 hasn't been an alternative to get out to Manhattan so
3 you have to go back to Brooklyn when you're on the J
4 line and that's deeply, deeply shameful and the fact
5 that we are leaning into the private sector to
6 satisfy a civil right... what is basically a civil
7 rights law is deeply shameful but if you're willing
8 to have those partnerships and if the partnerships
9 are already created and they are already fulfilling
10 the needs of the disabled residents I don't... I don't
11 understand why it's a point of contention actually, I
12 think that it just expedites the process and I'm so,
13 so excited to hear about that turnaround, about the
14 ability to not be stuck in a station because there is
15 some... nothing more dehumanizing than having to call
16 the fire department and wait two hours for them to
17 carry you out and they never show up so you ride back
18 to Brooklyn because that's the... that's what happens
19 now. Thanks, so much guys.

20 CHAIRPERSON MOYA: Thank you. Thank you,
21 any questions Councilwoman... no... [cross-talk]

22 COUNCIL MEMBER CHIN: Thank you... [cross-
23 talk]

24 CHAIRPERSON MOYA: Thank you. Mohan
25 Madibeak.

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MOHAN MADIBEAK: Good morning members of the subcommittee. My name is Mohan Madibeak [sp?] and I'm here on behalf of my union, 32BJ in support of the development at 45 Broad Street. My union has... our union has... our union supports responsible developers that facilitate economic justice, Madison Equities has committed to create high quality permanent building service jobs that will support, support working families as well as subway improvements that will make Manhattan more accessible to all. We urge you to support this project. Thank you.

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CHAIRPERSON MOYA: Thank you.

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COMMITTEE CLERK: Are there any more members of the public who wish to testify?

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CHAIRPERSON MOYA: Are there any more members of the public that wish to testify?

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COMMITTEE CLERK: On this application.

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CHAIRPERSON MOYA: On this application?

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COMMITTEE CLERK: Okay, seeing none I now close the public hearing on... [cross-talk]

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CHAIRPERSON MOYA: Seeing none I, I now close the public hearing on this... [cross-talk]

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COMMITTEE CLERK: Application...

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CHAIRPERSON MOYA: ...application.

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COMMITTEE CLERK: We will now..

CHAIRPERSON MOYA: Okay, we will now move on to block 67 applications... [cross-talk]

COMMITTEE CLERK: 675...

CHAIRPERSON MOYA: 675 applications, these applications for zoning map changes, text amendments and special permits will facilitate the transfer of floor area from Hudson River Park as permitted by state law to upland development sites. In 1998 the Hudson River Act... the Hudson River Park Act was adopted by the New York State Legislature establishing the approximately 550 acres of Hudson River waterfront from Chamber Street to West 59th Street as the Hudson River Park. The Hudson River Park has become one of the city's and state's premier open space resources drawing approximately 17 million visitors each year. To continue the operation and development of the park the act was amended in 2013 to stipulate that to the extent practicable the cost of operations and maintenance of the park be paid by revenues generated within the park. The state and city owned the underlying park property and the Hudson River Park trust leases the property from each entity and operates the park. In 2016 to facilitate

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2 the continued repair, rehabilitation, maintenance and
3 development of the Hudson River Park the Special
4 Hudson River Park district was established. The
5 provisions of the special district permit permits the
6 transfer of unused development rights from the park
7 in exchange for financial contributions dedicated to
8 the improvements of the park. The application before
9 us today would establish a new granting site and new
10 receiving site in the special Hudson River Park
11 district, permit a wider range of uses and a higher
12 density on the two development sites, require
13 permanently affordable housing and support certain
14 identified improvements in maintenance of Hudson
15 River Park within Manhattan's community district
16 four. The park in the development sites are in
17 Speaker Johnson's district. As a part of one of the
18 applications, site B, the community board,
19 administration, development team have been working
20 with the Speaker to secure a permanent EMS facility
21 on 29th Street. As I understand it those discussions
22 are still very much ongoing, but I understand how
23 much of a priority this is for the Speaker and the
24 community. So, with that I now open the public
25 hearing on LU's 92 through 94 and on LU's 89 through

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2 91 with our first presenter being the Hudson River
3 Park Trust and after that we will hear from applicant
4 DD West 29th LLC for site A; 601-613 West 29th Street
5 and applicant West 30th Street LLC from site B, 606
6 West 30th Street. Okay, Madelyn Wils.

7 MADELYN WILS: Good, good morning... good
8 morning, I think it's still morning, yes... [cross-
9 talk]

10 CHAIRPERSON MOYA: Morning, it's still
11 morning.

12 MADELYN WILS: I'm Madelyn Wils and I'm
13 President and CEO of Hudson River Park Trust. Hudson
14 River Park is the second largest park in Manhattan
15 and largest waterfront park at present in the United
16 States. The park is celebrating its 20th anniversary
17 in a few short weeks and while the park has been... has
18 spurred housing and economic development for the city
19 we have struggled over the last ten years to receive
20 public funding to complete the park thankfully in
21 2013 the State Legislature amended the Hudson River
22 Park Act and allowed the trust to sell some of the
23 park's unused commercial development rights off of
24 the park and to property under consideration for
25 rezoning one block East of Route 9A. since then we

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2 were fortunate to have the City Planning Commission
3 and the City Council approve the sell of air rights
4 to 550 Washington Street providing 100 million
5 dollars to repair the 15 acre pier 40 and save it
6 from being closed to the public and you'll be pleased
7 to know that work on that critically important
8 project has recently begun. Today on behalf of the
9 trust I wish to thank you Chair Moya and also Speaker
10 Johnson who represents the subject area and, and for
11 considering these proposals that would enable to
12 transfer additional floor area pursuant to the
13 special Hudson River Park district. Should these
14 actions be approved the public will at long last be
15 able to enjoy significantly more open space within
16 the boundaries of community board four in Manhattan.
17 There is more unfinished public park within this area
18 than throughout the rest of the park. The trust
19 proposes to transfer unused development rights from
20 the granting site identified as portions of piers 59,
21 60 and 61 to two locations; the first, 601 29th
22 Street is known as the Douglaston receiving site and
23 the second 606 30th Street is known as the Lalezarian
24 area receiving site or in the alternate 604-606 30th
25 Street is known as Lalezarian, Lalezarian alternate

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2 receiving site. Prior to ULURP certification the
3 trust retained an independent appraiser who
4 determined that the value of 123,437.5 square feet of
5 development rights for transfer to the Douglaston
6 site is 37 million dollars. The appraised value of
7 29,625 square feet to transfer to the Lalezarian site
8 was set at 9,570,000 dollars and we expect that 45...
9 34,562.5 square feet of development, development
10 rights to the Lalezarian alternate receiving site
11 will be 11,164,812.50. The appraiser employed a
12 standard methodology for evaluating transferred
13 development rights from one grantor to one seller
14 taking into account requirements for MIH and site-
15 specific constraints and attributes. The trust has
16 negotiated agreements binding on the developers of
17 the receiving sites to pay these appraised values to
18 purchase the development rights subject to ULURP
19 approval and completion of the trust significant
20 action process. The trust has worked closely and
21 collaboratively with community board four and in
22 their recommendation, they listed eight projects to
23 be completed in priority order. Given that the state
24 has now approved funding of 50 million dollars
25 towards finishing Hudson River Park should the air

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2 rights transaction now before the council be
3 completed six of the eight community board priorities
4 will be funded. Beyond these six projects community
5 board four also listed pier 97 and its adjacent
6 upland area as their highest priority. I am happy to
7 say that state funds approved in the 2018/19 budget
8 will be used to construct this project. The other
9 project, the area between 29th and 32nd Streets cannot
10 be built until there is a resolution on whether the
11 proposed gateway tunnel project will be implemented
12 but the trust is prepared to start a design process
13 for this area based on the community's request. The
14 specific projects listed by the community board which
15 will be covered by potential air rights transactions
16 from these areas... well here's pier 97 what we're
17 doing with state funds and then the next project is...
18 will be upgrades to Chelsea Waterside Park including
19 construction of a comfort station, expanded dog run
20 and permanent open space picnic areas. Next is
21 construction of a pedestrian platform and new... from
22 pier 98 to 99 which this isn't, there's also
23 construction of a beach with ecological enhancements
24 South of pier 76 and that's on the North most...
25 Northern most point of this picture and then the

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2 design of the Upland area between 29th and 34th
3 Streets which is this area. With remaining proceeds
4 of any dedicated to the construction of a portion of
5 the Upland Park between 32nd and 34th Streets. In
6 addition, the trust would reserve 20 percent of the
7 total value of proceeds for future capital
8 maintenance within community board four. After
9 conclusion of the trust significant action process
10 and evaluation of public comments by the trust staff
11 and the board and subject further to the successful
12 conclusion of the ULURP process the trust board will
13 vote on the proposed agreements with Douglaston and
14 Lalezarian for the development rights transfers.
15 Thank you very much on behalf of the trust.

16 CHAIRPERSON MOYA: Thank you, just...
17 [cross-talk]

18 MADELYN WILS: Questions?

19 CHAIRPERSON MOYA: Yeah.

20 MADELYN WILS: Sorry.

21 CHAIRPERSON MOYA: Just two quick...
22 [cross-talk]

23 MADELYN WILS: Uh-huh... [cross-talk]

24 CHAIRPERSON MOYA: ...questions. One, how
25 are the value of the air rights assessed?

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MADELYN WILS: It's both based on... the air rights are assessed based on comp... comparable, based on land value and based on one site, one particular site that's the granting site that can only be used for air rights to the particular site, that is the receiving site and then they value what is the considerations on that particular site, the Gateway Tunnel will be coming close to that site so that was one of the issues that probably brought the price down a little bit and then... and my age also so the valuation of Douglaston was a little bit less than Lalezarian because the valuation of Douglaston was based on the fact that Douglaston cannot build condominiums, they have a 99 year lease with the, the... with the seller and even though... and they are actually are rentals and then the Lalezarian site was based... the appraisal was based on condos even though they are also at this time building rentals.

CHAIRPERSON MOYA: Okay, thank you.

MADELYN WILS: Uh-huh. Thank you.

CHAIRPERSON MOYA: The next panel is DD West; Marcie Kesner; Jack Robbins; Steven Charno. I'm sorry, just state your name.

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2 MARCIE KESNER: My name is Marcie Kesner,
3 I'm an Urban Planner with the law firm of Kramer
4 Levin which is Land Use Counsel to DD West of 29th
5 LLC. With me today are Steven Charno representing the
6 applicant and Jack Robbins of FXCollaborative who the
7 architect of the project is. The project... let's see,
8 is this... okay. Alright, the, the project to... the
9 proposed project today would be the second use of
10 development rights transfer mechanism that Madelyn
11 Wils described previously and with... this was created
12 to provide critically needed funding for Hudson River
13 Park. It would enable the development... the
14 redevelopment of an underutilized 62,000 square foot
15 site at 601/613 West 29th Street in Manhattan with
16 740,000 square feet of floor area including 731,688
17 square feet of residential use containing both
18 affordable and market rate housing between 9,000 and
19 14,500 square feet of retail use of ground floor and
20 up to 18,500 square feet for an EMS station,
21 permitted accessory parking will be provided. The
22 project site will be mapped as an MIH area and
23 pursuant to option one of the MIH program 25 percent
24 of the residential floor area will be provided as
25 permanently affordable housing. This shows the

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2 location in yellow of the Douglaston site and
3 adjacent to it the Lalezarian site which will be
4 presented after us. The 62-story building at this
5 site would be... was designed by the FXCollaborative
6 and Jack Robbins will speak after me describing the
7 building's program and design. The project will
8 provide 37 million dollars to Hudson River Park Trust
9 in exchange for the transfer of 123,437.5 square feet
10 of unused floor area from Chelsea piers as you heard.
11 HRPT in consultation with community board four has
12 determined that 80 percent of these funds will be
13 used for specific park improvements and 20 percent
14 will be dedicated to future capital maintenance needs
15 for park improvements within the community board. The
16 proposed zoning actions before the city council are a
17 zoning text amendment to create a map in the appendix
18 to the special Hudson River Park special district
19 regulations that would define Chelsea piers as the
20 granting site and to define the, the development site
21 as a receiving site and to modify the floor area
22 ratio, parking and bulk regulations applicable in the
23 C6/4X district when the City Planning Commission
24 grants a special permit pursuant to this section.
25 Without the approval of a special permit the zoning

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2 remains the existing manufacturing floor area. The
3 zoning map amendment would rezone the development
4 site from an M2-3 district with a maximum FAR of two
5 to a C6/4X district with a maximum floor area of ten
6 which may be increased to 12 FAR with the transfer of
7 floor area by the special permit unless the special
8 permit is utilized there can be no increase in floor
9 area. The special permit is the... and then the map...
10 the... mapping the special Hudson, Hudson River Park
11 district over this... over this side as well. The
12 special permit would permit for the transfer of the
13 floor area height, set back, tower lot coverage and
14 street wall location wavers and then as part of the
15 amended application at the city... at the City Planning
16 Commission the exemption of floor area for an EMS... an
17 ambulance station on the site and an increased
18 maximum... increasing the maximum number of parking
19 spaces for EMS employees that will only be... that
20 floor area exemption will only obviously be used if
21 the EMS station does locate in the site which is what
22 we hope. In the future there will be a Chairperson
23 certification for the issuance of building permits on
24 the... on the closing of the development rights for the
25 site. This shows the location of the site within the

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2 zoning map in red, its an L-shaped site on... most,
3 mostly on 29th Street and then going onto 11th... the
4 whole 11th Avenue frontage and then wrapping around
5 onto 30th Street. This shows the zoning map changed
6 area to the C6/4X HRP district. Zone... I guess Steven
7 Charno will now talk about the benefits of the
8 project both initially and through this process.

9 STEVEN CHARNO: Good, good morning..
10 great, thank you... Chair Moya, Committee Members thank
11 you very much for, for giving us the chance to speak
12 today about our project. I'm just going to speak
13 briefly as Marcie said some of the benefits of our
14 rezoning and also some of the modifications and
15 mitigations that we are... have added to the project as
16 we've gone through the ULURP process. The rezoning
17 will activate an underutilized lot that really got
18 left out of the rezoning of both far West Chelsea and
19 Hudson Yards so it's, it's an... it will enliven the
20 pedestrian experience, a lot of infrastructure
21 including the seven line has now been built within a
22 five minute walk of the site and this site currently
23 is, is an underutilized 2.0 FAR as, as Madelyn Wils
24 and Marcie also mentioned we'll be providing 37
25 million dollars of needed revenue to Hudson River

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2 Park. Under the MIH program we'll, we'll be creating
3 approximately 247 units of permanently affordable
4 housing and in addition significant contributions to
5 the neighborhood. Very early on in this rezoning
6 process which we've been at for, you know more than
7 four years at, at this point the Speaker as well as
8 community board four came to us, there's an EMS
9 facility which is an open air facility located at
10 23rd Street, it's right under the highline, it's not
11 in an optimal location so we were asked early on to
12 try to work with the city and the community board to,
13 to accommodate that, that use and as Chairman Moya
14 mentioned... as, as, as Chair Moya mentioned that that
15 process is ongoing and we remain committed to working
16 with the city to, to make that happen. In addition, a
17 portion of the site will be used initially to
18 accommodate staging for the... for the Gateway Tunnel
19 project. We estimate that will create more than 700
20 construction related jobs, more than 50 permanent
21 jobs. As far as if you go to the next page we had a,
22 a very good robust exchange with our friends at
23 community board four and there are numerous
24 modifications that were made as part of our back and
25 forth with them in addition to working with them on

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2 EMS we've committed to equal finishes for, for
3 affordable units, discounted building amenities for,
4 for affordable residents. In addition, there will be
5 a free... well we will charge a fee, a monthly fee for
6 the amenities, there will be a free child play area
7 which, which will be free to all residents and their
8 children. We've made a commitment that we will work
9 towards having neighborhood retail and not have any
10 big box retail. Some of the other things that we have
11 been working with the community board, I won't read
12 the whole list but with their help we figured out a
13 program where we were able to enlarge the trash room
14 and, and provide for refrigerated trash storage so
15 that that will ensure that we can keep the trash in
16 the building until the day that that trash is, is
17 collected curbside. During seeking there were impacts
18 that were identified and as our restrictive
19 declaration for the project enumerates you may have
20 seen that already, our mitigations that we've
21 committed to include 160,000 dollars for an open
22 space mitigation which will be for improvements to
23 Penn South Park playground, approximately 85,000
24 dollars to replace vegetation on the... on the High
25 Line so that it's shade tolerant because we, we will

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2 be casting shadows during portions of the day on the
3 High Line, a daycare commitment of up to 800,000
4 dollars, a commitment to exceed the energy code by 10
5 percent and we will have an independent construction
6 monitor to ensure that our dust and noise mitigation
7 plans that will be prepared are followed. Finally, I
8 mentioned.. two other things, I mentioned Hudson
9 Tunnel staging which we can get into more detail
10 about that if, if anyone has any questions and
11 finally we have made a commitment, we have a
12 neutrality agreement with 32B.. 32BJ and so we have a
13 commitment for union staffing for building operations
14 at the project.

15 MARCIE KESNER: As Steven mentioned the
16 project will provide affordable housing under the MIH
17 program, the developer has proposed option one which
18 is 25 percent of the residential floor area in
19 permanently affordable units with an, an average
20 weight... weighted, weighted average of incomes of 60
21 percent. The income bands are listed on the materials
22 we've given you, 40 percent... at 40... ten percent of
23 the residential floor area will be provided to
24 households earning 40 percent of AMI, ten percent of
25 the residential floor area 60 percent of AMI and five

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2 percent of the residential floor area will be made..
3 will be affordable to households earning ten percent..
4 100 percent of AMI. The studio.. there's a mix of
5 units; studio, one, and two bedrooms and there are a
6 range of amenities which, which Steven has discussed
7 a children's play area which would be without any
8 free.. fee and the other, others will be for a fee and
9 would be provided at a discount to affordable
10 tenants. Here the zoning, the zoning text.. the zoning
11 actions again I don't think I need to go through them
12 a second time and I'll hand it over to Jack Robbins.

13 JACK ROBBINS: Hi, Jack Robbins,
14 Principal of FXCollaborative. This is kind of a close
15 up of the site, you can see it's 525 feet along 29th
16 Street, a full block between 29th and 30th along 11th
17 Avenue and then 100 feet along 30th Street. The
18 immediate context to the South is a block that ConEd
19 owns and uses, across the street is the.. is the OHM,
20 another Douglaston project and then across 30th
21 Street we have the, the High Line you can see here
22 and then Hudson Yards development beyond that. Just
23 a, a quick kind of summary of some of the, the basic
24 design moves for the building, there were a number of
25 things that kind of forced the massing towards the

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2 East, the first you can see here is the flood plain
3 so there is a, a portion of the site that was... is in
4 the 100 year flood plain so we have adjusted the
5 massing so that the entrance to the building, the
6 majority of the, the, the residential units are all
7 out of that flood plain area on the higher portion of
8 the site. In addition, the, the... next is the Gateway
9 Tunnel so you can see a sort of alignment of the
10 tunnel here. What's shown here is both the proposed
11 Fan Plant that's being built as part of that and an
12 area that they need for staging for the construction
13 of the building so both of those things again
14 encouraged us to move the, the bulk of the building
15 towards 11th Avenue. We... in moving that bulk there we
16 kind of put the narrowest profile at the top of the
17 building to sort of cast the least shadow on the High
18 Line in the areas to the North to really sort of
19 optimize for the solar exposure and also to put it
20 closest to both the, the High Line and the entrance
21 to the number seven subway. The massing strategy
22 really breaks the building down into three different
23 parts and those echo the context around it. The base
24 of the building here in red really speaks to the, the
25 lower buildings, the kind of traditional warehouse

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2 buildings that are in West Chelsea neighborhood, the
3 orange midrise piece here reflects the height of the
4 buildings that are along the avenues and the towers
5 here along 30th Street that really came about from
6 the West Chelsea rezoning and then the tallest
7 portion here really creates a transition between
8 Hudson Yards and the West Chelsea trying to sort of
9 mediate those heights and you can see here some of
10 the heights that are directly across the street
11 considerably taller in Hudson Yards. The expression
12 of the building follows the same three-part diagram
13 in terms of the, the façade articulation kind of more
14 masonry and more massive feeling as you... at the base
15 of the building echoing those Chelsea warehouse
16 typologies getting kind of glassier as you go up, so
17 this is more reflective of the recent residential
18 developments in the area and then the tallest
19 portion, the... reflecting the, the development to the
20 North in Hudson Yards. Ground floor plan here, so I'm
21 going to start here at the corner of 30th and 11th
22 Avenue, the stair coming down from the High Line is
23 right across the street here, this would be retail
24 area, this is about 9,000 square feet grade with
25 potential for another five below grade here. Coming

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2 around 11th Avenue the, the lobby and the, the
3 entrance is on the corner here really tries to
4 activate that corner with the, the doors on the...
5 facing 11th Avenue here, core and back of house in
6 grey you see here and then the remainder of the
7 building along 29th Street is, is parking, some bike
8 parking and the proposed EMS facility that is the
9 area, the, the far West portion of the, the site
10 that's set aside for EMS. There are two alternates
11 that were included in case the EMS did not happen and
12 that includes expanding the parking, this would not
13 increase the number of parking spaces just the area
14 for the parking and the potential of, of extending
15 some retail along 29th Street as well. This is a...
16 largely a legible diagram showing the, the, the bulk
17 waivers, I'm going to go to this one it's a little
18 easier to understand. The... there are really four
19 different bulk waivers, the first in pink here for
20 the upper portion of the building just allows for a
21 depth that works for residential buildings and for
22 some architectural articulation along that façade.
23 The second here in this orange allows us to put on
24 30th Street an outdoor terrace, directly across from
25 the High Line, it's basically at the same height as

1
2 the High Line so we very much like that kind of
3 visual exchange between people activating the terrace
4 and the people who are on the High Line across the
5 street from one another. The third here at the
6 entrance to the building just allows for a set back
7 there, a little bit more generous sidewalk space
8 around the, the entrance to the building and lastly
9 is the... is the total coverage for the, the tower
10 portion which is just very slightly different than,
11 than what is required. And this is a, a rendering
12 showing that entrance area, you can see the recessed
13 entrance here, the sort of more massive masonry base
14 and then the sort of glassier elements as it sort of
15 goes up the building and makes that transition to
16 the... what's across in Hudson Yards.

17 MARCIE KESNER: I think that's it..

18 JACK ROBBINS: Yep, yep.

19 MARCIE KESNER: If there are any
20 questions we'd be happy to answer them.

21 CHAIRPERSON MOYA: Great, well thank you
22 very much. I just want to say that I'm very glad to
23 hear that there's been an agreement that's been met
24 with 32BJ, I've also been very encouraged to see that
25 the units that are... the affordable units are going to

COMMITTEE ON YOUTH SERVICES

1 100

2 have the same finishes as the luxury ones as well, I
3 think that's always a good thing when we see that
4 commitment that's being made and I also want to say
5 that the amenities that are being offered you've come
6 to a good place there as well so I'm very encouraged
7 by the movement that we've seen in the last 24 hours
8 so thank you very much. Thank you.

9 MARCIE KESNER: Thank you.

10 CHAIRPERSON MOYA: David Karnovsky.

11 [off-mic dialogue]

12 CHAIRPERSON MOYA: If you can please
13 state your names and then you can begin.

14 DAVID KARNOVSKY: David Karnovsky from
15 Fried Frank Land Use Counsel to the applicant of 606
16 West 30th Street.

17 JUSTIN SHERMAN: And Justin Sherman
18 representing Ismael Layva Architects.

19 DAVID KARNOVSKY: Thank you for having us
20 today Mr. Chairman. This is an application by 606
21 West 30th Street and affiliative Lalezarian
22 properties for the development of a mixed-use
23 building at 606-604 West 30th Street through
24 rezoning, a zoning text amendment and a special
25 permit for the transfer floor area from Hudson River

COMMITTEE ON YOUTH SERVICES

1 101
2 Park. This project would be developed concurrently
3 with the Douglaston development that you've just,
4 just heard about. I just want to clarify that the
5 initial application as certified by the Department of
6 City Planning was for a development that included one
7 lot, lot 39, subsequently we had the opportunity to
8 enter into agreements to acquire the adjacent lot,
9 38, which is a 25 footer that intervenes between the
10 original site and the Douglaston site so that the
11 application today is for a larger development of both
12 lots 38 and 39 which results in an increase of floor
13 area, an increase of affordable units and an increase
14 in the amount of transfer from Hudson River Park and
15 an increase in the payment to Hudson River Park. The
16 site is shown here adjacent to the Douglaston
17 development along West 30th Street. This shows the
18 existing conditions; the existing condition is a... an
19 auto repair and maintenance facility currently
20 occupied under license by the Department of
21 Sanitations for a small number of vehicles and a
22 small amount of equipment it's planned to be vacated
23 by the Sanitation Department in July. The development
24 is for a 12 FAR mixed-use building with residential
25 floor area of about 193,000, commercial at about

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2 14,000, it was a 41-story building with a height of
3 520 feet, 252 residential units with approximately 63
4 affordable units provided under MIH option one and
5 with a 54-space parking garage, accessory parking
6 garage. This slide shows the building in the context
7 of surrounding, existing and planned development and
8 illustrates how it is... reflects the transition
9 between the taller buildings to the North on the
10 Western Rail Yard and to the Northeast in the Eastern
11 Rail Yard and an appropriate relationship to the
12 Douglaston development which is the taller building
13 on the avenue. I'm not going to go through the
14 actions in detail because they're essentially the
15 same as for the Douglaston development with the
16 exception that our special permit is for the transfer
17 of a smaller amount of floor area by virtue of the
18 smaller size of our site, its for the transfer of
19 34,562 square feet of floor area from Chelsea piers
20 which will result in a payment to the Hudson River
21 Park Trust of approximately 11 million dollars. Our
22 bulk waivers are slightly different as well of course
23 and we'll detail those in minute. In terms of the
24 benefits of the project before I turn it over to
25 Justin, obviously this is an area that's

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2 underutilized and presents an unattractive
3 streetscape and it will be enlivened by a building
4 that has ground floor retail, restaurants above and
5 residential of course. There will be a transfer from
6 the Hudson River Park with a payment to them with the
7 purposes of open space amenities. From the point of
8 view of affordable housing as I mentioned the 63
9 units under option one, the applicant has committed
10 to provide identical finishes for the affordable
11 units and the market rate units, has also committed
12 that building amenities for which fees are charged
13 will have a discount to the affordable unit owners..
14 residents of 33 percent and with respect to unit
15 distribution has agreed to exceed slightly the 65
16 percent unit distribution requirement under MIH.
17 Other commitments include addressing street trees, in
18 the event that street trees cannot be planted due to
19 ConEd infrastructure to seek consent to install the
20 trees in planters. We do not have a loading dock, the
21 size of the.. of the development does not warrant it
22 so we've committed to making efforts to use the
23 garage entry for deliveries to avoid congestion on
24 the street, we've committed to car sharing in the
25 garage to electric car charging. With respect to

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2 maintenance workers, we have exchanged agreements
3 with the 32BJ and we expect to conclude that today if
4 not tomorrow. And with respect to the mitigations
5 that Douglaston described we would provide our share
6 of those mitigations with respect to child care, with
7 respect to open space and with respect to shadows.
8 So, I'm not going to turn it to Justin to describe
9 the building in some more detail.

10 JUSTIN SHERMAN: Very good, thank you
11 David. My name is Justin Sherman. Good, good morning
12 ladies and gentlemen, I'm a Senior Project Manager at
13 Ismael Leyva Architects. I'll be speaking about the
14 architectural aspects of the building which is
15 located on the Western portion of block 675. As you
16 can see the design takes place... it gathers
17 inspiration from the... existing High Line and its
18 industrial heritage. The configuration of the podium
19 is a contemporary interpretation of the shipping
20 container which is intimately associated to the
21 history of the High Line. The, the base will also use
22 the color and materiality of cast iron in the details
23 on the ground floor store front and the podium
24 floors. The project will have primarily commercial
25 uses on the podium floor and residential uses from

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2 floors four and up. The project aims to activate the
3 street and the frontage facing the High Line at the
4 lower levels by proposing commercial use at the first
5 floor, second and third along with the residential
6 lobby and parking entrance at grade. So, this is the
7 second-floor plan with the split parking, commercial
8 at the street frontage and commercial at grade as
9 well and then the third-floor commercial portion. The
10 primary commercial use of the second and third floors
11 will be a restaurant with outdoor terrace space at
12 the third floor facing the High Line to further
13 activate the street frontage. The second floor also
14 helps to screen the parking use behind the commercial
15 space. Floors four to six... 36 will have residential
16 units with the exception of the 21st floor which will
17 house the residential amenities and mechanical uses
18 on a portion of the 20th and 22nd floors. The
19 midsection of the building also has an interior green
20 wall or vertical garden feature which is a reflection
21 of the greenery of the High Line expressed on a
22 vertical plane and extends from the terrace level at
23 the amenity floor to the top of the 26th floor. The
24 feature can be enjoyed by the residents of the
25 building and... as well as the visitors on the High

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2 Line, this feature will be lit up at night. And here
3 are illustrative building sections both cut at...
4 through the street and High Line, the building
5 section on the right highlights the recess where the
6 green wall feature would take place. And I'll go back
7 to David to discuss the bulk waivers. Thank you.

8 DAVID KARNOVSKY: The bulk waivers are
9 designed to facilitate the building that Justin's
10 just described and very briefly there's a waiver of
11 the base height, the minimum base height under the
12 C6/4X of 60 feet, we proposed a base height of
13 actually 45 feet that facilitates this relationship
14 of the restaurant uses to the High Line and provides
15 a kind of visual connection to the High Line. The
16 rear yard waiver facilitates the inclusion of the
17 parking and the commercial use on the second floor
18 and the other waivers allow for balconies that would
19 provide an open space amenity for residents. That's
20 it.

21 CHAIRPERSON MOYA: That's it?

22 DAVID KARNOVSKY: Thank you...

23 CHAIRPERSON MOYA: Just a couple of
24 questions... [cross-talk]

25 JUSTIN SHERMAN: Sure... [cross-talk]

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2 CHAIRPERSON MOYA: As, as you were
3 mapping the MIH option one... [cross-talk]

4 JUSTIN SHERMAN: Yeah... [cross-talk]

5 CHAIRPERSON MOYA: What is the breakdown
6 of the affordable affordability levels for the units
7 and how are they going to be spread out throughout
8 the building?

9 JUSTIN SHERMAN: Okay, so as you know
10 option one provides for 25 percent of the floor area
11 to be affordable, ten percent at 40 AMI, ten percent
12 at 60 and five percent at 100 is what we envision. In
13 terms of the unit mix we envision 25 percent studios,
14 50 percent one bedroom and 25 percent two bedrooms
15 obviously that will mirror the, the market rate
16 distribution. In terms of distribution on floors, as
17 I mentioned MIH regulations require a distribution of
18 the affordable units on 65 percent, we expect to be
19 able to exceed that currently estimated at 67, 68
20 percent.

21 CHAIRPERSON MOYA: And the amenities and
22 the finishes are they going to be the same?

23 JUSTIN SHERMAN: Yes, as I indicated the
24 finishes will be the same... [cross-talk]

25 CHAIRPERSON MOYA: Okay... [cross-talk]

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2 JUSTIN SHERMAN: ..and with respect to the
3 amenities to the extent that an amenity has any
4 charge the affordable unit residents will have a 33
5 percent discount.

6 CHAIRPERSON MOYA: Okay and I'm very
7 encouraged to hear that there's been conversations
8 with 32BJ obviously good paying jobs to run those
9 buildings are, are very important to us so, I, I, I
10 hope to see that get done within the next 24 hours as
11 you said.

12 JUSTIN SHERMAN: We expect to, yes.

13 CHAIRPERSON MOYA: Okay, great. Thank
14 you.

15 JUSTIN SHERMAN: Thank you. Thank you
16 very much.

17 CHAIRPERSON MOYA: Thank you. Okay, the
18 next panel is we're going to do three in favor, Aleta
19 Lafarge; Adrienne Ford; Panos Kutrise [sp?]. And can
20 you please state your names.

21 ALETA LAFARGE: Hi, good afternoon, my
22 names Aleta LaFarge, I'm here representing Manhattan
23 Plaza Tenants Association.

24 ADRIENNE FORD: I'm... my names Adrienne
25 Ford and I'm also representing the Manhattan Plaza

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2 Tenants Association and I think also just
3 representing... member of community board four and a, a
4 long-time resident in Hell's Kitchen.

5 PANOS KUTRISE: Panos Kutrise, 32BJ.

6 ALETA LAFARGE: As neighbors who use the
7 park with our families we do support this sale of the
8 transfer rights from Hudson River to the developers
9 in order to fund greater improvements to the park. If
10 there is an opportunity for more funds that just
11 means more can be done, the state funds are good but
12 more funds coming from developers building in our
13 neighborhood would of course be better and we'd also
14 just like to mention we are fully in support of union
15 labor 100 percent.

16 ADRIENNE FORD: So, I've been living in
17 Hells Kitchen for 36 years, I also walk... work there
18 on 57th Street and 11th Avenue and I personally use
19 the parks, I've seen... I've seen them go from not
20 having much development at all and playing on pier 84
21 when you could just fish off the side, the... it was
22 practically crumbling under my feet to seeing the
23 incredible development that's taken place over a
24 number of years and I fully support the development...
25 the sale of the development rights because I think

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2 all this funding that can come to the Hudson River
3 Parks Trust to complete the projects that they've
4 already started and bring a sense of like co,
5 cohesiveness to it... to the parks is going to be
6 tremendous for me as somebody who likes to jog down...
7 up and down the river, to my children as I've had
8 birthday parties in our parks and picnics with them
9 and we ride down the bike lanes to bring them to
10 little league and I just think the value that it will
11 bring to our community. As, as you can see I'm
12 wearing... I, I dress brightly to remind everybody of
13 how little green we see in the city and being in one
14 of the most congested districts in the city I think
15 it's the most, in fact in terms of traffic congestion
16 if you really need a breath of fresh air and you
17 cannot put a value on, on what these parks bring to
18 our community. So, if, if the sale of these
19 development rights to developers who are... who seem to
20 have some thoughtful developments, I think affordable
21 housing is also a great perk for our neighborhood
22 especially for families as a... families are constantly
23 priced out of the city but the, the parks is... that
24 value is priceless and as Aleta said state funding
25 is, is great but any, anything more that can be done

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2 I think we should accept with open arms and I also
3 support union labor, I don't want to see that rat
4 around my neighborhood and, and we... I just cannot say
5 enough how important this would be for my family
6 specifically but also for our neighborhood which we
7 really work hard to represent.

8 PANOS KUTRISE: Good morning and thank
9 you to the Speaker, to the Chair and the... and the
10 subcommittee. My name is Panos Kutrise and I'm a
11 building service worker as well as a member of 32BJ.
12 I'm here to tell you how important it is to have the
13 commitment to good jobs at Lalezarian's development
14 606 West 30th Street. The jobs at the building will
15 affect the wellbeing of the community for years to
16 come. Developments that pay building service workers
17 prevailing wage and benefits allow us to stay in New
18 York and support our families. Lalezarian has reached
19 out to 32BJ about ensuring good jobs at this site. We
20 look forward to working with them to guarantee family
21 sustaining jobs at their project. Thank you.

22 CHAIRPERSON MOYA: Thank you, thank you
23 very much.

24 ALETA LAFARGE: Thank you.

25

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2 CHAIRPERSON MOYA: Okay, now we have the
3 next panel, we have Joe Restuccia, Lowell Kern, Lee
4 Compton, Paul Devlin and Betty Mackintosh. Yeah,
5 bring it over.

6 [off-mic dialogue]

7 CHAIRPERSON MOYA: Thank you for being
8 here just please state your names for the record
9 before you testify, thank you.

10 LEE COMPTON: My name is Lee Compton and
11 I'm representing community board four.

12 BETTY MACKINTOSH: Betty Mackintosh,
13 community board four.

14 PAUL DEVLIN: Paul Devlin, community
15 board four.

16 LOWELL KERN: Lowell Kern, community
17 board four.

18 JOE RESTUCCIA: Joe Restuccia, community
19 board four.

20 LEE COMPTON: Good morning Mr. Chairman,
21 my name is Lee Compton, I am Co-chair of the
22 community board four's Chelsea Land Use Committee. My
23 colleagues and I are here to comment on applications
24 for two proposed developments on block 675 in the
25 Northwest corner of Chelsea adjacent to the Hudson

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2 Rail Yards. We greatly appreciate the willingness of
3 the applicants to engage with us during this lengthy
4 process. Block 675 was scheduled to be a full block
5 park over a sanitation facility buffering the lower
6 scale of Chelsea from the massive development on the
7 Rail Yards to the North. Once we lost the park we
8 attempted to have block 675 included in the special
9 West Chelsea district where text provisions respect
10 the area's history and context but unfortunately, we
11 lost that battle as well. Developers now see an
12 opportunity for the immense buildings on the Rail
13 Yards to infiltrate Chelsea. Our preference has been
14 for a 450-foot height limit on block six... 675
15 providing a transition between the lower scale of
16 Chelsea and the buildings on the Rail Yards, we now
17 support a 20 percent increase in building heights to
18 accommodate the Hudson River Park transfer rights. We
19 asked that the maximum building height be set at 550
20 feet for the Douglaston project and at 500 feet for
21 the Lalezarian project, we also asked that the lots
22 comprising the two projects be included in the
23 special West Chelsea district. We are disappointed
24 that the affordable units to be generated by the
25 projects will be segregated in the lower floors, we

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2 believe that economic integration can be a vehicle to
3 achieve social and racial integration. We ask that
4 you mandate a broader distribution of affordable
5 units than the applicants have proposed. Finally, we
6 propose... we are pleased that EMS station number seven
7 seems to be on its way to finding a permanent home on
8 block 675 with the space and amenities it needs. We
9 ask however that you require the city to acquire the
10 proposed site now so that there will be no
11 unfortunate snags when the interim Gateway project
12 use of the site ends. Thank you.

13 BETTY MACKINTOSH: Good morning Chair,
14 I'm Betty Mackintosh, Co-chair of the Manhattan
15 Community Board four Land use Committee and I'm also
16 speaking on the Douglaston and Lalezarian proposals.
17 Lee mentioned about affordable housing and I want to
18 reemphasize that, community board four has a
19 longstanding policy for mixed income buildings to
20 ensure equity between affordable and market rate
21 apartments. We are pleased that all the finishes and
22 appliances will be the same in both types of units in
23 the projects however we strongly urge the city
24 council to require that affordable units be
25 distributed throughout at least 80 percent of the

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2 floors in both projects. Douglaston has not committed
3 to apartment distribution for affordable units beyond
4 the MIH requirement of 65 percent, you just heard
5 Lalezarian 67 percent. Our position is based on the
6 firm belief in the great importance of a mix of
7 people with varying incomes and ethnic and racial
8 backgrounds. We abhor segregation of various groups
9 of people from one another. Community board four is
10 concerned about the administration of the payment for
11 the child care mitigation, City Planning report
12 specifies that applicants are to pay a lump sum
13 payment based on a formula which would be paid to a
14 fund designated by ACS, it is not clear that the
15 payment would be used only in community district
16 four. We ask that the city council require that the
17 funds are only in our district and clarify how the
18 payment will be administered. We also have concerns
19 about the trash dumpsters inside the buildings and
20 are very teared up that that's being dealt with forth
21 with, with both projects.

22 PAUL DEVLIN: Like I'm the first that can
23 say good afternoon and thank you for your time. I'm
24 Paul Devlin, a member of the Chelsea Land Use
25 Committee of community board four and thank you for

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2 your time. The community board four has recommended a
3 denial of this application unless our conditions
4 described in communications are met. To begin I want
5 to thank the developers for their willing and active
6 engagement with our board to attempt to resolve
7 numerous issues. The current application reflects
8 several changes made by the applicants in response to
9 our concerns and we all think it's a much better
10 development as a result of this hard work. Combined
11 these two developers will be bringing over 1,200
12 apartments into our neighborhood, we as neighbors
13 wish to ensure that the new residents are integrated
14 into our community and that these new people receive
15 community benefits but that the additional burdens to
16 make this a desirable place to live aren't placed on
17 the residents who live in the neighborhood today. You
18 have a rare opportunity today to tackle an issue that
19 has come before us in the past and is certain to come
20 to us again in the future. The critical issue is the
21 amount of money the community will receive for the
22 transfer of the development rights from Hudson River
23 Park, the price of the transfer rights is critically
24 important for those of us in West Chelsea because it
25 offsets the rapid and tremendous growth with the

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2 protection of our community, our neighborhood and our
3 special resources. The transfer of development rights
4 from Hudson River Park Trust to Douglaston and
5 Lalezarian is a very large number that will do a lot
6 of great things along the river but please don't be
7 misled by the total number in and of itself but
8 instead look at how it was calculated, I think we're
9 getting shortchanged and we should be receiving more
10 for these rights based on looking at square foot
11 costs in our neighborhood. There are a number of
12 examples you can use where development rights have
13 been transferred. In private transactions between
14 landlords and developers we're seeing prices in the
15 ranges of 800 to 1,000 dollars per square foot.
16 Recently the City Planning Commission recommended
17 setting the price for the transfer rights of West
18 Chelsea at 635 dollars to provide resources for the
19 housing fund. The trust itself sold development
20 rights to St. John's Terminal in West Village for 500
21 dollars yet in this case Hudson River Park Trust and
22 the two development teams arrived at a price that is
23 surprisingly below what would be expected at only 300
24 dollars per square foot. We urge you to review the
25 methods used to come to this price, we strongly

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2 believe their assumption and the appraisal are flawed
3 and that the base ratio should be an 87 percent... 87
4 percent threshold and that the best use of these
5 should be determined as condos. Thank you.

6 LOWELL KERN: Good afternoon, my name is
7 Lowell Kern, I am the Co-chair of the Waterfront
8 Parks and Environment Committee of Community Board
9 four and I want to piggy back on what Mr. Devlin was
10 saying, the money issue is not just about money. As
11 Miss Wils sat here and told you this morning, there
12 are a number of projects in community district four
13 that need to be completed for the park to be
14 completed, we have the least amount of completed park
15 space in Hudson River Park and we need the money to
16 finish the park. As Miss Wils went through there are
17 a number of projects that this money can fund but
18 there is also a member of project that we just don't
19 have the money for. There is the Chelsea Waterside
20 Park, there's the Bridge at pier 66, there are three
21 different projects between 28th Street and 36th
22 Street, we want to redo the area in front of the
23 Circle Line and make that more park friendly instead
24 of just a bunch of driveways. We've got three
25 different projects relating to pier 97 that we just

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2 don't have the money to finish, we need the money to
3 finish the park because we don't have enough park
4 space in community district four. The other thing I
5 want to address, there are two mitigations in here
6 that directly relate to parks. The first is there's
7 250,000 that is not designated as of right now, we
8 have met with the City Department of Parks and
9 Recreation they need that money desperately to finish
10 the basketball courts, to redo the basketball courts,
11 at Chelsea Park just blocks from this site so we
12 would like the 250,000 to go to the basketball courts
13 at Chelsea Park. There is also an 85,000-dollar
14 mitigation for loss of sunlight on the High Line, I
15 love the people, friends with High Line, they don't
16 need the money as much as the City Department of
17 Parks and Recreation does and there are better uses
18 for that 65,000 dollars as far as our committee is
19 concerned that can go towards either Hudson River
20 Park or other parks in Chelsea that desperately need
21 this money. Thank you.

22 JOE RESTUCCIA: My name is Joe Restuccia,
23 I'm the Co-chair of Housing, Health and Human
24 Services Committee of Community Board four. I want to
25 piggy back again on the issue of this integration.

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2 The developers have committed to about 65 or 67
3 percent integration, the truth is they can do better,
4 their projects economically allow them to do better,
5 they have a philosophical difference with us. We need
6 to push them to get to a higher number because the
7 truth is in these buildings people don't care where
8 you live, it's all about people mixing together and
9 that to us is a big issue, its economic, racial and
10 ethnic integration. The question of the height has to
11 come down somewhat, we don't believe we're going to
12 get a great reduction here, but it really is not a
13 transition zone to West Chelsea it's in West Chelsea
14 and this has been an ongoing problem for us. Lastly,
15 EMS, EMS service for the West side of Manhattan from
16 5th Avenue to the Hudson River from West 12th to West
17 62nd Street is being handled from two open air
18 trailers under the High Line on West 23rd Street.
19 This is an absolute disaster, it provides horrible
20 service and it provides horrible ability for the
21 workers who there are to actually function. We are..
22 we have worked with FDNY, EMS, DCAS, the
23 administration, the Port Authority, New Jersey
24 Transit and Amtrak to come up with a solution here
25 for both a permanent location on West 29th and a

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2 temporary location in the West 40's, West of 11th
3 Avenue courtesy of the Port Authority. We want to say
4 thank you very much and we need to move this to a
5 conclusion, it's been a long haul and we're very
6 close. Thank you.

7 CHAIRPERSON MOYA: Thank, thank you.

8 JOE RESTUCCIA: The developer has
9 absolutely enjoyed the strip every step of the way.

10 CHAIRPERSON MOYA: Well thank you and
11 just let me say that, you know the, the dedication of
12 community board members is something that I always
13 look at, this is a volunteer position and you do
14 great work to represent your community and everything
15 that you've said here we will be taken into
16 consideration so thank you very much for your time
17 and your efforts in really coming up with a very
18 thoughtful process to all of this. Thank you.

19 JOE RESTUCCIA: Thank you.

20 LOWELL KERN: Thank you sir.

21 [off-mic dialogue]

22 CHAIRPERSON MOYA: Okay, the next panel
23 is Anthony Borrelli, Connie Fishman, Adrienne Ford,
24 Catherine Sally and Rita... oh, I'm going to butcher

25

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2 this one, Jer... Jer... is it... how is it... how do you say
3 it? Jakubowski, okay. Thank you.

4 CONNIE FISHMAN: I don't see Anthony
5 Borrelli so I'm just going to start...

6 CHAIRPERSON MOYA: Just state your name
7 and... [cross-talk]

8 CONNIE FISHMAN: Okay, thank you. Thank
9 you for holding this hearing Chair Moya and committee
10 members. My name is Connie Fishman and I am the
11 Executive Director of Hudson River Park Friends.
12 Friends is a nonprofit fund raising and advocacy
13 organization that supports the operations and public
14 programs of Hudson River Park. I'm here to support
15 the sale of the air rights from Hudson River Parks
16 Community District four Chelsea piers to block 675.
17 In addition to being Friends Executive Director for
18 the past year and a half I was also the President and
19 Executive Vice President of the Hudson River Park
20 Trust for approximately 12 years consequently I look
21 forward more than anybody to the day when Hudson
22 River Park is finished. Community District four
23 residents in particular have been waiting for many
24 years to see the remainder of their waterfront North
25 of 29th Street developed into a new green park for

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2 relaxation, sports, recreation and enjoyment by
3 millions of New Yorkers. I want to thank all of the
4 parties involved in this process for working together
5 to identify the park priorities for this community
6 and I look forward to the planning and design process
7 for the portions of the park that will be built with
8 these resources. The money generated for the park
9 through these transactions will go a long way towards
10 finally completing the Northern section of Hudson
11 River Park. It has been, been nearly 20 years since
12 June of 1998 when the Hudson River Park act was
13 passed by the New York State legislature and it is
14 high time that the park was fully built and serving
15 its many neighbors from Battery Park City all the way
16 up to 59th Street and I thank the council members in
17 advance in their role in helping ensure this vision.
18 Thank you.

19 RITA JAKUBOWSKI: I'm Rita Jakubowski,
20 I'm a, a much newer member of the... of the community
21 on, on 43rd Street, I'm a member of the 44th Street
22 Block Association and the Hudson River Park's Trust
23 and a sort of defacto head of the... of the pier 84
24 garden which is lovingly cared for by a group of 12
25 to 15 other volunteers. We have created a venue at

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2 pier 84 that attracts tourists, locals, children,
3 birds, bees and, and a... and a lot of other creatures.
4 I am... I am in favor of the... of the development in
5 question here and I also would be an advocate for
6 greater consideration of adding more gardens to the..
7 to the park as it is developed and I hope that some
8 of the resources that would be... that would be... come
9 available as a result of selling the air rights will
10 go toward development of more gardens on the... on the
11 river.

12 CHAIRPERSON MOYA: Thank you. Isaac
13 Hoprin, David Jeress, Juess, Jerasic, Susan... Suzanna
14 Erin, Aleta LaFarge and Tom From, Frambach. Tom?

15 TOM: Yes. Thank you, Council Member
16 Moya, for holding this hearing today. I'm the General
17 Manager of Downtown United Soccer Club, a nonprofit
18 organization that facilitates thousands of children
19 and youth for both recreation and competitive soccer.
20 We are players of our community and represent our
21 constituents, we're all frequent park users and we're
22 all dependent on Hudson River Park and Pier 40. We
23 look forward to the day that the park is completed
24 especially more fields, open green space and
25 beautiful piers in community board number four North

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2 of 29th Street. We thank the community, community
3 board and Hudson River Park Friends and the Trust for
4 working together to identify projects that would be
5 funded by air rights that are also the community's
6 priority use. This chance to sell some of the park's
7 unused development rights to the properties at block
8 675 seems important and we support the nearly 50
9 million that would go towards completing the park.
10 The park can take a huge leap forward in terms of
11 this completion with this money, we support the block
12 675 proposal and the transfer of air rights for much
13 needed funding for the waterpark... waterfront park and
14 fields. Thank you.

15 CHAIRPERSON MOYA: Thank you. Are there
16 any other members of the public who wish to testify
17 on these matters? Seeing none I will now close the
18 public hearing on these applications and... [cross-
19 talk]

20 COMMITTEE CLERK: All items on today's
21 calendar will be laid over... [cross-talk]

22 CHAIRPERSON MOYA: All items on today's
23 calendar will be laid over. I would like to thank the
24 members of the public and my colleagues and of course
25

COMMITTEE ON YOUTH SERVICES

1 126

2 the counsel and the land use staff for attending
3 today's hearing. This meeting is hereby adjourned.

4 [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

May 31, 2018