

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUB COMMITTEE ON PLANNING, DISPOSITIONS AND  
CONCESSIONS

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December 7, 2009  
Start: 9:50 am  
Recess: 10:00 am

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Inez E. Dickens  
Lewis A. Fidler  
Sara M. Gonzalez  
Diana Reyna

CHAIRPERSON GARODNICK: Good

morning everyone and welcome to the sub committee on Planning, Dispositions and Concessions. Again this is sub committee of the Land Use Committee of the nyc Council. My name is Dan Garodnick and I have the privilege of chairing this sub committee and reopening a meeting that was recessed on December 2nd.

I am joined today by Council Member Sara Gonzalez, a member of the sub committee, Council Member Inez Dickens, a member of the sub committee, Council Member Diana Reyna and I believe Council Member Lou Fidler is or was here a moment ago. There's Council Member Fidler.

Today we're going to be voting on Land Use items 1227, 1228, 1229 and 1230. They're all related to the Broadway Triangle area in East Williamsburg, Brooklyn. At this point as you all know, these Land Use items have now gone through the various reviews required of such applications. They're proposed by HPD, approved by Community Board 1, the Brooklyn Borough President, Marty Markowitz and the City Planning Commission.

On November 19th, this committee

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2 heard an approximate five hour hearing on the  
3 subject here on these chambers of the City  
4 Council, at which time all members of the public  
5 wishing to be heard were, in fact, heard. At this  
6 point, we'll take any comments from members of the  
7 committee or Council Members. Council Member  
8 Reyna.

9 COUNCIL MEMBER REYNA: Thank you,  
10 Mr. Chair. For two years we've been fighting is  
11 what is considered to be the Broadway Triangle  
12 plan as sponsored by HPD. Where they select in  
13 pre-determined process, the process has been  
14 compromised. My community has been plagued with  
15 gentrification at an unseen rate in years past.  
16 For any plan in Williamsburg to not address  
17 displacement with more affordable housing and  
18 denser structures is not a plan at all. In NYC  
19 the average park space per 1,000 people is 3.5  
20 acres. In Williamsburg the average park space per  
21 1,000 is 0.6 acres of land. For any plan to not  
22 address the scarcity of park land in our community  
23 is not a plan at all.

24 This rezoning is allowing for the  
25 minimum in economic development and job creation.

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2 Not only is it giving us the minimum, it is  
3 looking to displace hundreds of jobs within the  
4 rezoning area. For any plan to not address job  
5 creation and economic development is not a plan at  
6 all.

7           What seems to be the case is my  
8 community was excluded from the planning process  
9 and issues that they need and wanted addressed  
10 have been excluded. And all I have been asking  
11 for is a plan, a comprehensive one, one that takes  
12 people into consideration, not politics. The plan  
13 is not representative of my community and our  
14 needs. It does not provide enough affordable  
15 housing, open space, community planning and  
16 business industrial development, jobs, prevailing  
17 wages. I am not playing politics but standing up  
18 for those in my community that have been silenced  
19 so that others can control people.

20           I ask this committee and the full  
21 Land Use committee to reject this plan for it has  
22 not addressed and has been confirmed that it will  
23 not continue to address unless a point of  
24 agreement has been agreed upon, of which I have no  
25 sense because I have not been asked as a

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2 representative of this community to the table.

3 I also call upon the Mayor's office  
4 to have withdrawn this plan and I was ignored.  
5 Time and time again, it's not a community we're  
6 addressing, it is the politics and a select few  
7 will control land, housing, people. That is not  
8 good government and I hope my colleagues take that  
9 into consideration.

10 [Applause]

11 CHAIRPERSON GARODNICK: Thank you.  
12 Folks, please hold your applause. Thank you,  
13 Council Member Reyna for your comments and  
14 certainly for your advocacy. As I noted before,  
15 this is the next point in the process, which as  
16 Council Member Reyna noted, has gone on for a  
17 while and certainly for the purposes of the rules  
18 of the Council and the rules of the charter, this  
19 is the next stop in this application.

20 Again, Land Use 1227 1228, 1229,  
21 1230, the ultimate goal of this application, as  
22 explained by HPD is to revive an area that has  
23 been under utilized and to create more affordable  
24 housing for a community that everyone agrees is in  
25 great need of it.

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2 I share some of the concerns that  
3 have been raised about the use of eminent domain  
4 and site authorization in this context. I, most  
5 certainly, have the utmost respect for my  
6 colleague, Council Member Reyna, who has been a  
7 strong advocate for these and other process issues  
8 here.

9 On the subject of eminent domain, I  
10 do not believe that small businesses here should  
11 be subject to eminent domain because of  
12 residential development next door. Their presence  
13 does not stop or even significantly inhibit the  
14 redevelopment of this area, however, if we approve  
15 or disapprove this application we would not be  
16 impacting that question. The Urban Renewal Plan  
17 already authorizes the use of eminent domain to  
18 acquire private properties for public uses. Our  
19 actions today would not change HPD's ability to  
20 use eminent domain as it is authorized by the  
21 Urban Renewal Plan.

22 As for site authorization, this  
23 committee has recently worked with HPD to create  
24 more transparency in the process for creating site  
25 authorization letters. In response, HPD agreed to

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2 post on its web site, the agency's policy  
3 regarding site authorizations. A number of the  
4 groups can call off, if they're interested in a  
5 specific site, a list of addresses for each  
6 property for which HPD provided authorization  
7 letters and a list of federal and state awards for  
8 city owned sites once those decisions are made.  
9 I'm pleased that HPD has now taken these steps at  
10 the request of this committee to ensure that there  
11 is greater transparency in this process going  
12 forward.

13 Right now the Broadway Triangle is  
14 zoned for manufacturing uses and much of the land  
15 has been vacant and unused for the last 30 years.  
16 By rezoning the area to the residential R6A and  
17 R7A, additional residential housing that is  
18 consistent with the scale of the surrounding area  
19 will be developed. The community has consistently  
20 stated, and we heard that very clearly in the  
21 hearing, that it needs more affordable housing.

22 This proposal will allow for 1,851  
23 units of which 844 will be affordable. The units  
24 built on the city owned land will be 100%  
25 affordable. HPD's proposal also contains an

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2 inclusionary housing program. Of course, this  
3 promotes affordable housing on privately owned  
4 land by giving developers additional residential  
5 space in return for affordable units. I should  
6 note that there are \$400,000 of state funds that  
7 have been allocated to this proposal through a  
8 Brownfield Opportunity Grant, which will  
9 facilitate the creation of more affordable  
10 housing.

11 Now there are two modifications on  
12 this proposal that are both related to open space.  
13 I just want the record to reflect those  
14 modifications. One of them is a modification to  
15 UDAP C090416HAK, which can be found in Land Use  
16 1230, which adds the language as follows: the  
17 preference for the use of the property located on  
18 Block 2272/Lots 111, 45 and 46 shall be open  
19 space. Again, preference for the use of the  
20 property located on Block 2272/Lots 1145 and 46  
21 shall be open space.

22 There's also a modification to  
23 urban renewal plan items C090415HUK, which can be  
24 found at Land Use 1229, in which in the sub  
25 section C2A at the very end the language which is



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2 added: the preference for use on Block 2272/Lots  
3 1145 and 46 shall be open space. Again, the  
4 preference for use on Block 2272/Lots 1145 and 46  
5 shall be open space.

6 With those modifications, I believe  
7 substantively that this proposal provides for  
8 rezoning and development that is in context with  
9 the neighborhood and will benefit the community  
10 and the city. Significantly, both the current  
11 Council Member David Yassky, who represent the  
12 district in which these changes would take place  
13 and the incoming Council Member Steve Levin have  
14 weighed in, in support of these items.

15 I recognize there is a great deal  
16 at stake and I appreciate the passion of everyone  
17 involved in this complex issue. However, for the  
18 foregoing reasons I'm going to be voting yes today  
19 and I encourage my committee to do the same. With  
20 that, I will ask the counsel to call the roll  
21 unless there are any comments. There are none,  
22 I'll ask the counsel to call the roll.

23 COUNSEL: Chair Garodnick.

24 CHAIRPERSON GARODNICK: I vote aye.

25 COUNSEL: Council Member Gonzalez.

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COUNCIL MEMBER GONZALEZ: Aye.

COUNSEL: Council Member Dickens.

COUNCIL MEMBER DICKENS: Aye.

COUNSEL: By a vote of three in the affirmative, none in the negative and no abstentions, the aforementioned items are approved as modified.

CHAIRPERSON GARODNICK: Thank you very much and with that, this sub committee is adjourned.

C E R T I F I C A T E

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

Signature Amber Gibson

Date \_\_\_\_\_