

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING
AND FRANCHISES

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July 24, 2024
Start: 11:21 a.m.
Recess: 1:08 p.m.

HELD AT: 250 Broadway - Committee Room - 16th
Floor

B E F O R E: Kevin C. Riley,
Chairperson

COUNCIL MEMBERS:
Shaun Abreu
David M. Carr
Kamillah Hanks
Francisco P. Moya
Yusef Salaam
Lynn C. Schulman

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

Kechun Wang
Wings & Seafood

Ray Levin
500 Kent Avenue Rezoning Proposal

Nebil Gokcebay
500 Kent Avenue Rezoning Proposal

Jeff Reuben
500 Kent Avenue Rezoning Proposal

Rick Parisi
500 Kent Avenue Rezoning Proposal

Richard Lobel
Sheldon Lobel PC

Kevin Williams
CZA

Neil Weisbard
Ford Coil Properties

Adam Taubman
Krammer Levin

Abraham Bennun
Krammer Levin

Robert White
AKRF

Robert Huberman
Herrick Feinstein

Philip Rampulla
Rampulla Associate Architects

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

Ellen Hay
Herrick Feinstein

Greg Fleischer
Capital Environmental Consultants

2 SERGEANT AT ARMS: On date 07/24/2024 by Jame
3 Marino.

4 CHAIRPERSON RILEY: Shulman, Salaam, Carr, Abreu,
5 Narcisse, Holden and remotely by Moya. Today, we are
6 scheduled to host seven hearings. The first hearing
7 concerns the first Sidewalk Café Application that the
8 Council will hear under the revised regulations and
9 concerns LU 124, which is the Application by Wings &
10 Seafood.

11 The second hearing concerns the City Map Actions
12 relating to the Bronx Metro North project, which we
13 heard earlier this month on July 9th and consists of
14 LU's 109 to 113.

15 The hearing concerns LU's 114 to 116 for a
16 project known as 500 Kent Avenue. The fourth hearing
17 concerns LU's 120 and 121 for a project known as 712
18 Myrtle Avenue. The fifth hearing concerns LU's 119
19 for a project known as Berry Street. The Sixth
20 hearing concerns LU's 122 and 123 for a project known
21 as Prince Point. And the seventh and last hearing
22 concerns LU's 117 to 118 for a project known as 3033
23 Avenue V. This meeting is being held in the hybrid
24 format, members of the public who wish to testify
25 must testify in person or via Zoom.

Members of the public wishing to testify remotely may register by visiting the New York City Council website at www.council.nyc.gov/landuse. To sign up and for those of you here in person, please see one of the Sergeant at Arms to prepare and submit a speakers card. Members of the public may also view a livestream broadcast of this meeting as the Council's website. When you are called to testify before the Subcommittee, if you are joining us remotely, you will remain muted until recognized by myself to speak. When you are recognized by myself to speak. When you are recognized, your microphone will be unmuted. Please take a moment to check your device and confirm that your mic is on before you begin speaking.

We will limit public testimony to two minutes per witness. If you have additional testimony you would like the Subcommittee to consider or if you have a written testimony you would like the Subcommittee instead of appearing in person, please email it to landusetestimony@council.nyc.gov. Written testimony may be submitted up to three days after the hearing is closed. Please indicate the LU number or the project name in the subject line of your email.

1 We request that the witnesses joining us remotely
2 remain in the meeting until excused by myself, as
3 Council Members may have questions. Lastly, for
4 every one attending today's meeting, this is a
5 government proceeding and decorum must be observed at
6 all times.

7
8 Members of the public are asked not to speak
9 during the meeting unless you are testifying. The
10 witness table is reserved for people who are called
11 to testify and no video recording or photography is
12 allowed from the witness table. Further, members of
13 the public may not present audio or video recordings
14 as testimony but may submit transcripts of such
15 recordings to the Sergeant at Arms for inclusion in
16 the hearing records.

17 I will now open up today's first public hearing
18 on LU's 124 related to the Wings and Seafood Sidewalk
19 Café Application in Council Member Holden's District.
20 The Application seeks to operate a sidewalk café with
21 approximately five tables and seven seats at the
22 existing establishment in Richwood Queens.

23 For anyone wishing to testify on these items
24 remotely, if you have not already done so, you must
25 register online and you may do that now by visiting

the Council's website at council.nyc.gov/landuse.

And once again, for anyone with us in person, please see one of the Sergeant's to prepare and submit a speakers card. If you prefer to submit written testimony, you can always do that by emailing to us at landusetestimony@council.nyc.gov.

I would like to give the floor to Council Member Holden if he has any remarks.

COUNCIL MEMBER HOLDEN: Yes, good morning Chair Riley and member of the Subcommittee on Zoning and Franchises. I'm here today to address the land use call up Application for Wings and Seafood, that's LU 124 located 785 Fairview Avenue in Richwood, Queens within my District. My office has received numerous complaints from constituents about the ineffective use of these established already said outdoor dining space. Their application for a sidewalk café seems excessive given the current circumstances. This establishment is located near a busy subway station, a school, a library, an afterschool program, and a park, all of which contribute to the heavy foot traffic in the area.

Here are some of my concerns and my constituents concerns. The current outdoor dining set up is

1 rarely in use and is often used as storage. This
2 wastes valuable space and takes up much needed
3 parking in Richwood, a neighborhood already notorious
4 for its parking challenges. Now, I have cars parked
5 at hyphens constantly in that area, in crosswalks,
6 even on the sidewalk.
7

8 On several occasions, the outdoor dining
9 structures have been used for decorative purposes
10 rather than their intended use, further highlighting
11 they're really underutilized. Even a Google Map
12 shows in 2022 shows an inflatable dragon set up in
13 the street. So, this is what I'm talking about, this
14 particular sidewalk is heavily used, being right at
15 the entrance or exit of the Forest Avenue M Train
16 Station and just a block away from a park and IS-93
17 school.

18 In addition, the addition of a sidewalk café
19 would only exacerbate the congestion in a busy area.
20 It is also worth noting that before their sidewalk
21 café application was even approved, Wings and Seafood
22 had already constructed the structure that they're
23 providing. They are providing a photograph and they
24 erected a structure attached to the building
25 illegally to house the sidewalk café. They were

1 issued a summons on July 16th for an unauthorized
2 buildout. And here is the summons, the applicant
3 essentially created this extension of the building.
4 Several flags came up that caused this call up in the
5 first place and that's why we needed this to be heard
6 in the Subcommittee. I look forward to hearing why
7 the applicant feels the sidewalk café is needed.
8

9 I would also like to see a decision from the
10 applicant on whether they will choose to proceed with
11 either the sidewalk café or the outdoor dining set up
12 but not both. Again, I want to thank the Chair and I
13 do have photographs if the Committee would like to
14 see the current structure. Thank you. I'll pass
15 that around for the members.

16 CHAIRPERSON RILEY: Thank you Council Member
17 Holden. I will now like to call the applicant panel
18 for this item, which consists of Kechun Wang who will
19 also be accompanied by a translator, who is going to
20 translate it in Mandarin for her. [00:08:09]-
21 [00:08:34]. Counsel, please administer the
22 affirmation.

23 COMMITTEE COUNSEL: Hello, could you please raise
24 your right hand and state your name for the record?
25

2 CHAIRPERSON RILEY: Press the button on the mic,
3 yes.

4 COMMITTEE COUNSEL: Do you affirm to tell the
5 truth, the whole truth and nothing but the truth in
6 your testimony before this Subcommittee and in your
7 answers to all Council Member questions?

8 TRANSLATOR: SPEAKING IN MANDARIN: [00:09:00]-
9 [00:09:06].

10 KECHUN WANG: SPEAKING IN MANDARIN: [00:09:06].

11 TRANSLATOR: Yes, I do.

12 COMMITTEE COUNSEL: Thank you.

13 TRANSLATOR: [00:09:09].

14 CHAIRPERSON RILEY: Thank you. For the viewing
15 public, if you need an accessible version of this
16 presentation, please send an email request to
17 landusetestimony@council.nyc.gov. And now the
18 applicant team may begin. I'll just ask that you
19 please reinstate your name and organization before
20 you begin. You may begin.

21 TRANSLATOR: SPEAKING IN MANDARIN [00:09:32]-
22 [00:09:35].

23 KECHUN WANG: SPEAKING IN MANDARIN [00:09:36]-
24 [00:09:41].

2 TRANSLATOR: My name is Kechun Wang. I am the
3 owner of the restaurant named Wings and Seafood.

4 CHAIRPERSON RILEY: Does he want to make any
5 statement regarding this application?

6 TRANSLATOR: Sure. SPEAKING IN MANDARIN
7 [00:10:03]- [00:10:08].

8 KECHUN WANG: SPEAKING IN MANDARIN [00:10:10]-
9 [00:10:36].

10 TRANSLATOR: SPEAKING IN MANDARIN [00:10:36]-
11 [00:10:38]. I would like to express my demanding, I
12 do need at least a sidewalk for continuing to running
13 my restaurant business because without this sidewalk
14 space, my restaurant would have been closed. As
15 you know during the pandemic, the business was very
16 hard to continue. I had less clientele walking into
17 my restaurant. So, I highly petition let me, allow
18 me to have at least a sidewalk café. This is the key
19 element so I can continue my business, I can continue
20 to survive.

21 CHAIRPERSON RILEY: How long has he operated this
22 sidewalk café?

23 TRANSLATOR: SPEAKING IN MANDARIN [00:11:38]-
24 [00:11:42].

2 KECHUN WANG: SPEAKING IN MANDARIN [00:11:44]-
3 [00:12:03].

4 TRANSLATOR: It's been around three years since
5 the pandemic.

6 CHAIRPERSON RILEY: And how long has he been
7 operating his business in the area?

8 TRANSLATOR: SPEAKING IN MANDARIN [00:12:11]-
9 [00:12:14].

10 KECHUN WANG: SPEAKING IN MANDARIN [00:12:18]-
11 [00:12:20].

12 TRANSLATOR: I have been running this business
13 for about five years.

14 CHAIRPERSON RILEY: I have no more questions for
15 this applicant panel. Council Member Holden, do you
16 have any questions?

17 COUNCIL MEMBER HOLDEN: Yes, how many tables are
18 inside the café?

19 TRANSLATOR: Indoor restaurant right?

20 COUNCIL MEMBER HOLDEN: In the restaurant, yes,
21 inside.

22 TRANSLATOR: Okay, thank you, yes, yes. SPEAKING
23 IN MANDARIN [00:12:45]-[00:12:49].

24 KECHUN WANG: SPEAKING IN MANDARIN [00:12:50]-
25 [00:12:55].

2 TRANSLATOR: There are seven tables inside.

3 COUNCIL MEMBER HOLDEN: And does the applicant
4 plan to use both the street and he needs both the
5 street and the Sidewalk Café? So, actually he's got
6 two outdoor dining spaces. Does he intend to keep
7 the uh - I know he's applying for a Sidewalk Café.
8 Does he intend to keep the street dining area? Which
9 is a large structure.

10 TRANSLATOR: Sure, thank you. [00:13:24]-
11 [00:13:35].

12 KECHUN WANG: SPEAKING IN MANDARIN [00:13:36]-
13 [00:13:41].

14 TRANSLATOR: Yes, I have applied both outdoor
15 spaces. I would hope to keep both.

16 COUNCIL MEMBER HOLDEN: And how many extra tables
17 would this give you then? The outdoor space in the
18 street, constituents are saying it's not being used.
19 It hasn't been used during the past few months, so
20 why should we approve an application for additional
21 dining, not only in the street but the Sidewalk Café?

22 TRANSLATOR: SPEAKING IN MANDARIN [00:14:12]-
23 [00:14:24].

24 KECHUN WANG: SPEAKING IN MANDARIN [00:14:24]-
25 [00:15:12].

2 TRANSLATOR: SPEAKING IN MANDARIN: In terms of
3 the vacancy, actually due to the winter weather just
4 passed, so additionally we are doing some renovation
5 for the outside space and the tables. So, since I
6 have heard of the news from the city, we might be
7 allowed to extension for four months functioning, so
8 I'm continuing my plans after the renovation. I'm
9 going to resume the usage of the outdoors for the
10 business purpose. Furthermore, I have received lots
11 of positive feedback for agree with for like the
12 support for the outdoor space, usage from my
13 neighbor, my clients and people passing my
14 restaurant.

15 COUNCIL MEMBER HOLDEN: Uhm, do you understand
16 the problems with the parking in the area, right? Do
17 you see that parking is - there are very few spots in
18 that area. It's near the Greater Ridgewood Youth
19 Council. It's a very busy area, not only schools and
20 parks but your taking up space in the street, now you
21 want to take up space on the sidewalk. So, my
22 question is that you received a summons from the
23 Department of Buildings. You added on to the
24 building illegally, building a shed for the sidewalk
25 café without checking with the Building Department or

1 without even going through the proper procedure. You
2 got a violation, what do you intend to do with that
3 structure since it is illegal, that's attached to the
4 building?
5

6 TRANSLATOR: Thank you. SPEAKING IN MANDARIN
7 [00:17:01]-[00:17:46].

8 KECHUN WANG: SPEAKING IN MANDARIN [00:17:46]-
9 [00:18:56].

10 TRANSLATOR: In the beginning after getting
11 approved from the city's guidelines, I had built out
12 the street café and the constructions. Everything
13 has been done according to the approval and the
14 guidelines from the city but not out of my own wills.
15 So, I just do follow whatever the instructions given
16 to me regarding the structure of the building.

17 In terms of uh, you mentioned this is a very busy
18 area, I would like to point out the busy area is by
19 the 1st Avenue but not specifically my street. The
20 street I am on is the less busy area. So, no matter
21 what, if we get approval from the city, I may be
22 allowed to extend the functioning use for another
23 four years, which might have some like conflict with
24 taking up the parking lot, which is like a conflict,
25 I'd admit.

1
2 COUNCIL MEMBER HOLDEN: Right but you're taking
3 up valuable parking and the structure that you have
4 in the street, I'm being told is not used. In 2022,
5 this is September of 2022, I'll show the Committee
6 also, there is an inflatable structure taking up
7 where parking could be or where dining could be. You
8 elected not to use it for dining. You just, you have
9 this inflatable. What's the purpose of this? You
10 don't need it for dining apparently. It doesn't look
11 like it's being used, so what was the purpose of
12 this?

13 TRANSLATOR: SPEAKING IN MANDARIN [00:20:56]-
14 [00:21:16].

15 KECHUN WANG: SPEAKING IN MANDARIN [00:21:20]-
16 [00:22:14].

17 TRANSLATOR: These inflatable outside, it's
18 actually a décor for soliciting the business. In the
19 beginning when we was approved to set up the outdoor
20 side café business, later on with the business went
21 up well, I actually took it down. So, uhm, this
22 doesn't have any like uh endangered area.

23 COUNCIL MEMBER HOLDEN: Again, it's illegal so
24 adding to your building without a permit with the
25 Building Department is illegal also but you say you

1 need dining space, you need tables and yet you don't
2 use it in the street. So, that's why this
3 application is suspect and I would recommend that it
4 be turned down. Sidewalk Café, it's either the
5 Sidewalk Café or, not and, or at least in my view, or
6 the street dining for the neighborhood and the
7 neighborhood doesn't want both. And that's what my
8 constituents are telling me. It's unnecessary and
9 also, there's - if you're going to abuse the system
10 then again, why should we honor the application? And
11 it shows in the past you have he has abused; the
12 applicant has abused the system. Thank you Chair.
13 Thank you Chair.

14 CHAIRPERSON RILEY: Thank you Council Member
15 Holden. Council Member Schulman.

16 COUNCIL MEMBER SCHULMAN: Good morning.

17 TRANSLATOR: SPEAKING IN MANDARIN [00:23:51]-
18 [00:24:35]. Yeah, Chair I have finished translation.

19 CHAIRPERSON RILEY: Thank you. Council Member
20 Schulman.

21 COUNCIL MEMBER SCHULMAN: Yes, so I know that - I
22 believe that he said that he followed the city
23 guidelines but there are new guidelines now that go
24 into effect as of August 3rd. And so, under the new
25

1 guidelines, the Street Café has to be built a certain
2 way. There are guidelines on how and it can't be in
3 the street from November to April. So, it has to be
4 taken out of the street and then it doesn't get put
5 back until April. I just want to make sure that
6 that's understood.

8 TRANSLATOR: Okay. SPEAKING IN MANDARIN
9 [00:25:16]- [00:25:53].

10 KECHUN WANG: SPEAKING IN MANDARIN [00:25:53]-
11 [00:26:12].

12 TRANSLATOR: Okay, okay, yes understood what you
13 have told me but I want to let you know I have
14 submitted my new application to the city along with
15 the blueprint and SPEAKING IN MANDARIN [00:26:28]-
16 [00:26:31].

17 KECHUN WANG: SPEAKING IN MANDARIN [00:26:31]-
18 [00:26:37].

19 TRANSLATOR: Yes, understood okay, currently
20 regarding the new application along with the
21 blueprint, we are in the midst of communication,
22 communicating with the City Department try to get the
23 final result.

24 COUNCIL MEMBER SCHULMAN: Okay, just so you're
25 aware, every street entity has to - it's all going to

1 be the same. They're all going to have the same
2 design and they all have to comply with that design.
3 If they don't the city will take it out. The city
4 will remove it.
5

6 TRANSLATOR: Okay.

7 COUNCIL MEMBER SCHULMAN: So, so, just make sure
8 that that's understood. You can send in all the
9 blueprints you want; the city has its own blueprint.

10 TRANSLATOR: SPEAKING IN MANDARIN [00:27:18]-
11 [00:27:40].

12 KECHUN WANG: SPEAKING IN MANDARIN [00:27:40]-
13 [00:27:44].

14 TRANSLATOR: Yes, I understand. So, I will
15 comply with all the regulations and the guidelines.

16 KECHUN WANG: SPEAKING IN MANDARIN [00:27:52]-
17 [00:27:59].

18 TRANSLATOR: Okay, actually I have been approved
19 by the city regarding the sidewalk.

20 COUNCIL MEMBER SCHULMAN: That's a previous one.
21 They're not approving anything. August 3rd, people
22 have to submit. So, whatever was done previously is
23 no longer in effect.

24 TRANSLATOR: SPEAKING IN MANDARIN [00:28:13]-
25 [00:28:20].

1 KECHUN WANG: SPEAKING IN MANDARIN [00:28:18]-
2
3 [00:28:26]

4 TRANSLATOR: Surely, I will for following all the
5 new guidelines.

6 COUNCIL MEMBER SCHULMAN: Do you own any other
7 restaurants?

8 TRANSLATOR: SPEAKING IN MANDARIN [00:28:35]-
9 [00:28:38].

10 KECHUN WANG: SPEAKING IN MANDARIN [00:28:38]-
11 [00:28:41].

12 TRANSLATOR: I only have this one.

13 COUNCIL MEMBER SCHULMAN: Alright, thank you very
14 much.

15 TRANSLATOR: SPEAKING IN MANDARIN [00:28:43]-
16 [00:28:45].

17 CHAIRPERSON RILEY: Thank you Council Member
18 Schulman. Are there any more questions from Council
19 Members? Alright, there being no questions, this
20 applicant panel is now excused.

21 TRANSLATOR: Thank you.

22 CHAIRPERSON RILEY: I just want to remind
23 everyone that this was the application for the
24 Sidewalk Café. This applicant panel has a separate
25 application within DOT for a Street Café.

2 Counsel, are there any members of the public who
3 wish to testify regarding the special permit
4 applications relating to the Wings and Seafood
5 Sidewalk Café application remotely or in person?

6 COMMITTEE COUNSEL: No Chair.

7 CHAIRPERSON RILEY: Alright, there being no
8 members of the public who wish to testify on LU 124
9 regarding the Wings and Seafood Sidewalk Application,
10 the public hearing is now closed and the item is laid
11 over. I will now open the second public hearing on
12 LU's 109 through 113 related to the Bronx Metro
13 North, rezone - excuse me, Bronx Metro North
14 neighborhood rezoning that is being spearheaded by
15 the Administration. This proposal consists of a
16 rezoning a text amendment and several amendments to
17 the city map. On July 9th we held a public hearing
18 regarding the text amendment and rezoning.

19 Today, we are holding a public hearing regarding
20 the proposed changes to the city map to facilitate
21 the proposed redevelopment of Morris Park and Park
22 Chester Van Nest areas. There are five mapping
23 actions LU 109 will eliminate part of Union Port Road
24 between East Tremont and Guerlain Street. LU 110
25 would widen Macaroni Street in Morris Park

1 neighborhood. LU's 111 will map a new Pedestrian
2 Plaza at 1320 Morris Park Avenue in front of the new
3 station entrance at Morris Park. LU's 112 will
4 extend Macaroni Street to connect to Pellham Parkway.
5 LU's 113 will map a new street within one of the
6 large development sites located at 1601 Bronxville
7 Avenue. For anyone wishing to testify on these items
8 remotely, if you have not already done so, you must
9 register online and you may do that now by visiting
10 the Council's website at council.nyc.gov/landuse.
11 And once again, for anyone with us in person, please
12 see one of the Sergeant's to prepare and submit a
13 speakers card. If you prefer to submit written
14 testimony, you can always do so by emailing it to us
15 at landusetestimony@council.nyc.gov.
16

17 Council, are there any members of the public who
18 wish to testify regarding the special permit
19 application related to the Bronx Metro North Mapping
20 application?

21 COMMITTEE COUNSEL: No Chair.

22 CHAIRPERSON RILEY: Alright. There being no
23 members of the public who wish to testify on LU's 109
24 through 113 regarding the Bronx Metro North Mapping
25

1 Action, the public hearing is now closed and the item
2 is laid over.
3

4 I will now open today's third public hearing on
5 LU's 114 to 116 relating to the 500 Kent Avenue
6 Rezoning Proposal in Council Member Restler's
7 District by the Brooklyn Navy Yard. The proposal
8 consists of multiple actions to develop a commercial
9 development that would include waterfront esplanade
10 that will be publicly accessible. For anyone wishing
11 to testify on these items remotely, if you have not
12 already done so, you must register online and you may
13 do that now by visiting the Council's website at
14 council.nyc.gov/landuse. And once again, for anyone
15 with us in person, please see one of the Sergeants to
16 prepare and submit a speakers card.

17 You can also email it to us at
18 landusetestimony@council.nyc.gov. Council Member
19 Restler, do you have any remarks regarding this
20 project?

21 COUNCIL MEMBER RESTLER: Thank you so much Chair
22 Riley. It's a pleasure to be here with you. I
23 really want to thank the development team. I am very
24 pleased that they have partnered with a distinguished
25 local nonprofit organization to pursue this project.

1 The incorporation of community space within the
2 proposed development is a critical aspect of this
3 project and its ultimate success. As this means, the
4 proposed development will be a true asset to our
5 community and I am really pleased that the developer,
6 in partnership with the local nonprofit organization
7 has committed to not pursue a last mile facility. I
8 think that all together this is a win, win, win for
9 our community and I'm really appreciative that the
10 development team has been responsive to concerns from
11 myself and my neighbors and I just want to take a
12 moment to especially thank William Vedal from Council
13 Land Use who was exceptionally helpful throughout
14 this process and provided a truly expert guidance
15 that I am deeply grateful for. And I don't know that
16 we would have figured out a way to get DS if he
17 wasn't so smart. So, thank very much William. The
18 Development team appreciates it and I just want to
19 thank my staff Molly Hayley, especially Marianne
20 Alexander was my previous unit staff who worked a lot
21 on this project. I think the first time the
22 development team approached me about it, I was not
23 yet sworn in as a Council Member and so, we've been
24

1 going at it for a while and I'm pleased that we were
2 able to get here today.

3 I would like to just ask for an expedited and
4 kind of brief presentation if that's possible from
5 the development team. Thank you.

6 CHAIRPERSON RILEY: Thank you Council Member
7 Restler. I will now call the applicant panel for
8 this item, which consists of Ray Levin, Nebil
9 [INAUDIBLE 00:34:37], Nebil Gokcebay and Jeff Reuben.
10 Oh, Rick Parisi's here? And Rick Parisi.

11 Counsel, can you please administer the
12 affirmation?

13 COMMITTEE COUNSEL: Please raise your right hand
14 and state your name for the record. Thank you. Do
15 you swear to tell the truth and nothing but the truth
16 in your testimony today and in response to Council
17 Member questions.

18 PANEL: Yes.

19 COMMITTEE COUNSEL: Thank you.

20 CHAIRPERSON RILEY: Thank you fella's. For the
21 viewing public, if you need an accessible version of
22 this presentation, please send an email request to
23 landusetestimony@council.nyc.gov. And now the
24 applicant team may begin. I'll just ask that you
25

1
2 please reinstate your name and organization for the
3 record.

4 RAYMOND LEVIN: Good morning, I guess it's still
5 morning. Uhm, I'm Raymond Levin. I'm Special
6 Counsel at Herrick Feinstein. With me as we said was
7 Nebil from Marvel Designs, the Architects Rick Parisi
8 from MFPPF, the Landscape Architects and Jeff Reuben
9 from PHA the Environmental Consultants. We have uh
10 oh, okay. Oh okay, oh I'm sorry, next, next and next
11 after that.

12 We're going to go fast. The Council Member asked
13 for fast. The co-applicants are seeking zoning
14 actions including a map change from M31 to M15 at 500
15 Kent in South Williamsburg and you can see the
16 difference from the two maps in the red area. Next
17 please. The site is located on Roll about Channel
18 with frontage on Division and Kent Avenues and abuts
19 the Brooklyn Navy Yard to the south. The site, north
20 of the site is a new residential development
21 consisting of three towers, closest being 23 stories.
22 Across Kent Avenue to the east is the Roberto
23 Clemente Ball Field and Park and to the south is the
24 Navy Yard. Both the site that we're talking about
25 today and the portion of the Navy Yard that's

1 immediately to the South of us, currently have open
2 uses so there's no buildings on them. Next please.

3 Uhm, the proposed development includes over
4 500,000 square feet of office space, 20,000 square
5 feet of retail. Over an acre of publicly accessible
6 open space. Over 200 below grade parking spaces and
7 100 plus bicycle parking spaces. Next please.

8 The project aims beyond hopefully making a
9 positive return on investment is to redevelop the
10 site in a matter that links the new residential
11 development to the north. The established south
12 Williamsburg neighborhood to the east and the Navy
13 Yard to the south. The proposed project will
14 contribute to the neighborhood and broader community
15 by improving a vacant lot currently used for school
16 bus parking. Creating a public walkway on the
17 waterfront that will ultimately connect with similar
18 public ways above north and south by creating
19 additional public access points from Kent Avenue to
20 the Wallabout Channel, providing space for both
21 offices and retail businesses, which can offer
22 services and employment opportunities for local
23 residents. And generate taxes for the city including
24 real estate sales and payroll taxes. Now, I'll turn
25

1
2 it over to our designed professionals to describe the
3 buildings to you.

4 NEBIL GOKCEBAY: Next slide. Nebil from Marvel
5 Architects. So, this is an illustration just showing
6 the Brooklyn Navy development and the location of the
7 500 Kent site just to the north of it. Just south of
8 the Williamsburg Waterfront. Next slide. Another
9 illustration of kind of development along the
10 waterfront with the domino development on the far
11 left, various other residential projects on the right
12 and then the far right is the Navy Yard and Dock 92.
13 Light blue is the future Navy Yard development and
14 then the pink site in the center is the location of
15 500 Kent, kind of acting as this juncture between
16 those kind of strings of development. Next slide.

17 Just a note about the design and the orientation
18 for how the massing developed. Multiple street gates
19 kind of come together along division actually and
20 part of the site plan review and analysis was about
21 introducing a third access through the site. So, the
22 site has multiple entries to access the future of
23 waterfront esplanade and introducing the diagonal
24 access in the image on the right is you know a homage
25 to the- one of the prior street grids that never made

1 it all the way through the waterfront in the project.
2 So, next slide. This is a site plan of the project
3 showing kind of the two volumes that make up the
4 building. Low volume to the north, a taller tower to
5 the south in the pink area also illustrating the
6 various access points of the site. To the south is a
7 visual corridor that's designed as an upland
8 connection. The required upland connection on the
9 north side along division and then the additional
10 access point kind of through the center of the site.
11 Since it is a very large frontage, it does kind of
12 provide multiple vantage points and access to the
13 waterfront. Next slide.

14 The massing in the building is illustrated in
15 this diagram, where you can see the low volume along
16 division which allows kind of the view corridor all
17 the way up from Bedford down division out to the
18 waterfront to kind of be maintained by having the low
19 volume there and then you also have the cut through
20 at the center of the site providing that additional
21 access point. And then the orientation of the volume
22 adds a little bit of interest, shifting off the
23 access and aligning to the street right there. Next
24 slide. Next few slides are actually just various
25

1 views of the project, so this is a view north on
2 division. This is a view on Kent at the southside of
3 the site looking at the visual corridor, looking up
4 Kent. Next slide.

6 This is a view, the center of the site at Kent
7 uhm illustrating kind of the proposed illustrative
8 lobby entrance area. Next slide. And then with
9 this, I think I can hand it over to Rick Parisi to
10 talk to the waterfront and landscape.

11 RICK PARISI: Thanks, thanks man. Rick Parisi,
12 I'm PFP Landscape Architects. This slide right here
13 shows what both Ray and Nebil mentioned before which
14 is the connectivity to Kent. In this particular
15 project, we have three connection points. Two PAA's,
16 one is a visual corridor and that's with the Navy
17 Yard section. One that goes through and under the
18 two buildings and then one on division. The
19 interesting thing about this project is a lot of this
20 open space is much more voluntary. There was a
21 concept to bring that open space, the shore public
22 walkway to the street and connect to the park. And I
23 think we, you know we have the opportunity in this
24 project to bring more open space to the public than
25 in most projects, so next slide please.

1 Just the overall site plan, what you see here are
2 those connections to Kent and you also start to see
3 the uh multiple levels that step up the building.
4 Another important point of how this project is
5 designed, we are transitioning from Kent at elevation
6 16 and 18 to the shore public walkway at elevation
7 9.5 with ADA connections throughout. So, all these
8 spaces have ADA access then they have step plaza's
9 above that. Next.

11 And this is a view from the water, arial view.
12 Next. This is a view from the shore public walkway,
13 looking towards the north. Next. And another view
14 from the lower level. We have not a full get down
15 but we have a transition point, ADA transition point
16 that creates a little informal amphitheater area that
17 goes down around elevation six. So, it gets the
18 public closer to the water. You know, which we
19 always try to do in all these public spaces. Next.

20 NEBIL GOKCEBAY: So, this slide is the same side
21 plan we saw before. This illustrates all the access
22 points mentioned before for pedestrians but also
23 illustrates the parking entrance to the north along
24 division as well as the required loading dock which
25 is located on Kent. So, that was kind of worked

1 through a lot with both City Planning and with DOT
2 for how to kind of navigate the bike lane on Kent and
3 the traffic through and around the neighborhood. So,
4 the parking originally had two entrances, one at Kent
5 and one in division. Parking entrance was relocated
6 to division and the loading dock you'll see on the
7 next slide. Next slide. Is designed as a head in,
8 head out configuration, so vehicles entering the site
9 for loading purposes are always in full line of site
10 for anything they're crossing. There's no one
11 backing in or out of the site uhm to make sure the
12 space is crossing it can be and uhm, that's next
13 slide.

14
15 RAYMOND LEVIN: Alright to sum up, this is what
16 we're here today asking for the Council to approve
17 for the subcommittee and it's the Zoning Map
18 Amendment, which I mentioned from M31 to M15. A
19 number of waivers for bulk given the configuration of
20 the architectural design that we've come up with.
21 There's also a special permit for the parking garage
22 and a certification of the waterfront public access
23 requirements are met. Those are the requests and
24 we're here for any questions anyone might have.
25 Thank you.

1 CHAIRPERSON RILEY: Thank you so much for your
2 presentation. I have a couple of questions, then
3 I'll see if Council Member Restler has any questions.
4 You're proposing a rezoning from an existing
5 manufacturing district to a higher density
6 manufacturing district to facilitate commercial
7 development. The Brooklyn Borough President
8 recommended this approval of this project because
9 this is a large site in an IBZ with waterfront access
10 adjacent to the Brooklyn Navy Yard which makes it a
11 prime site for maritime industrial use. Why do you
12 believe this site is more appropriate for a
13 commercial use?
14

15 RAYMOND LEVIN: Well we looked at the market and
16 we came up with this notion that the commercial
17 office use would be better. Some of the reasons for
18 that is in fact because we're located next to the
19 Navy Yard. The Navy Yard has significant industrial
20 space available and it's a mission driven
21 organization. Not for profit, not city land and can
22 offer rates for a rental that are more competitive in
23 the private sector. So, those were a couple of the
24 reasons. Another reason is that to use the property
25 for maritime related uses would probably prohibit the

1 fact of having that waterfront walkway connect from
2 the residential area to the north to the Navy Yard in
3 the south. Now the Navy Yard immediately south of
4 us, their master plan shows a public walkway and also
5 no maritime use at that location. Obviously the Navy
6 Yard itself, which was - used to build aircraft
7 carriers, has the infrastructure for water related
8 uses and that's another reason why in this general
9 area, that's the better place for them. And I guess
10 the last thing is that the Army Corp of Engineers are
11 looking at about channel found that the in order to
12 accommodate the kinds of maritime uses that were -
13 that the Navy Yard looked at would need dredging and
14 that would just make it unfinanceable. So, those are
15 a few of the reasons why we ended up with commercial.
16 We also think that commercial creates the context
17 between the residential to the north and the Navy
18 Yard to the south and the park across the street,
19 provides the linkage and uses that are compatible
20 both with the manufacturing uses to the south and the
21 residential uses to the north.

23 CHAIRPERSON RILEY: Did you consult the Brooklyn
24 Navy Yard on how the proposed development and public
25 open space relates to the Navy Yard?

1
2 RAYMOND LEVIN: Yes, I met with them quite awhile
3 ago and we've had conversations with them since.
4 Their open space along the canal meet up with ours
5 and in fact, if you recall from the drawing, the -
6 between our site and their site is now an open space
7 and public way to get to the waterfront, so yes. The
8 answer is yes.

9 CHAIRPERSON RILEY: Thank you. Council Member
10 Restler.

11 COUNCIL MEMBER RESTLER: Thanks so much Chair
12 Riley. I wonder what we would have gotten if we
13 didn't ask for an abbreviated presentation but
14 appreciate you all being here today.

15 RAYMOND LEVIN: I got this - you know I have
16 these other speeches.

17 COUNCIL MEMBER RESTLER: Okay, we'll save them
18 for next time Ray. I did - I was remiss in failing
19 to thank and recognize Lena and Brian from the Land
20 Use division for their great help on this project, so
21 thank you very much and I also really wanted to just
22 recognize Ashley Thompson from Capalino for her great
23 help on this as well. I can't remember your married
24 name, I'm sorry. I apologize.

1 So, just a couple very quick questions for me.

2
3 Uhm, can you state for the record that you have zero
4 intention of introducing last mile facility at this
5 site?

6 RAYMOND LEVIN: We have zero intention of
7 introducing last mile facility at this site.

8 COUNCIL MEMBER RESTLER: And can you speak
9 briefly to how this site addresses climate resiliency
10 concerns just considering its location on the
11 Williamsburg waterfront?

12 RAYMOND LEVIN: I will turn that over. In terms
13 of flooding, uhm the project has clearly been made -
14 let me start over. From Kent Avenue to the
15 waterfront there's a tremendous slop and we've - I'll
16 ask someone who knows what their talking about say
17 something.

18 NEBIL GOKCEBAY: As Rick stated in the landscape
19 portion, there's a substantial great change between
20 Kent and the site. So, you know first line of
21 mitigation is you know the changing grade, which has
22 buffers and things of that nature to mitigate kind of
23 coastal flooding but also any openings into the
24 building that could result in flooding are raised
25 above the flood elevation. The only one that is you

1 know potentially subject to it is the garage entrance
2 and that would be mitigated with conventional and
3 drive proofing measures and anything that got -
4 wouldn't get it but Kent is well above it, so there's
5 no approach on Kent. So, the only entry uhm that we
6 see is feasible if there were a flooding event can be
7 addressed with normal dry proofing measures.

9 COUNCIL MEMBER RESTLER: And can you just, we've
10 had challenges at 25 Kent even at Domino at the
11 refinery in the Navy Yard and filling commercial
12 office space in this area. Can you speak to your
13 confidence interval for how you'll be able to kind of
14 effectively activate this space and ensure kind of
15 this is a financially viable proposal in recognizing
16 that kind of post pandemic market place?

17 RAMOND LEVIN: Sure, the project was started
18 before the pandemic when the commercial office market
19 was a little different than it is today. Uhm, the
20 applicants are still confident in their ability to
21 succeed with an office building in South
22 Williamsburg. The office market along the east river
23 from Domino down to Dumbo has been strong. It has
24 been more resilient than Manhattan and other
25 locations in the city. There are a number of new

1 office buildings that notwithstanding concerns have
2 had the market have been built or are being built.
3 The refinery, 10 Grant Street and Domino 29, Jay
4 Street and Dumbo, 18 and 31 Spenser Street and 347
5 Flushing are all office buildings and show a
6 confidence in this part of the city which may not be
7 seen elsewhere. The other thing that gives us
8 confidence is the location next to the Navy Yard.
9 There are a lot of growing businesses in the Navy
10 Yard that are going to be looking to expand and in
11 the surrounding neighborhood. This area has a strong
12 local workforce in Williamsburg and Greenpoint. It
13 has lower rents than in parts of Manhattan. Uhm, and
14 there's a creative atmosphere along the Brooklyn
15 Waterfront that attracts creative businesses.

17 So those things we think are important and also
18 locational advantages of this particular site. We're
19 on the waterfront, which is a positive thing. We're
20 on a bike path which is one of the heaviest use in
21 the city and therefore the employees can come by bike
22 rather than having it go otherwise. It has open
23 space for the employees in the neighborhood, people.
24 There's going to be some retail and the new
25 residential community that's being built surrounding

1 them provides a workforce that may come to these
2 office spaces. So, for all of those reasons, our
3 client for whatever the general notion is about
4 office space are confident that this will make sense.
5 Plus, I think if you talk to people, this building is
6 not going to be built for a few years and a lot of
7 people believe the office market is going to come
8 back anyway.

9
10 COUNCIL MEMBER RESTLER: I certainly hope so. I
11 hope it's a great success. My final question is how
12 do you plan on recruiting building service workers
13 and ensuring they receive adequate compensation?

14 RAYMOND LEVIN: I think that we're going to be
15 working with the unions in order to do that, plus
16 we're working with the neighborhood organization to
17 help recruit people, so yes.

18 COUNCIL MEMBER RESTLER: Okay, any more to say on
19 that or is that all for today?

20 RAYMOND LEVIN: I'm afraid I'm not the labor
21 person involved in the labor.

22 COUNCIL MEMBER RESTLER: I really want to thank
23 the whole development team for working
24 collaboratively with us through this process. I know
25 this was not an easy project for all of us to figure

1 out but I think we landed in a good place and I'm
2 looking forward to supporting it, so thank you very
3 much.
4

5 RAYMOND LEVIN: Thank you.

6 CHAIRPERSON RILEY: Thank you Council Member
7 Restler. Are there any more questions for Council
8 Members? Okay, being that there are no more
9 questions, this applicant panel is now excused.
10 Counsel, are there any more - if there are any
11 members of the public who wish to testify on 500 Kent
12 Avenue rezoning proposal remotely or in person?

13 COMMITTEE COUNSEL: No Chair.

14 CHAIRPERSON RILEY: There being no other members
15 of the public who wish to testify on LU's 114 through
16 116 regarding the 500 Kent Avenue Rezoning Proposal,
17 the public hearing is now closed and the item is laid
18 over.

19 I will now open today's fourth public hearing on
20 LU's 120 and 121 relating to the 712 Myrtle Avenue
21 Rezoning Proposal, also in Council Member Restler's
22 district but in Bed Stuy. The Proposal consists of a
23 mixed use residential development with approximately
24 41 apartments. The rezoning would involved the
25 mapping of mandatory inclusionary housing and as a

1 result, part of the new housing would be affordable
2 apartments. For anyone wishing to testify on these
3 items, if you have not already done so, you must
4 register online on council.nyc.gov/landuse or if
5 you're with us in person, you can contact or connect
6 one of the Sergeant's to prepare a speakers card. If
7 you want to submit written testimony, you can email
8 it to landusetestimony@council.nyc.gov. Council
9 Member Restler, you have any remarks for this
10 project?
11

12 COUNCIL MEMBER RESTLER: Chair, could I ask for a
13 point of uh a privilege. Might I be able to ask a
14 couple questions before the presentation?

15 CHAIRPERSON RILEY: Yes, you may.

16 COUNCIL MEMBER RESTLER: Terrific, so, not yet?

17 CHAIRPERSON RILEY: I just have to swear them in.

18 COUNCIL MEMBER RESTLER: Thank you very much.

19 CHAIRPERSON RILEY: Okay. I will now call on the
20 applicant panel which consists of Richard Lobel and
21 Kevin Williams. Counsel, could you please administer
22 the affirmation?

23 COMMITTEE COUNSEL: Please raise your right hand
24 and state your name for the record.

25 RICHARD LOBEL: Richard Lobel.

1 KEVIN WILLIAMS: Kevin Williams.

2 COMMITTEE COUNSEL: Do you swear to tell the
3 truth and nothing but the truth in your testimony
4 today in response to Council Member questions?

5 PANEL: I do.

6 CHAIRPERSON RILEY: Thank you. For the viewing
7 public, if you need an accessible version of this
8 presentation, please email

9 landusetestimony@council.nyc.gov. And now, the
10 applicant team may begin. I'll just ask before you
11 answer Council Member Restler's questions, you just
12 please reinstate your name and organization for the
13 record. After you answer those questions, you may
14 give your brief presentation. Thank you.

15 RICHARD LOBEL: Richard Lobel of Sheldon Lobel
16 PC.

17 KEVIN WILLIAMS: Kevin Williams of GZA.

18 COUNCIL MEMBER RESTLER: Great, Richard, Kevin,
19 good to see you again. You know we should just do a
20 rezoning of all of Myrtle, so we don't have to do
21 these one by one but look, it would mean that Kevin
22 would have more - our Chair would have more time on
23 his hands, which would be good for the world.
24

1 So, this is a great project. It brings more
2 housing and to an area where we desperately need it.
3 I think it's a smart mixed use approach for Myrtle
4 Avenue and I'm happy to block by block, lot by lot
5 continue to rezone this area to allow for more growth
6 and development. You know one of the things that
7 makes me saddest as a Council Member is that I hear
8 from families, especially in Williamsburg every
9 single week that they have children who are getting
10 married and forced to leave the neighborhood because
11 they have no place to live. This project by Rabbi
12 Lichtenstein and Mrs. Lichtenstein will be a great
13 asset for our community. I have just two quick,
14 three quick questions. One is, we'll be pursuing
15 option 1 for this project, just wanted to make sure
16 you're aware.

18 RICHARD LOBEL: Thank you for making us an aware
19 of that. We understand the Community Boards
20 Preference and the Council Members.

21 COUNCIL MEMBER RESTLER: You've worked with my
22 before. Some things don't change. Secondly, we
23 spoke with Rabbi Lichtenstein and Mrs. Lichtenstein
24 about the feasibility of a windowless room, either at
25 the basement level or ground floor level being made

2 available for a local nonprofit organization in the
3 community potentially as I said, which does amazing
4 work in Williamsburg. I just want to make sure that
5 that's something that the applicant is supportive of
6 and on the record. Yes, that's correct.

7 COUNCIL MEMBER RESTLER: Terrific and then there
8 are tenants who currently live on these lots, as
9 needed they will be provided an opportunity to return
10 to the housing that's built here if they do not have
11 alternative housing.

12 RICHARD LOBEL: That is correct.

13 COUNCIL MEMBER RESTLER: And I said three but I'm
14 going to four because I'm on a roll. Could you just
15 speak to any green elements of this development? Is
16 it subject to the all-electric buildings law or do
17 you anticipate it will be subject to that depending I
18 guess on the timeline for construction and any other
19 elements for sustainability that you'll prioritize on
20 this project?

21 KEVIN WILLIAMS: Kevin Williams GZA. Council
22 Member, good to see you. Uhm yeah, so it will be all
23 electric. Uhm, I think that they will make it
24 required. In terms of uhm sustainability elements,
25 uhm of course we'll be restoring tree beds, swales

1 along the frontage sidewalk area which is wide in
2 this area. We'll have green roof system where are
3 combined green roof, solar system on the roof system.
4 You know in compliance with the latest requirements
5 of local law. Uhm, again, I think one of things that
6 we've constantly recommended to the architects and
7 developers from projects not only in Brooklyn but
8 throughout the city is that they apply for the very
9 generous grants for the heightened energy star
10 requirements from NYSERDA because there are tax
11 incentives associated with those and I you know I
12 believe that the both the architect and the
13 developer, property owner have grade to those.

14
15 COUNCIL MEMBER RESTLER: Well, I really want to
16 just thank Chair Riley for the point of privilege.
17 Thank you all for this good project and look forward
18 to the presentation.

19 KEVIN WILLIAMS: Thank you Council Member.

20 RICHARD LOBEL: Thank you Council Member Restler,
21 Chair Riley, Council Members. Good afternoon.
22 Richard Lobel of Sheldon and Lobel. We're here today
23 to discuss the 712 Myrtle Avenue Rezoning. The next
24 slide. The next slide is a summary of the rezoning
25 in terms of the requests. The first is that we'll be

1 rezoning lots 20 through 24 and a portion of lot 25
2 in Bed Stuy along Myrtle Avenue from existing M12 to
3 an R70 C24 District, which would facilitate the
4 development of a new nine story roughly 49,800 square
5 foot, 5.57 FAR mixed use building with roughly 41
6 dwelling units including 10 permanently affordable.
7 We are also, as is the case with all such rezonings,
8 applying for a text amendment to allow for mandatory
9 inclusionary housing here as well and we understand
10 from the Council Members statement that he intends to
11 restrict this to option 1.
12

13 The next slide is the numbers behind the proposed
14 development. Again, a nine story building, roughly
15 49,800 square feet. There will be a bayside of 95
16 feet after which the project building would set back
17 10 feet at the 8th story.

18 There will be 21 bike parking spaces within a
19 bike room in the cellar, 41 units and 10 affordable
20 at option 1. The next slide is the zoning map, which
21 demonstrates from an overall view the appropriate
22 rezoning in this area. You can see just generally
23 from this large view that R70 exists already for
24 blocks and blocks to the east of this property. This
25 was property and blocks that were rezoned in the 2012

1 North Bedford Stuyvesant rezoning. And so, the
2 context here was set at that time. As we look
3 through the next two slides, we'll see why it's
4 appropriate for this specific site. The next slide
5 is a tax map, which shows with specificity both the
6 area in red, the development site as well as the
7 nature of the zoning change, this entire frontage
8 between Spencer and Wallabout - sorry Woolworth would
9 be rezoned to R70 with a C24 overlay.
10

11 The next slide is the area map which I think
12 really well illustrates why this rezoning is so
13 important and so appropriate. One can see across the
14 street to our 70D districts both to the northeast and
15 to the east northeast. Those were rezoned in 2017
16 pursuant to the 723 to 733 Myrtle Avenue rezoning.

17 At that time, the Community Board realized that
18 they wanted to spur development on this frontage.
19 Myrtle Avenue here, a wide street at 75 feet with
20 excellent transportation options in the area. It was
21 one which was well suited for the R70 C24. More
22 recently in 2023, this Zoning Subcommittee approved
23 across the street, although not noted on the map, an
24 R70 C24 rezoning for 703 Myrtle Avenue, again
25 mirroring the same district and now we are merely

1 asking for that same district on the southern portion
2 of that same block frontage. Important to note, in
3 addition to Myrtle Avenue being a wide street, having
4 excellent transit access, we also note that the R7D
5 when paired with the C24 is one of the only districts
6 in the city which would mandate nonresidential ground
7 floor uses. This is something which was important
8 both to the developer as well as the Community Board
9 to allow for a lively thoroughfare along Myrtle
10 Avenue and for continuous commercial use.

12 The next slide is the Zoning Change Map again,
13 showing the new R70 C24 as proposed and the next
14 several slides show the plans and materials for the
15 building. All of these are illustrative. If you
16 want to forward to the last page in the presentation,
17 we come to the proposed unit count and the applicant
18 has worked with community stakeholders in order to
19 allow for units that are of larger size, as we're
20 particularly proud of that. With regards to this
21 application of 41 units in the building, more than
22 half of those are going to be two, three and four
23 bedroom units and more than one-third of those are
24 going to be three and four bedroom units.

1 So, we're going to get some wonderfully nice
2 large family size units here as well as importantly
3 because of mandatory inclusionary housing, the units
4 that are allocated to affordable units will be in the
5 same proportion in the building as the units
6 generally. Meaning that there will be affordable
7 families who - affordable units which were given to
8 families who will be in those two, three and four
9 bedroom units. We're happy to bring that
10 affordability to units of this size. And with that,
11 the applicant team is happy to answer any questions.
12

13 CHAIRPERSON RILEY: Uhm, that was a question I
14 actually had, so I'm not going to ask that. Uhm,
15 with that being said, Council Member Narcisse, do you
16 have any questions?

17 COUNCIL MEMBER NARCISSE: No.

18 CHAIRPERSON RILEY: Alright, this applicant team
19 is not excused.

20 RICHARD LOBEL: Thank you Chair.

21 CHAIRPERSON RILEY: Council, are there any
22 members of the public who wish to testify on this
23 application?
24
25

2 COMMITTEE COUNSEL: No Chair, there's no members
3 of the public who have signed up online or in person
4 to testify.

5 CHAIRPERSON RILEY: Okay. There being no other
6 members of the public who wish to testify on LU's 120
7 and 121 regarding the 720 Myrtle Avenue rezoning
8 proposal, the public hearing is now closed and the
9 item is laid over. I'm going to move things around a
10 little bit because I know Council Member Narcisse has
11 to go. So, I will now open up today's hearing on
12 LU's 117 and 118, relating to the 3033 Avenue V
13 Rezoning Proposal in Council Member Narcisse district
14 in Sheep's Bay Brooklyn. The proposal consists of
15 mixed use residential development project with
16 approximately 109 apartments. For anyone wishing to
17 testify on these items remotely, if you have not
18 already done so, you may do that now by registering
19 online at council.nyc.gov/landuse. And with anyone
20 with us in person, you may see one of the Sergeants
21 and prepare a speakers card. If you want to submit
22 written testimony, you can email it to
23 landusetestimony@council.nyc.gov. Council Member
24 Narcisse, do you have any remarks?

1
2 COUNCIL MEMBER NARCISSE: Thank you. I
3 appreciate it. I was going to ask the same favor.
4 Anyway, thank you Chair. Amazing work here for 33, I
5 mean 3033. One thing I have to report to you that
6 Community Board 15 except, I think we only had two
7 and for me, I've been going through the process in
8 the climate where we are right now looking for a home
9 for folks in New York City. I am very pleased with
10 this project and I want to say thank you to Donna and
11 Tim from Land Use, of course my Chief of Staff going
12 back and forth Sia Joseph, to make sure this project
13 is where it is today. My Deputy Chief of Staff Frank
14 Shea and Teresa of course with all the team from
15 Community Board 15. I want to say thank you to all
16 of them and I don't have much to say about this
17 project. That's why we're here. It's a great
18 project and I'm looking forward for that but one of
19 the things that I want to say is a few questions that
20 I have and I know I'm going to get the answer. It's
21 about, is there currently -

22 CHAIRPERSON RILEY: Council Member, let me just
23 swear them in before you ask questions, alright.

24 COUNCIL MEMBER NARCISSE: Oh, yeah, yeah, that's
25 true.

CHAIRPERSON RILEY: Okay, so hold on one second.

COUNCIL MEMBER NARCISSE: We didn't do that. We did it backwards, sorry.

CHAIRPERSON RILEY: No, no, that's alright. I will now just like to call the applicant panel Neil Weisbard.

NEIL WEISBARD: Weisbard.

CHAIRPERSON RILEY: Weisbard, thank you. Counsel, can you please administer the affirmation?

COMMITTEE COUNSEL: Yes Chair. Can you please raise your right hand and state your name for the record?

NEIL WEISBARD: Neil Weisbard.

COMMITTEE COUNSEL: Do you swear to tell the truth and nothing but the truth in your testimony today in response to Council Member questions?

NEIL WEISBARD: Yes, I do.

COMMITTEE COUNSEL: Thank you.

CHAIRPERSON RILEY: Thank you. For the viewing public, if you need an accessible version of this presentation please send the email request to landusetestimony@council.nyc.gov. I will just ask you now before you answer the Council Members questions, just reinstate your name and organization

1 for the record. Once she's finished with the
2 questions, you may proceed with the presentation.

3
4 NEIL WEISBARD: Neil Weisbard, Seyfarth Shaw on
5 behalf of Ford Coil Properties, owner of 3033 Avenue
6 V, Brooklyn.

7 CHAIRPERSON RILEY: You go ahead Council Member.

8 COUNCIL MEMBER NARCISSE: So, I want to say thank
9 you to you again. It has been a long process and
10 there are currently eight active. You know as a
11 former business person; I'm always caring about the
12 business because there being there for so long. We
13 currently have eight active retail tenants on the
14 site. How many retail spaces will be provided as
15 part of this proposal and what will be the square
16 footage for each? That's one.

17 Second, please share your commitment to providing
18 the opportunity for existing retail tenants to
19 reoccupy the site including plans for keeping
20 commercial rents the same adjusted for inflation of
21 course. And the third one, please state for the
22 record your commitment to engage the with Norstrom
23 houses, tenants to determine what kind of retail they
24 want to see as part of this project. Because they're
25 next to this development. Thank you.

1 NEIL WEISBARD: So, thanks for your question.

2 I'll start with Nordstrom Houses Tenants Association.
3 Your office has provided me with contact information
4 and I sent an email to try to meet with them. Just
5 have not arranged that yet and as you know, we've
6 submitted a letter to your office as well indicating
7 that. That we will meet with them. The commercial
8 spaces, we're not sure how many there will be but I
9 can, the commitment of ownership is to provide the
10 existing tenants with priority for those spaces. So,
11 if all eight tenants want to occupy the building,
12 there will be eight spaces for them and they will be
13 at current rents or as adjusted for inflation as you
14 stated. And as you know and just for Chair Riley,
15 the ownership has signed a commitment letter
16 evidencing that as well and provided that to your
17 office.
18

19 COUNCIL MEMBER NARCISSE: The other concern that
20 I have, it's for the Nordstrom Houses. Uhm, if we're
21 going to have - for them to have an opportunity as
22 well for the retail space?

23 NEIL WEISBARD: Yes.

24 COUNCIL MEMBER NARCISSE: Because they're right
25 across and we have eight active tenants, right? So,

1
2 how many at least minimum the space that your going
3 to have right now?

4 NEIL WEISBARD: So, the delineation of spaces
5 hasn't been defined yet.

6 COUNCIL MEMBER NARCISSE: For the commercial.

7 NEIL WEISBARD: There's 14,000 square feet of
8 commercial space and well they'll accommodate the
9 existing tenants if they want to return and if
10 Nordstrom Houses tells us, we have this great idea
11 for community space, then that will be taken into
12 account as well and one of the spaces would be
13 dedicated to them.

14 COUNCIL MEMBER NARCISSE: Thank you so much. I
15 appreciate your time and let's do it. Thanks.

16 NEIL WEISBARD: Okay, thanks for having me. Next
17 slide please. So, the similar landuse actions are,
18 this is an amendment to Zoning Map 29A, which
19 underlines Lot 36 on Tax Block 7367 from an R4
20 residents district to an R7D district within a C2-4
21 commercial district. This will also include the area
22 as part of a mandatory inclusionary housing area.

23 Next slide please. This site is located on the
24 north side of Avenue V. It comprises the entire
25 southern portion of the lot. It is a 20,000 square

1 foot lot. It has frontages on three streets, two of
2 them being wide. That is Coil and Avenue V. Next
3 slide please.

4
5 This site is currently improved with a one story
6 building that has 11 commercial establishments and as
7 Council Member Narcisse mentioned, eight of them are
8 currently occupied. Next slide. This is a proposal
9 of the rezoning map showing the area in red. That
10 will be if approved, rezoned to an R7D and C2-4
11 Commercial Overlay. Next slide please.

12 This is an areal photograph of the site. To the
13 east are numerous six and seven story Nordstrom House
14 Building, NYCHA buildings. Next slide please. The
15 proposal is a nine story building which will contain
16 97,000 square feet of residential floor area, 14,000
17 square feet of commercial, 109 apartments, 27 of
18 which will be affordable and the site will contain
19 109 attended parking spaces on two sub levels and
20 that is at the request of Community Board 15 who
21 wanted a parking space for each dwelling unit.

22 Next slide please. The nineth floor will be set
23 back and will be barely visible from the street and
24 it's also important to note that within 25 feet of
25 the residents on Ford Street, the height of the

1 building may not exceed 55 feet. Next slide. And
2 these are just some renderings of the proposed
3 building. Next slide and next slide please.

4
5 The area is well served by bus service with
6 service to nearby subway stations as well. There's a
7 stop just south of the site. Next slide please.

8 This area is in an area of minimal flood hazard and
9 there is a small portion, very small portion that's
10 located within the .2 percent flood plain. There are
11 no records of underground streams in the area and the
12 project architect, if there is any water issues
13 during construction as over 40 years of experience in
14 this area constructing flood proof buildings. Next
15 slide.

16 Flood proofing measures include dry flood
17 proofing areas below grade, utilizing anchoring the
18 foundations to the bios to prevent floatation,
19 utilizing flood damaged resilient materials and
20 utilizing flood mitigation measures such as steal
21 gate system, and next slide.

22 The building will also contain numerous
23 sustainable elements including active solar power, a
24 green roof, rainwater harvesting and environmentally
25 friendly materials. I have some floor plans but

1 that's the end of my presentation. I'm happy to
2 answer any questions you may have.
3

4 CHAIRPERSON RILEY: Thank you. The questions I
5 had actually were related to the concerns Community
6 Board 15 had. I know you stated that it was less
7 than .2 percentage of floods within the area but they
8 did have concerns that this was a flooding area. I'm
9 pretty sure residents live over there. They're
10 seeing certain things happening. So, I did see that
11 you had the resiliency plan. So, I would just say if
12 you can reiterate it to the Community Board what this
13 plan is, so they're fully aware and also related to
14 the NYCHA development that's located by a source of
15 members of the Community Board live in that
16 development as well.

17 The next question I did have and I heard you talk
18 to Council Member Narcisse about; you're waiting for
19 to organize a conversation with the NYCHA
20 development. Did you have any ideas of how that
21 relationship would be? What kind of partnerships
22 would you have them partner within the development?
23 Is there going to be community space there? Are they
24 going to have any input on the businesses that go
25 there? Like, what does this relationship look like?

1
2 NEIL WEISBARD: So, the existing tenants have
3 priority. So, that's upfront and we won't know till
4 we meet with them but we do want to hear what their
5 needs are and we made that commitment to Council
6 Member Narcisse. So, once we do have that meeting,
7 if I have it before the full Council vote, I'll
8 provide you with information but we look forward to
9 working with them.

10 CHAIRPERSON RILEY: Thank you and the last
11 question, the rendering showed a beautiful building.
12 The existing conditions I think there's like 11
13 businesses there I was counting.

14 NEIL WEISBARD: Yes.

15 CHAIRPERSON RILEY: Do you have enough space for
16 11 commercial business or not all 11 will come back?

17 NEIL WEISBARD: If there needs to be - well,
18 right now, there's only I think Council Member
19 Narcisse said eight. There might be ten tenants but
20 that might have gone down since I last spoke to her.
21 They'll be given priority if ten tenants want to go
22 in, we'll make space for ten tenants.

23 CHAIRPERSON RILEY: Okay, alright, thank you.
24 There being no more questions, you're excused. Thank
25 you for testifying here today.

1 NEIL WEISBARD: Thank you.

2 CHAIRPERSON RILEY: Counsel, are there any
3 members of the public who wish to testify on 3033
4 Avenue V Rezoning Proposal?
5

6 COMMITTEE COUNSEL: No Chair, neither online or
7 in person.

8 CHAIRPERSON RILEY: Okay, there being no members
9 of the public who wish to testify on LU's 117 and 118
10 regarding the 3033 Avenue V Rezoning Proposal, the
11 public hearing is now closed and the item is laid
12 over.

13 I will now open the next hearing on LU's 119
14 relating to the 197 Barry Street Rezoning Proposal in
15 Council Member Guti rrez District in the Williamsburg
16 neighborhood of Brooklyn. The proposal consists of
17 converting the subcellar portion of an existing
18 parking garage into a self-storage facility. For
19 anyone wishing to testify on these items remotely, if
20 you have not already done so, you must register
21 online and you may do that now by visiting the
22 Council's website at council.nyc.gov/landuse. And
23 anyone with us in person, please see one of the
24 Sergeants to prepare a speakers card. If you want to
25

1 submit written testimony, you may email it to
2 landusetestimony@council.nyc.gov.
3

4 I will now call on the applicant panel for this
5 item which consists of Adam Taubman and Abraham
6 Bennun.

7 COMMITTEE COUNSEL: Bennun.

8 CHAIRPERSON RILEY: Bennun, alright. Counsel,
9 can you please administer the affirmation?

10 COMMITTEE COUNSEL: Sure. Please raise your
11 hand. Thank you. Please state your name for the
12 record.

13 ADAM TAUBMAN: Adam Taubman.

14 COMMITTEE COUNSEL: Do you swear to tell the
15 truth and nothing but the truth in your testimony
16 today and in your response to Council Member
17 questions?

18 ADAM TAUBMAN: I do, yes I do.

19 COMMITTEE COUNSEL: Thank you.

20 CHAIRPERSON RILEY: Thank you. For the viewing
21 public, if you need an accessible version of this
22 presentation, please send an email request to
23 landusetestimony@council.nyc.gov. The applicant team
24 may begin just please reinstate your name and
25 organization for the record.

1 ADAM TAUBMAN: Thank you Chair and good
2 afternoon. I am Adam Taubman of Krammer Levin, land
3 use council to the applicant. I'm joined by Abraham
4 Bennun, principal of the applicant. We are here
5 today seeking a rezoning to reduce the accessory
6 requirement to applicable to an existing building
7 located at 197 Barry Street. Next slide please.
8

9 This is an areal view of the development site or
10 the project area. It occupies the southern portion
11 of the block bounded by Barry Street, North Third
12 Street, Bedford Avenue, and North Fourth Street.
13 Next slide please.

14 This is the area map from our application. The
15 development site is outlined in red. The site today
16 is located in a special mixed district and in an
17 underlying M12 and R6B district. The applicable
18 regulations allow a wide variety of uses, residential
19 community facility, commercial and manufacturing with
20 a maximum FAR of 2 and germane to this application,
21 the accessory parking requirement as of today is one
22 space for every two dwelling units in the case of
23 residential uses and one space for every 300 square
24 feet of floor area in the case of retail. Next
25 slide.

1 The property is also well situated among the
2
3 number of public transportation options, including
4 the L-Train which runs about three blocks to the
5 north, multiple bus lines and the New York City
6 Ferry. Next slide please.

7 This is a photo of the existing building. We're
8 looking at it from the corner of Barry Street and
9 North Third Street. It's a three to five story mixed
10 use building with three cellar levels and it was
11 constructed in 2010. The existing uses include 84
12 dwelling units, three retail establishments, a health
13 club located below grade and the accessory parking
14 garage, which is the subject of this application.

15 That garage is located on the subcellar level and
16 contains 142 required accessory parking spaces. 100
17 of those spaces are accessory to the commercial uses
18 in the building and the remaining 42 are accessory to
19 the residential uses in the building.

20 Another thing that you can see from this image is
21 that Barry Street is part of DOT's permanent Open
22 Streets Program. So, vehicles are restricted to
23 local access and deliveries which generally lowers
24 vehicular traffic on this street and some number of
25 months ago, DOT implemented two way bicycle traffic

1 along Barry Street and reversed the direction of
2 vehicular traffic along certain stretches of Barry
3 Street, which is expected to further reduce vehicular
4 traffic.
5

6 It's a little bit difficult to see from this
7 distance but along Barry Street is the entrance to
8 the parking garage they mentioned a moment ago tucked
9 behind that tree. If you can go to the next slide
10 please, we'll see some close up images of that
11 entrance.

12 The parking garages access from Barry Street as I
13 said and located primarily below grade on the second
14 subcellar level. It is an intended garage. Cars are
15 dropped off with an attendant in an approximately 80
16 by 26 foot entrance area shown here. The rear of the
17 entry area contains two car elevators that attendants
18 use to bring cars down to and up from the subcellar
19 parking level.

20 The garage contains a total of 28,000 gross
21 square feet. 2,000 of which comprise this entrance
22 area and the remaining 26,000 of which are located on
23 the below grade parking level. Next slide please.
24 These are images of the below grade parking area.
25 You can see the two car elevator doors in the upper

1 left image. Really the story that these images tell
2 us that the car garage is severely underutilized
3 today. When we started this process a couple years
4 ago on average, only approximately 80 of the 142
5 parking spaces were utilized at any given time. That
6 number has gone down as we've worked our way through
7 this application process and it's actually an
8 inflated number and that the garage charges rates
9 that are well below market rates in the surrounding
10 area. Those below market rates inflate utilization
11 of the parking garage and even with those lower
12 rates, and the higher utilization, the garage still
13 operates at a loss.

14 So, we've identified a few reasons for this.
15 First, the zoning relations that are in effect today
16 do not reflect the observation that the city has
17 recently made in other contexts, which is that
18 development sites in transit rich areas do not
19 require as much parking as other areas. But there
20 are also a few factors specific to this location.
21 Chief among those is that residents in the building
22 have told Avie in a number of occasions that they
23 don't like to use the garage because the operation of
24 those car elevators result in significant delays in
25

1 retrieving cars. And further, we believe that the
2 implementation of the Open Streets program will only
3 further reduce demand for the parking garage.
4

5 Next slide please. So, this shows the proposed
6 rezoning. The southern half of the block would be
7 rezoned from the existing M12 and R6B pair district
8 to an M14 R6B district. A very small portion of the
9 development site would remain outside the rezoned
10 area but under the split lot regulations of the
11 zoning resolution, the new zoning would apply to the
12 entire site.

13 Next slide please. The only effect of the
14 proposed rezoning would be to eliminate the accessory
15 parking requirement for the commercial uses in the
16 building. The use regulations, bulk regulations and
17 loading regulations would remain unchanged. By
18 reducing or rather eliminating the accessory parking
19 requirement for commercial uses, the total parking
20 requirement for this building would go from 142
21 spaces down to 42 spaces.

22 Next slide please. As part of the application,
23 our environmental and traffic engineering consultant
24 Phillip Fabian Associates conducted a study of
25 parking supply within the vicinity of the property.

1 They found the surplus of both off street parking
2 spaces and on street parking spaces and concluded
3 more generally that a surplus would remain with the
4 proposed parking reduction. To take you through that
5 study in some greater detail, these are maps showing
6 the off street and on street parking locations within
7 a quarter mile radius of the property. There are ten
8 existing parking garages within that quarter mile
9 radius containing a total of about 1,500 parking
10 spaces and the curbside or on street parking accounts
11 for an additional 1,500 parking spaces.
12

13 Next slide please. So, between these two sources
14 of parking, we found that utilization rates generally
15 range from 75 percent to 96 percent over the week
16 day, mid-day and overnight periods, and that equates
17 to an average of about 450 available parking spaces
18 within the quarter mile radius outside of this site.

19 Next slide please. So, those numbers by
20 themselves in the case that there is an adequate
21 surplus of parking but the most rigorous way to do
22 this analysis is to account for projected increases
23 in demand resulting from population growth and
24 surrounding development in the area. And even when
25 taking into account those factors and the proposed

1 reduction of parking, again we found that there would
2 be adequate surplus in the surrounding area.

3
4 Next slide please. So, the rezoning would allow
5 an approximately 18,000 square foot portion of the
6 below grade parking area to be converted to a self-
7 storage facility. The self-storage facility would be
8 designated or rather designed and operated for short
9 term use by local residents and small businesses with
10 small closet like units. This is an illustrative
11 floor plan that shows the general sizes of those
12 units. They're intended to all be less than 50
13 square feet. They are all almost about 4 feet wide,
14 again, keeping inline with that vision of closet like
15 storage space for local residents and small
16 businesses. From what we've heard from residents and
17 businesses in the building and in the area, there is
18 a very real need for a facility of this type.

19 Next slide please. This is another illustrative
20 floor plan of the at grade entrance area, which would
21 be repurposed to serve both the existing parking
22 garage to remain reduced in size. That's shown in
23 yellow and that would be operated with one car
24 elevator. The area shown in purple would be used for
25 the proposed storage facility with a dedicated

1 elevator that instead of being used for vehicles
2 would be used for customer access.

3
4 Next slide please. So, we are pleased to report
5 that this application has the supportive residents in
6 the building, including the Condo Board, the Health
7 Club in the building and of course the Community
8 Board, the Borough President and the City Planning
9 Commission and with that, we'd be happy to answer any
10 questions you might have.

11 CHAIRPERSON RILEY: Thank you. I believe you
12 answered them with your presentation but I just want
13 to ask for the record, what is the current parking
14 utilization rate and how would this change impact
15 existing to residents?

16 ADAM TAUBMAN: Are you asking about the
17 utilization rate in this garage?

18 CHAIRPERSON RILEY: Yes.

19 ADAM TAUBMAN: So, the conservative number we've
20 been using for this application is 80 spaces out of
21 142. Very quick math, that's around 60 percent.

22 CHAIRPERSON RILEY: Okay.

23 ADAM TAUBMAN: That number is actually lower
24 today and interestingly among residents who have the
25 most convenient access to the building, as of today,

1 there are only three or four parking spaces that are
2 rented on a monthly basis.

3
4 CHAIRPERSON RILEY: Okay and how much are the
5 parking spaces? Do you know?

6 ADAM TAUBMAN: I'm going to ask Avie to answer
7 that question.

8 ABRAHAM BENNUN: Right now, we averaging less
9 than \$200. Like \$195 but a lot of people are going
10 out and coming back, so they're shopping around and
11 then we try to lower the rate and bring some people
12 back but yeah, it's just kind of like a game in
13 between the other garages. We have to keep it lower,
14 even from the garage, like two blocks away. One of
15 the other things is daily that some other garages
16 supplement during the week. We don't give those
17 mainly because the street is closed and nobody is
18 getting out. Moving the gate, moving it back and
19 also if they do that, there is a whole foods garage
20 that is free during the day, so if you really want to
21 park, you just park there.

22 CHAIRPERSON RILEY: Okay, alright thank you.
23 There being no more questions, you guys are excused.
24 Thank you.

25 ADAM TAUBMAN: Thank you. Thank you so much.

1
2 CHAIRPERSON RILEY: Counsel, are there any member
3 of the public who wish to testify on 197 Barry
4 Street?

5 COMMITTEE COUNSEL: No Chair, there is no one
6 signed up online or in person to testify.

7 CHAIRPERSON RILEY: There being no members of the
8 public who wish to testify on LU's 119 regarding the
9 197 Barry Street Rezoning proposal, the public
10 hearing is now closed and the item is laid over.

11 I will now open today's hearing on LU's 122 and
12 123 relating to the Prince Point Application in
13 Minority Leader Borelli's district along the
14 southeast shore of Staten Island. This is a
15 residential development project that has long been in
16 the making. The application seeks a text amendment
17 extending the vesting provision for the project.
18 Applicants also seeks an amended layout for this
19 housing subdivision, which will require the mapping
20 of the new streets. For anyone wishing to testify on
21 these items remotely, if you have not already done
22 so, you must register online and you may do that now
23 by visiting the Council's website at
24 council.nyc.gov.gov/landuse.

1 And once again, for anyone with us in person,
2
3 please see one of the Sergeants to prepare and submit
4 a speakers card. If you would like to prepare and
5 submit a written testimony, you can always do so by
6 emailing it to landusetestimony@council.nyc.gov.

7 I will now call on the applicant team panel which
8 consists of Robert White, Robert Huberman, Philip
9 Rampulla, and Ellen Hay.

10 Counsel, can you please administer the
11 affirmation?

12 COMMITTEE COUNSEL: Can you please raise your
13 right hand and state your name for the record?

14 PANEL: INAUDIBLE [01:32:37]- [01:32:44].

15 COMMITTEE COUNSEL: Do you swear to tell the
16 truth and nothing but the truth in your testimony
17 today and in response to Council Member questions?

18 PANEL: INAUDIBLE [01:32:49].

19 COMMITTEE COUNSEL: Thank you.

20 CHAIRPERSON RILEY: Mr. Fraser I just need you to
21 fill out a speakers card if you're going to be
22 testifying. You guys did already?

23 COMMITTEE COUNSEL: We have four speaker cards
24 and five people, so somebody didn't.

1 CHAIRPERSON RILEY: Yeah. Thank you. No, it's
2 alright. Thank you. For the viewing public, if you
3 need an accessible version of this presentation,
4 please send an email request to
5 landusetestimony@council.nyc.gov. And now the
6 applicant team may begin. Thank you for being here
7 today. Just please reinstate your name and
8 organization for the record.
9

10 ELLEN HAY: I'm Ellen Hay Herrick Feinstein, I'll
11 give a few reports introducing our team and then Phil
12 Rampulla will make the presentation. Uhm I'd like to
13 introduce Rob Huberman from Herrick, Phil Rampulla
14 from Rampulla Associate Architects, Robert White from
15 AKRF, and Greg Fleischer from Capital Environmental
16 Consultants.

17 This approximately a 37 acre vacant site is
18 located in Prince's Point neighborhood between Wolves
19 Pond Park to the east north Lemon Creek Park to the
20 West South, Pretty Place to the north and
21 Maraten(SP?) Bay to the east, south and southwest.
22 The developer purchased this property in 2017 from
23 the former owner Moss Development. Over the past
24 three decades, the development site in addition to
25 multiple land use approvals and associated

1 restrictive declarations has also been the subject of
2 New York State DEC review, permits and restrictive
3 declarations.
4

5 The three primary land use goals for the past 35
6 years of efforts to develop this site have remained
7 the same. To provide residential use with public
8 access areas which remain consistent with
9 neighborhood character and the existing adjacent
10 parks. Support environmental goals in accordance
11 with New York City Waterfront Revitalization program
12 and the New York City State DEC standards. And in
13 conformance with the Borough Presidents 2020
14 standards for new residential developments provide
15 mapped streets and infrastructure consistent with
16 current New York City DOT and New York City DEP
17 standards.

18 The application seeks approval on three actions.
19 A city map amendment for four new 50 foot wide
20 streets within the site, authorization under Section
21 010764 to adjust the boundaries of the previously
22 approved zoning lot subdivision and the Chairperson
23 modification of the 5th amended restrictive deck.

24 At this point, I'd like to turn over to Phil and
25 we can have the slide.

1 PHILIP RAMPULLA: Good afternoon. Next slide
2 please. One of the things that's very interesting
3 about this project is normally these privately built
4 streets would go to the New York City Board of
5 Standards and Appeals for approval to build on an
6 unmapped street. In the last mayoral administration,
7 they got away from BSA approving GCL, General City
8 Law 36 streets and we were instructed to map these
9 private roads. Next slide please.
10

11 COMMITTEE COUNSEL: Phil, can you just wait one
12 second. I think we just experienced a Zoom problem.
13 Just hold on one minute.

14 PHILIP RAMPULLA: Okay.

15 CHAIRPERSON RILEY: I'm going to put the hearing
16 on pause because we're seeing technical difficulties.
17 Just give us one second. [01:37:08]- [01:37:35]

18 COMMITTEE COUNSEL: Do you have a physical copy
19 of the presentation by any chance?

20 ELLEN HAY: I don't.

21 PHILIP RAMPULLA: I do not.

22 COMMITTEE COUNSEL: So, let's just wait one more
23 minute. [01:37:42]- [01:38:19]. Phil, I know you're
24 very accustomed or familiar with this project, so are
25 you able to do this presentation without the slides

1 and then maybe you can send it to the Chair and to us
2 afterwards?
3

4 PHILIP RAMPULLA: Yes, not a problem. I can do
5 it.

6 COMMITTEE COUNSEL: Is that okay with you Chair?

7 CHAIRPERSON RILEY: Yes, that's fine with me if
8 that's okay with the applicant team.

9 PHILIP RAMPULLA: That's fine with us.

10 COMMITTEE COUNSEL: Okay, then you may continue.

11 PHILIP RAMPULLA: So, it's a great site plan.

12 Oh, there we go.

13 CHAIRPERSON RILEY: Alright.

14 PHILIP RAMPULLA: So, that's the existing
15 conditions and you can see that the site is
16 surrounded by water on two sides and it's actually
17 the lower Raritan Bay. This is a 94 unit single
18 family detached home development. Previously 14 of
19 those houses were built and you can see them up on
20 the slide because they face on a city map street.
21 So, the developer was able to buy the project in 2017
22 and those first 14 went up. Next slide please. I
23 should not even ask.

24 So, access, pedestrian access okay - so to our
25 left is Lemon Creek Park and to the right is Wolves

1 Pond Park and one of the goals was to create two
2 pedestrian paths that are on each side of the Title
3 Creek behind the houses that were built to have
4 pedestrian access link one side of the development to
5 the other. There is one access point for public
6 access by the newly mapped street on the right side
7 of the screen and that comes down and has a circular
8 shape to it and there are four cross streets that
9 connect the loop streets. The streets will be open
10 to the public on a 24 hour basis within the private
11 development itself, are two public access points for
12 scenic overviews because we're at a much higher
13 elevation than the water. The water is at elevation
14 zero and we're at about elevation 16. So, we're
15 about 16 feet above the water. In addition to that,
16 to the very, very right of the road that leads into
17 the project site is a public pedestrian access that
18 goes along the beach. So, they have access that goes
19 around the site to the bottom and then leads into
20 Lemon Creek Park.

22 So, besides the two pedestrian links to the
23 parks, there is also public access within the
24 development and there's public access at the
25 beachfront.

1 When we first started this and I can't - in 2006,
2 the roads were only required to be 30 feet wide.
3 Next slide please. And that had 104 dwelling units
4 when the roads were 30 feet wide. Come on- uh God
5 Bless you. The next slide would be in 2019 and
6 that's when the roads would be 34 feet wide and we
7 went down to 104 dwelling units. Then in 2020, the
8 fire department changed the regulations to have newly
9 created streets from 34 feet to 38 feet wide, and we
10 went down to 93 units and that was in 2020 and then
11 in 2023, the Fire Department changed the regulations
12 once again, they went to 34 foot wide streets, which
13 means a 50 foot mapping because you have 34 feet for
14 the pavement and then you have the planting strip on
15 both sides and the sidewalk that comes to be a 50
16 foot wide street. So, we're asking for 50 foot wide
17 streets to be mapped within the whole development.

18 The infrastructure within the streets will be
19 built to DOT Standards, it will not be private road
20 standards and the owner will deed this property to
21 the City of New York I believe for \$1.00. So there's
22 no acquisition costs at all. I'd be glad to
23 entertain any questions at this point.
24

1 CHAIRPERSON RILEY: Okay, I'm just going to
2 entertain you with three questions okay? Can you
3 describe how the public access areas will operate and
4 will they be open 24/7?

5 ELLEN HAY: Yes.

6 PHILIP RAMPULLA: Yes.

7 ELLEN HAY: Yes, the answer is yes and the access
8 is open from dawn to dusk.

9 CHAIRPERSON RILEY: Okay, how would they operate?
10 Can you give a little bit more detail?

11 ELLEN HAY: Well, it's a private development, so
12 anyone living in the community, in the residential
13 area will be able to utilize the public access areas
14 and with regard to those living in the community,
15 they can walk over and walk through and go to the
16 public access areas where they - oh I'm sorry, you
17 can't hear me, I'm sorry. They can access the same
18 as the private residents.

19 CHAIRPERSON RILEY: Thank you. This is a very
20 important question especially to the community and
21 the minority leader. Will the development team
22 commit not to place any gates at the entrance of the
23 public accessible spaces?

24 PHILIP RAMPULLA: Yes.
25

1 ELLEN HAY: Okay, I'm not quite sure what you
2 mean.
3

4 PHILIP RAMPULLA: Not to close it off so that
5 people -

6 ELLEN HAY: We will not construct a physical
7 barrier to close off?

8 CHAIRPERSON RILEY: Yes.

9 PHILIP RAMPULLA: Correct, we will not.

10 CHAIRPERSON RILEY: Alright, thank you. Alright
11 and there is an estimated timeline to complete this
12 project?

13 PHILIP RAMPULLA: I think build out is going to
14 take probably three to four years.

15 CHAIRPERSON RILEY: Three to four years?

16 PHILIP RAMPULLA: Yeah.

17 CHAIRPERSON RILEY: Okay, starting when?

18 PHILIP RAMPULLA: We can probably start late
19 winter, early spring of next year if this gets
20 passed.

21 CHAIRPERSON RILEY: Okay. Alright, alright, uh
22 there being no other questions for this applicant
23 team, you are now excused. Counsel, are there any
24 members of the public who wish to testify on Prince
25 Point Application?

2 COMMITTEE COUNSEL: No Chair, there is no members
3 of the public in person or online who wish to
4 testify.

5 CHAIRPERSON RILEY: Alright. There being no
6 members of the public who wish to testify on LU's 122
7 and 123 regarding the Prince Point application, the
8 public hearing is now closed and the item is laid
9 over.

10 That concludes today's business. I would like to
11 thank the members of the public, my colleagues,
12 Subcommittee Counsel, Land Use and other Council
13 Staff and the Sergeant at Arms for participating in
14 today's meeting. This meeting is hereby adjourned,
15 thank you. [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 July 31, 2024