

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

----- X

December 4, 2017
Start: 12:04 p.m.
Recess: 12:24 p.m.

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

B E F O R E: DEBORAH A. ROSE
Acting Chairperson

COUNCIL MEMBERS: Annabel Palma
Deborah L. Rose
Rosie Mendez
Stephen T. Levin
Inez D. Barron
Ben Kallos

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

Tami Rachelson, Director of Real Estate
NYC School Construction Authority

Gail Mandaro, Esq.
Senior Director & Attorney for Real Estate Services
NYC School Construction Authority

[sound check, pause] [gavel]

CHAIRPERSON ROSE: The Landmarks meeting is now called to order. Good morning. I'm Council Member Debbie Rose, and I will be chairing today's subcommittee on Landmarks, Public Siting and Maritime Uses as Chair Member Koo is absent to day. We are joined today by Council Members Levin, Barron, Mendez and Council Member Menchaca. Today, we will be hearing a preconsidered LU the proposed 404 seat primary school siting in Council Member Menchaca's district. The proposed school will be located at Block 836-41 Fifth Avenue in School District No. 15, Community Board 7 in Brooklyn. There is an existing two-story building with a community outreach facility and a paved lot used for automotive sales at the site. The School Construction Authority is requesting that the Council approve the site selection for a new school on this site under Section 1732 of the New-the New York School Construction Authority Act. Before we go on, Council Member Menchaca would like to make a statement.

COUNCIL MEMBER MENCHACA: Thank you, Acting Chair Rose and all the members of the committee. Before you is an application to approve a

1
2 site in my district. What I enjoy most about coming
3 to you is that this is not the first time that I've
4 come to you in the last calendar year and in this
5 session that's about to end the work that the School
6 Construction Authority has not only committed to, but
7 demonstrated on the ground with our community has
8 been—has been not only productive, but has energized
9 a group of parents that have been calling for more
10 seats to be built. This is part of six different
11 sites at different various stages, and this will be
12 one of those six schools in the school district or in
13 the Council District. What I want to say is that the
14 sites in my district like so many of you in your
15 districts it is rare—it is rare to find a site that
16 is able to be built on. This site like other sites
17 is not necessarily a—an easy fit. The conversations
18 that have happened in the community board and around
19 the site have been constructive. Good ideas have
20 been brought out including traffic litigation,
21 including the kind of environmental analysis that
22 will have to happen, and SCA is committed to making
23 those—those questions become not only understood, but
24 mitigated in this process. I am confident that we'll
25 continue to do that as again, we are in process for

1
2 five other sites at various degrees. I will say one
3 thing, the residents on 36th Street between Fifth
4 Avenue and Fourth Avenue are also committed ensuring
5 that the community become a better community. Some
6 of them have children. Some of them do not, and that
7 is a street that has notoriously been neglected by
8 the city and a school site will allow us to talk
9 about a holistic approach to understanding that
10 intersection on Fifth Avenue, where we have an MTA—an
11 MTA bus station depot that is in active use. This is
12 going to bring the best of the ingenuity of this
13 agency, our community and this Council. So, I ask
14 all of you to support this. I'm not just here today
15 in the Land Use Committee, but on the stated floor
16 very soon. Thank you.

17 CHAIRPERSON ROSE: Thank you, Council
18 Member Menchaca. Now, I will open this public
19 hearing, and our speakers are Tami Rachelson from New
20 York School Construction Authority, and Gail Mandaro,
21 New York City School Construction Authority, and
22 before you begin, please introduce yourselves.

23 TAMI RACHELSON: Good morning. My name
24 is Tami Rachelson. I'm with the New York City School
25 Construction Authority. I'm the Deputy Director of

1
2 Real Estate. We just want to give you a brief
3 overview for those who are not familiar with the
4 site. This is a 19,000—approximately 19,600 square
5 feet site located on the corner of Fifth Avenue and
6 36th Street in Sunset Park, and this is an overview
7 of the area of Sunset Park. This is the exact
8 location. You'll see in the background the
9 maintenance yard for the Greenwood Cemetery, and the
10 building on site is basically it's a community
11 outreach program, and a used car sales lot you can
12 see backing up onto the—the cemetery property. Those
13 are the two tax lots that comprise the 19,600 square
14 feet site, and that's a closer look of the used car
15 lot on site, and next door the maintenance yard for
16 the cemetery. That's the building directly across
17 the street on 36th Street and also you see the
18 neighborhood along 36th Street. It's primarily
19 residential over there, and that's sitting on. I'm
20 going to go straight into our testimony. Good
21 morning, Acting Chairperson Rose and Subcommittee
22 members. As I stated, my name is Tami Rachelson and
23 in the Real Estate Department for the School
24 Construction Authority. The New York City School
25 Construction Authority has undertaken the site

1 selection process for a new public school facility on
2 a site consisting of Lots 39 and 48 on Block 693 in
3 the Borough of Brooklyn in Sunset Park. The site
4 contains a total of approximately 19,600 square feet
5 of lot area located on the corner of Fifth Avenue and
6 36th Street on a block bounded by 34th Street to the
7 north, 36th Street to the south, Fifth Avenue to the
8 east, and Fourth Avenue to the west. The site is
9 privately owned and contains a 2-story building with
10 a community outreach facility and paved lot used for
11 automotive sales and is located within Brooklyn
12 Community District No. 7 and Community School
13 District No. 15. Under the proposed project, the SCA
14 would acquire the site and construct a new
15 approximately 404-seat primary school. The Notice of
16 Filing for the Site Plan was published in the New
17 York Post in the City Record on June 12, 2017.
18 Brooklyn Community Board 7 and the Community
19 Education Council No. 15 were also notified of the
20 site plan on June 12, 2017, and were asked to hold
21 public hearings on that—on the proposed site plan.
22 Brooklyn Community Board 12 and CC No. 15 conducted a
23 joint public hearing on the site plan on January 25,
24 2017. Comments were not received from the community
25

1 board, and from the Community Education Council. The
2 City Planning Commission submitted comments in
3 support of the site. The SCA has considered all
4 comments received on the proposed site plan and
5 affirms the site plan pursuant to Section 30-1731 of
6 the Public Authorities Law. In accordance with
7 Section 1732 of the Public Authorities Law, the SCA
8 submitted the proposed site plan to the Mayor and
9 City Council on November 29, 2017 by letter dated—
10 excuse me. Submitted the proposed site plan to the
11 Mayor and City Council on December 1, 2017 by letter
12 dated November 29, 2017. We look forward to your
13 subcommittee's favorable consideration of the
14 proposed site plan, and are prepared to answer
15 questions from the committee. Thank you very much.
16 [pause]

17
18 CHAIRPERSON ROSE: Thank you. Is anyone
19 else going to testify?

20 GAIL MANDARO: I'm Gail Mandaro with the
21 New York City School Construction Authority. I'm the
22 Senior Director and Attorney for Real Estate
23 Services, and I'm appearing today just in case you
24 have any questions that I may be able to answer for
25 you.

1
2 TAMAR SMITH: I'm Tamar Smith, Community
3 Relations Manager for the SCA also here to answer
4 questions.

5 CHAIRPERSON ROSE: Thank you. The—the
6 other mode of use on—on this site would it trigger
7 any type of special environmental impact study?

8 TAMI RACHELSON: We did a full
9 environmental impact study, and based on previous
10 uses, surrounding uses, there are some environmental
11 issues which we'll address prior and during
12 construction of the site.

13 CHAIRPERSON ROSE: Okay, and you said
14 one—one community board did not respond, right?

15 TAMI RACHELSON: The Community Board and
16 CEC held a joint hearing, but they did not submit any
17 written comments, and typically and I can't answer
18 for them, but typically that's a good thing. That
19 means they didn't have too many bad things to say,
20 and they didn't put it in writing.

21 CHAIRPERSON ROSE: Okay, thank you.
22 Carlos, do you have any questions?

23 COUNCIL MEMBER MENCHACA: I just have a—a
24 follow-up on the—it was a robust conversation with
25 the community, but are there two issues beyond the

1 environmental issues that kind of percolated in the
2 kind of collective conversations? What are those two
3 that you can mention today, and how the SCA will
4 respond using kind of past practices? Those are the
5 only things that kind of pops.

7 TAMI RACHELSON: Did you have a sense of
8 two particular--

9 COUNCIL MEMBER MENCHACA: [interposing]
10 Well, one the mitigation. This is--this is across--
11 across the corner from the--the MTA Depot, the Gleason
12 Depot specifically, and down 36th Street between
13 Fifth and Fourth Avenue it is a decline, and there's
14 a lot of speeding issues. And so those are the kind
15 of things that I--I remember from the conversations at
16 the community board joint hearing with the CC and
17 that--that's something that I think we're going to
18 have to want to talk about a lot in the process for--
19 for community members.

20 TAMI RACHELSON: Okay, as part of our
21 SEQR review, we were sensitive to traffic in the area
22 and given the fact that the Jackie Gleason Bus Depot
23 was nearby, we studied more intersections that SEQR
24 required and based on that, we are going to be
25

1
2 recommending and working with DOT on some
3 modifications to two intersections in the area.

4 COUNCIL MEMBER MENCHACA: Good, and think
5 that's—that's what we want to hear. That's what
6 people want to talk about, and that's something that
7 we can work with DOT in anticipation to just continue
8 to get the—the flavor of the issues that are—that
9 are—that are there, and as this becomes more and more
10 public in process, we—we want to make sure we—we get
11 everybody's issues. We understand everybody's issues
12 as find the final mitigation plan for—for that area.
13 We want to make sure kids are safe when they're
14 crossing towards a school, and on the way home. So,
15 thank you.

16 CHAIRPERSON ROSE: Council Member Barron.

17 COUNCIL MEMBER BARRON: Thank you, Madam
18 Chair. The site that you were proposing for the
19 school, who presenting are the owners of the land,
20 and the faculty there?

21 TAMI RACHELSON: Schlesinger Realty.

22 COUNCIL MEMBER BARRON: And you're
23 purchasing it from them?

24 TAMI RACHELSON: Yes, we--
25

1
2 COUNCIL MEMBER BARRON: [interposing] So,
3 they're willing to--

4 TAMI RACHELSON: --we've negotiated a
5 purchase price with them.

6 COUNCIL MEMBER BARRON: Okay, great.
7 Thank you.

8 TAMI RACHELSON: You're welcome.

9 CHAIRPERSON ROSE: Any other questions?

10 Since we lost our quorum, we're going to just take a
11 brief pause, and we'll resume shortly. [pause]

12 Okay, are there any other members from the public who
13 wish to testify? Hearing and seeing none, I will now

14 close the public part of this hearing. [gavel]

15 [pause] Thank you for your testimony. [pause] Oh,
16 is counsel there?

17 LEGAL COUNSEL: Yeah, they're all here.

18 CHAIRPERSON ROSE: Oh, okay. [background
19 comments] Okay, so, we will now call a vote to

20 approve this Preconsidered School Siting Application,
21 which has the support of Council Member Menchaca.

22 Counsel, please call the roll.

23 LEGAL COUNSEL: Chair Rose. [ringing
24 phone]

25 CHAIRPERSON ROSE: I vote aye.

1

2

LEGAL COUNSEL: Council Member Mendez.

3

COUNCIL MEMBER MENDEZ: I vote aye.

4

LEGAL COUNSEL: Council Member Levin.

5

COUNCIL MEMBER LEVIN: I vote aye.

6

LEGAL COUNSEL: Council Member Barron.

7

COUNCIL MEMBER BARRON: I vote aye.

8

LEGAL COUNSEL: By a vote of 4 in the

9

affirmative, 0 in the negative and 0 abstentions, the

10

land use item is approved and referred to the full

11

Land Use Committee. [background comments]

12

CHAIRPERSON ROSE: Thank you, Council

13

Members for voting, but I—I will leave the vote open,

14

and I'd like to thank the members of the public, my

15

colleagues, counsel and Land Use staff for attending

16

today's hearing, and we will leave it open for a vote

17

for another half hour. [background comments] Thank

18

you. Thank you for being here. [background

19

comments, pause]

20

COUNCIL MEMBER KALLOS: Call the roll.

21

LEGAL COUNSEL: Council Member Kallos.

22

COUNCIL MEMBER KALLOS: Aye on all.

23

LEGAL COUNSEL: Final vote is 5 in the

24

affirmative, 0 in the negative and 0 abstentions.

25

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING, AND
MARITIME USES

14

1

2

COUNCIL MEMBER KALLOS: I hereby adjourn

3

this meeting of Landmarks Committee. [gavel]

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 December 18, 2017