

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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October 11, 2017  
Start: 12:27 p.m.  
Recess: 4:35 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: DONOVAN J. RICHARDS  
Chairperson

COUNCIL MEMBERS:

VINCENT J. GENTILE  
DANIEL R. GARODNICK  
JUMAANE D. WILLIAM RAUDENBUSHS  
ANTONIO REYNOSO  
RITCHIE J. TORRES  
VINCENT J. GENTILE  
BARRY S. GRODENCHIK

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

Purnima Kapur  
Executive Director of the Department of City  
Planning

Erik Botsford  
Acting Director of the Manhattan Office of City  
Planning

Calvin Brown  
Team Leader and the Project Supervisor for the  
East Harlem Initiative

David Quart  
Deputy Commissioner at the New York City Housing  
Preservation and Development

Leila Bozorg  
Deputy Commissioner for the Neighborhood  
Strategies at New York City Housing Preservation  
And Development

David Pristin  
Executive Vice President for External Affairs at  
NYCHA

Gale Brewer  
Manhattan Borough President

Kimberly Libman  
Director for Prevention and Community Development  
At the New York Academy of Medicine

Juan Peralta  
Harlem Native, Justice Center in El Barrio

Marina Ortiz  
East Harlem Preservation

Xavier Aluser Santiago  
Resident of East Harlem, Member of Community  
Board 11 (Housing Committee, Chair and now Budget

Committee Chair

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

Michelle Kohut  
Resident of Inwood

Kathy Benson Haskins  
Representing Landmark East Harlem

Daria Fane  
Representing Fane Organization

Bryant Brown  
Union Member of 32BJ SEIU

Emily Parkey  
Resident of East Harlem, Director of Family and  
Community Engagement and Government Affairs at  
DREAM

Esther Devore  
CEO of the Harlem Drummers, Steppers and Flag  
Team

Alexander Adams  
Executive Director at CIVITAS

Paula Crespo  
Planner at the Pratt Center for Community  
Development

William Raudenbush  
Candidate for City Council in District Six,  
Community Advocate and Development Advocate

Linda Corselus  
Resident of Franklin Plaza

Maria Walles  
Member of Picture the Homeless

Yanina Calderon  
Representing the Justice Center in El Barrio a

People's Congress for Resistance  
A P P E A R A N C E S (CONTINUED)

Pearl Barkley  
Long-term Resident of Jefferson Houses in East  
Harlem

Jose Rodriguez  
Member of Picture the Homeless

Ecatadina Desperatco  
Resident of Queens and a Member of Queens  
Neighborhoods United

Evan Blum  
Business Property Owner on South side of 125<sup>th</sup>  
Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues

Ray Rogers  
Resident of East Harlem

David Eisenbach  
Runner for Public Advocate in the Democratic  
Primary

Pilar DeJesus  
Housing Paralegal with the Urban Justice Center,  
East Harlem Resident

Tom DeMott  
Coalition to Preserve Community

Jim Shelton  
Representing the Municipal Art Society of New  
York

Gianina Solano  
Movement for Justice in El Barrio

Jennifer Hyman  
Social Economic Justice Activist with the  
Organization Picture the Homeless

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

Daby Carreras  
Assembly District Leader in East Harlem

Robert Thibault  
Non-Profit Professional, Resident of Chelsea

Jordan Press  
From HPD's Government Affairs Office

Lymaris Albors  
Representing Acacia Network

Fred Harris  
Representing Jonathan Rose Companies

Debra Moelis  
Senior Associate, AIA, Certified Passive House  
Designer at Handel Architects

Gonzalo Cruz  
Landscape Architect at AECOM

Valin Ranelli  
Representing the Northern Manhattan Not For Sale  
Coalition

Lynn Elsworth  
Economist and Member of Human Scale New York City

Denise Rickles  
Opposes Rezoning

Ashley Hamos  
Representing Movement for Justice in El Barrio

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[gavel]

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CHAIRPERSON RICHARDS: Alright, good

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afternoon everyone and welcome to the second day of

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our back to back Zoning Subcommittee hearings and

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this afternoon we are joined by Council Members

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Gentile, Garodnick, and Grodenchik and also Chair

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Greenfield, I'm sorry and our Speaker Melissa Mark-

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Viverito. Today we have two items on the agenda, the

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Department of City Planning's proposed East Harlem

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rezoning which includes several land use actions

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which would affect a large section of El Barrio

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roughly between East 104<sup>th</sup> Street to East 124<sup>th</sup> Street

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from 2<sup>nd</sup> Avenue to Park Avenue and from East 124<sup>th</sup>

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Street to East 132<sup>nd</sup> Street from Park Avenue to just

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East of 5<sup>th</sup> Avenue. The second hearing on the agenda

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is on application submitted by the Department of

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Housing Preservation and Development to facilitate

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the redevelopment of city owned land roughly bounded

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by East 111<sup>th</sup> Street, Madison Avenue, East 112<sup>th</sup>

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Street and Park Avenue by Jonathan Rose Companies, L

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and M and Acacia. Most of the people signed up today

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are signed up on the first item so we will do that

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hearing first and when testimony on that item is

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closed we will do a hearing on the second item. If

1  
2 anyone wishes to testify on both items we will  
3 welcome comments on either application during the  
4 public testimony portion of the hearing. Having  
5 served as the Chair of this Subcommittee through many  
6 difficult projects I certainly understand how much  
7 fear and uncertainty there is in communities across  
8 the city about what their future holds. In my office  
9 and I know the Speakers office and Council Member  
10 Perkin's office hears every day from constituents in  
11 search of affordable housing. The reality here is  
12 that there's no one simple answer to address every  
13 challenge, we're going to need to use every tool and  
14 invent a few more to put a real dent in this  
15 affordable housing crisis. I know the Speaker in  
16 close collaboration with then Council Member Dickens  
17 and now Council Member Perkins, the Borough  
18 President, the Community Board, the Steering  
19 Committee and many others have worked tirelessly for  
20 months to build a consensus around a plan to figure  
21 out what should be done at the local level to address  
22 the citywide challenges. So, I think one of the big  
23 challenges, challenges in front of us is how we align  
24 the work of the East Harlem Neighborhood Plan with  
25 the proposal in front of us today. So, with that I

1  
2 would like to turn it over to Speaker Melissa Mark-  
3 Viverito who will set the stage for us and I want to  
4 thank her for her tireless leadership not only on  
5 this issue but for everything she's doing for the  
6 city of New York, Speaker Melissa Mark-Viverito.

7 COUNCIL MEMBER MARK-VIVERITO: Thank you  
8 Chair Richards and thank the representatives from the  
9 city agencies that are here. So, good afternoon we're  
10 here to review and solicit public comments on the  
11 administration's rezoning proposal for East Harlem,  
12 El Barrio, the district I have represented for almost  
13 12 years. I want to acknowledge my colleagues here  
14 today particularly Council Member Perkin's whose  
15 district is also part of the rezoning area as well...  
16 as well as former Council Member Inez Dickens who was  
17 a partner in this process before she left to the New  
18 York State Assembly. Before I continue I want to  
19 review how we've arrived at this moment as we also  
20 look ahead to the next few weeks when I will be  
21 voting on the final outcome. In spring of 2015 more  
22 than two years ago I convened a steering committee of  
23 neighborhood stakeholders made up of Community Board  
24 11, Manhattan Borough President as well as a lot... a  
25 large number of local community based organizations,



1  
2 so basically neighborhood stakeholders. We convened  
3 at the Steering Committee to broadly evaluate the  
4 needs of our community including its zoning and  
5 develop a comprehensive plan for its future which I  
6 committed to fighting for. Engaging over 1,500  
7 participants through a series of inclusive public  
8 workshops, subgroups and Steering Committee meetings  
9 we developed a series of thoughtful recommendations  
10 across a wide variety of topics and created the East  
11 Harlem Neighborhood Plan. I believe and can safely  
12 say something that has never happened in any other  
13 community across the city of New York. While we  
14 consulted with our city agency partners our plan was  
15 community based and its recommendations were voted on  
16 by the Steering Committee. This included specific  
17 requests to develop affordable housing at deeper  
18 levels of affordability on city owned properties,  
19 investments in local hiring, vocational education and  
20 training, public health and cultural preservation  
21 among many other recommendations. The Steering  
22 Committee also included a balanced rezoning proposal  
23 applying a very simple principle, advance a modest  
24 up-zoning to trigger the city's mandatory  
25 inclusionary housing program or MIH thus requiring

1  
2 the development of affordable housing on all  
3 privately owned sites moving forward something that  
4 is not happening as we speak most if not majority of  
5 the development we see in the neighborhood is private  
6 and does not have to include any affordability and as  
7 the current zoning stands there's nothing we can do  
8 about that, that's why we're having this  
9 conversation. So, MIH would require the development  
10 of affordable housing on all privately-owned sites  
11 moving forward while at the same time preserving the  
12 character of the community. While the Department of  
13 City Planning has responded to the community's  
14 proposal with similar zoning districts in several  
15 areas there are key exceptions. City Planning has  
16 proposed significantly more density which would allow  
17 for bigger and taller buildings on Park and 3<sup>rd</sup>  
18 Avenues. City Planning has also excluded large areas  
19 of the district from the rezoning proposal which the  
20 Steering Committee identified for a more modest up-  
21 zoning that could benefit from MIH. Since the release  
22 of City Planning's rezoning proposal public comments  
23 at previous hearings have expressed serious concern  
24 and fear about the scale of the proposed rezoning  
25 especially on Park and 3<sup>rd</sup> Avenues. We are here today

1  
2 to continue that public discussion about the rezoning  
3 of our community, it is important for the public to  
4 know that the council will consider their feedback  
5 closely as we determine what changes need to be made  
6 to the Department of City Planning's rezoning  
7 proposal and again as I've indicated and there may be  
8 people here who are opposed to the planning and the  
9 rezoning and are misrepresenting my position  
10 particularly, I am committed to the East Harlem  
11 Neighborhood Plan and the recommendations that came  
12 out of that so that's a very clear statement on my  
13 part. It's also important to emphasize that it is my  
14 intention to continue to advocate for specific  
15 commitments and investments in the priorities that  
16 the Steering Committee has identified because the  
17 future of our community will not only be shaped by  
18 zoning but how we invest in the lives of our existing  
19 community residents and again this was a very  
20 inclusive process, a very thorough process that took  
21 over a year of community feedback, engagement,  
22 conversations, public forums, dialogue again  
23 something that has never happened in any other  
24 neighborhood and I'm very proud of the result and  
25 that the stakeholders signed onto the recommendations

1  
2 that is what we're pushing here today. So, I look  
3 forward to hearing from the City Planning the  
4 presentation that you have and then we'll have some  
5 questions afterwards. Thank you.

6 CHAIRPERSON RICHARDS: Thank you Speaker.  
7 As always, we look forward to hearing from a  
8 diversity of perspectives and keeping the hearing  
9 open as long as is needed. We ask that everyone  
10 remain respectful of, of people's time to testify as  
11 per our normal rules please hold a pause... applause or  
12 disruption during others testimony. We will hear  
13 first from the administration then from panels of  
14 five speakers alternating panels in favor and in  
15 opposition and due to the number of speakers we have  
16 signed up we will be limiting testimony to two  
17 minutes per person. I will now open the public  
18 hearing and we'll start with the first panel and I  
19 also ask them to identify themselves before they  
20 speak. Calvin Brown, Department of City Planning;  
21 Erik Botsford, Department of City Planning; Purnima  
22 Kapur, Department of City Planning; David Quart  
23 representing HPD and Leila Bozorg representing... Leila  
24 Bozorg representing HPD as well and with that you may  
25 begin.

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PURNIMA KAPUR: Thank you, thank you  
Chair Richards, Madame Speaker, Chair Greenfield and  
members of the City Council. My name is Purnima  
Kapur, I am the Executive Director of the Department  
of City Planning. I am joined here by my colleagues  
both from City Planning and HPD and a team of senior  
representatives from many different agencies who will  
be available to answer questions. With me at the desk  
are Erik Botsford the acting Director of our  
Manhattan Office, Calvin Brown who's a team leader  
and the project supervisor for the East Harlem  
Initiative, David Quart, Deputy Commissioner for  
Strategy, Research and Communications at HPD and  
Leila Bozarg, Deputy Commissioner for Neighborhood  
Strategies at HPD. Also available for question and  
answers is a team consisting of Fiona Akins, Deputy  
Director of Planning from Parks; Jordan Dressler,  
Civil Justice Coordinator, HRA; Anne Brewer, Policy  
Advisor Mayor's Public Engagement Unit; Blaise  
Backer, Deputy Commissioner Neighborhood Development  
at SBS; Kevin Cummings, Assistant Commissioner of  
Workforce Development; Ashley Putnam from the Office  
of Workforce Development; and joining us will also be  
David Pristin from NYCHA. With that I will start. We

1  
2 are really, really pleased to be here today to  
3 present and discuss the administration's East Harlem  
4 Initiative. The initiative includes a package of land  
5 use actions that are complimented by an extensive  
6 effort that involves, involves a host of city  
7 agencies working together to serve the residents of  
8 East Harlem, improve quality of life and provide  
9 needed programs and services. Our work in East Harlem  
10 has been done in concert with an extraordinary  
11 community driven process led by Speaker Mark-Viverito  
12 that brought together community members and  
13 stakeholders to discuss local issues and develop  
14 proposals to address these challenges. This process  
15 and the city's continuing engagement with the  
16 Steering Committee has allowed us to benefit from the  
17 wealth of local knowledge provided by the Steering  
18 Committee members. The committee's report, the East  
19 Harlem Neighborhood Plan together with the ongoing  
20 work we are doing with the Steering Committee and its  
21 subgroups has provided an invaluable and a very solid  
22 foundation for our proposal. We have striven  
23 throughout the process to create a plan that is  
24 responsive to and builds off of the East Neighborhood  
25 Plan that is balanced providing opportunities for

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growth as well as measures to protect sensitive and vulnerable areas. The reason we are acting here today and now and the reason that the Steering Committee came together to do their extraordinary work is to proactively manage change in East Harlem and obtain the best outcome for its residents. East Harlem is changing as we speak with market forces at work in the neighborhood that are bringing about change. Fortunately, many East Harlem residents have been able to remain in the neighborhood due to the large share of government regulated housing which includes the New York City Public Housing that provides secure housing for residents with the lowest incomes but we are starting to see new market rate housing coming to the neighborhood and to date there are no requirements for provision of any affordable housing in these buildings. We want to change that and require for the first time in East Harlem permanently affordable housing for any new development. Not acting at this point and turning our backs on East Harlem would not be a good outcome and it would do a disservice to the strong and vibrant community. Our zoning proposal is a targeted approach that addresses the challenges and opportunities head on and achieves

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2 the following; it allows for new housing on East  
3 Harlem's wide avenues that are approximate to the  
4 rich public transit options in the neighborhood, it  
5 protects side streets and areas of the neighborhood  
6 with existing strong character, allows for East  
7 Harlem's businesses to expand and requires job  
8 generating areas in appropriate locations close to  
9 transit, weaves careful design controls to create  
10 safe and walkable streets with ground floor uses that  
11 provide services for the residents of East Harlem.  
12 During the extensive East Harlem public review  
13 process, we have heard many voices opining on our  
14 proposal, we have heard concerns and fears about the  
15 effects of rezoning and the change that it may bring  
16 to East Harlem, we acknowledge that these are  
17 difficult discussions and a complex set of issues  
18 that need to be addressed through this process in  
19 making decisions about the future of East Harlem.  
20 However, we have listened and we have modified our  
21 proposal, the city is coming to the table today with  
22 a wide range of tools and programs to address the  
23 issues of affordability and concerns about the  
24 changing neighborhood. One of these tools provided by  
25 zoning is mandatory inclusionary housing that was



1  
2 adopted by this body last year. It is the most  
3 extensive and aggressive affordable housing  
4 requirement in the entire nation. Our rezoning puts  
5 MIH in place whenever and wherever we anticipate new  
6 housing requiring private developers to fit the bull...  
7 bill for over 1,500 permanently affordable apartments  
8 in East Harlem as part of this plan. This makes our  
9 public dollars go further and allows the city to  
10 focus our resources on getting more and deeper  
11 affordability on public sites and more housing  
12 preserved through HPD's programs. To compliment the  
13 Department's zoning efforts HPD has created a housing  
14 plan specifically targeted at protecting the existing  
15 affordable housing stock while creating new  
16 opportunities for permanently affordable apartments  
17 on the corridors included in our rezoning area. Taken  
18 together new development with MIH paired with  
19 aggressive requirements on the public sites will  
20 bring nearly 4,000 units of affordable housing to  
21 East Harlem but the city's efforts in East Harlem are  
22 not just about zoning. We believe that new housing  
23 must be complimented by many other investments in  
24 this neighbor, neighborhood. We will discuss these in  
25 more detail but they include programs to connect

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2 residents to good jobs and training programs, parks  
3 and open space improvements, transit investments and  
4 preparation for the anticipated second phase of 2<sup>nd</sup>  
5 Avenue subway, health care services, schools and  
6 education opportunities. Overall, I think you will  
7 see that we are bringing forward a balanced,  
8 thoughtful and responsive approach that respects this  
9 unique neighborhood and puts in place measures to  
10 preserve and enhance it today and into the future.  
11 With that I'm going to turn this over to Erik  
12 Botsford who will go into some detail on our zoning  
13 proposal which is just one component off this much  
14 larger city initiative to bring needed resources to  
15 East Harlem and following that you're going to hear  
16 from the rest of the team on other aspects of the  
17 plan.

18                   ERIK BOTSFORD: Thank you Purnima. Good  
19 afternoon Chair Richards, Chair Greenfield, Speaker  
20 Mark-Viverito. My name is Erik Botsford and I'm the  
21 Acting Director of the Manhattan Office at the  
22 Department of City Planning. I'm going to walk you  
23 through the zoning and land use proposal for East  
24 Harlem with a look at existing demographics, the  
25 opportunities and the challenges posed by the

1  
2 existing zoning in East Harlem and our proposals for  
3 land use actions in the neighborhood. Starting with a  
4 look at East Harlem from the air, this was the area  
5 we studied in the development of our proposal  
6 extending from 96<sup>th</sup> Street in the South up to  
7 approximately 132<sup>nd</sup> Street and from 5<sup>th</sup> Avenue East to  
8 the rivers. It's the entirety of community district  
9 11 excluding Wards and Randall's Island and is a  
10 highly varied neighborhood. Many of the mid blocks  
11 contain low residential buildings such as those you  
12 see here on the upper left ranging from, from four to  
13 six or seven stories in height, there are numerous  
14 taller towers throughout the neighborhood that are in  
15 the 25 to 35 story range. NYCHA's Public Housing  
16 campuses are located throughout the neighborhood and  
17 have multiple buildings between 14 and 17 stories in  
18 height and then there are many underutilized sites  
19 with one story tax payers or vacant lots or as you  
20 see here on the lower right buildings with vacant  
21 upper floors. This highly varied community  
22 necessitates nuanced and carefully thought out zoning  
23 to respond to each area's unique conditions. Turning  
24 to the East Harlem community and its demographics  
25 East Harlem is home to approximately 126,000 people

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2 and more than 90 percent of East Harlem's residents  
3 are renters. A large share of East Harlem's  
4 households earns 30 percent or less of the area  
5 median income. Fortunately, as Purnima mentioned a  
6 large portion of those households live in public or  
7 publicly assisted housing that is... are therefore  
8 permanently affordable or covered by long term  
9 affordability measures. Most significantly East  
10 Harlem is changing, over 50 percent of East Harlem's  
11 residents are rent burdened and rents are increasing  
12 faster than the city average. The current zoning in  
13 East Harlem is a poor fit for the neighborhood since  
14 it has no requirements for affordable housing  
15 something that we intend to fix with this proposal.  
16 Looking more closely at the existing zoning there are  
17 some key takeaways, first the zoning is for the most  
18 part half a century old dating to the zoning  
19 resolution of 1961. The existing zoning presents  
20 challenges for growth in East Harlem and continued  
21 affordability but also significant opportunities for  
22 a fresh approach. You can see here in yellow that  
23 most of the neighborhood is zoned R7-2, rather than  
24 focusing on the specific district name it's important  
25 to note that this zoning found throughout the

1  
2 neighborhood today is a housing district with no  
3 height limit that permits towers including many  
4 towers in the Park developments such as those you see  
5 in the photo here. It's not a bad fit for some  
6 portions of East Harlem like the NYCHA campuses for  
7 example but in other areas it's very out of sync with  
8 East Harlem and the existing built context and most  
9 significantly no affordable housing is required in  
10 any of the areas shown in yellow. The area along Park  
11 Avenue outlined in red on this map is the Millbank  
12 Frawley Urban Renewal area, the important thing to  
13 note about this portion of the urban renewal area is  
14 that it prohibits housing along much of Park Avenue,  
15 again this something we'd like to fix with today's  
16 land use actions. Other zoning districts found in  
17 East Harlem also prohibit housing including  
18 manufacturing zones and commercial areas that are  
19 limited to auto related uses shown in yellow on this  
20 map. The districts along Park Avenue in particular  
21 are areas where we see opportunity for new mixed use  
22 and economic developments. In 2003 portions of East  
23 Harlem from 3<sup>rd</sup> Avenue East to Pleasant Avenue were  
24 rezoned to contextual districts with height limits.  
25 The major avenues were up-zoned to higher density to

1  
2 permit 14 story buildings with lower density seven to  
3 eight story building districts on mid blocks and  
4 while that rezoning certainly helped preserve many  
5 East Harlem mid blocks from out of context  
6 development the avenue up-zonings did not produce new  
7 housing. As with other zoning districts in East  
8 Harlem these districts also did not require  
9 affordable housing. As you'll see in a moment we're  
10 maintaining the 2003 zoning with its height limits  
11 along the mid blocks and along 1<sup>st</sup> and Pleasant  
12 Avenues while putting into place new zoning with  
13 height limits on 3<sup>rd</sup> and 2<sup>nd</sup> Avenues along with  
14 requiring affordable housing through mandatory  
15 inclusionary zoning. Finally, East Harlem has two  
16 special zoning districts; the Transit Land Use  
17 district was mapped in the 1970's in anticipation of  
18 the 2<sup>nd</sup> Avenue subway now that that subway is finally  
19 on the horizon it's time to update this district to  
20 match the MTA's current plans for station locations  
21 and best practices for safety and operations. And the  
22 second special zoning district runs along 125<sup>th</sup>  
23 Street and was approved by the council in 2008 to  
24 bring economic and mixed-use development to this  
25 corridor. In 2015 the administration's Housing New

1  
2 York Plan identified East Harlem as one of the  
3 neighborhoods where zoning could be put to use to  
4 address the housing crisis. In response Speaker Mark-  
5 Viverito convened the East Harlem Neighborhood  
6 Steering Committee which included a wide range of  
7 local residents, stakeholders and elected officials  
8 that you see listed here. the Steering Committee and  
9 its various issue specific subgroups held many  
10 meetings and public workshops to discuss issues and  
11 develop recommendations for the neighborhood and for  
12 city agencies within a variety of subject areas from  
13 open space to schools to seniors to housing  
14 preservation and others. City agencies participated  
15 as well attending subgroup meetings to hear concerns  
16 and discuss agency initiatives within the community.  
17 The product of the Steering Committee's work was the  
18 East Harlem Neighborhood Plan, the yellow cover of  
19 which you see here which laid out over 200  
20 recommendations across various subject areas. In a  
21 few minutes my colleague Calvin will discuss how city  
22 agencies continue to work with the Steering Committee  
23 subgroups and respond to many of the recommendations.  
24 One of the subject areas looked at by the Speaker... by  
25 the Speaker's Steering Committee was zoning and land

1  
2 use. Here you can see the three zoning objectives put  
3 forward by the Steering Committee which include the  
4 preservation of East Harlem's character with zoning  
5 that protects the areas with consistent context,  
6 allowing for increased density and larger buildings  
7 in targeted areas such as closer to 125<sup>th</sup> Street and  
8 along major avenues and ensuring that new development  
9 contributes to East Harlem with ground floor retail  
10 and other measures. The plan included a wealth of  
11 information which gave us an excellent starting point  
12 for our work. Here you can also see the rezoning map  
13 which was included in the plan as well as a diagram  
14 of a tower building that showed the type of building  
15 that would result from the Steering Committee's  
16 recommended zoning. The land use and zoning  
17 objectives put forward by the plan were very much in  
18 line with what we took away from our work with the  
19 Steering Committee and from our own analysis of the  
20 neighborhood. Again, our proposal is built off these  
21 objectives laying the foundation through zoning for  
22 new permanently affordable housing, putting into  
23 place zoning that will result in job generating uses,  
24 ensuring that new and existing transit is capitalized  
25 upon, preserving East Harlem's strong built character



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2 and using zoning tools to ensure that East Harlem's  
3 buildings and sidewalks are safe and inviting. Now to  
4 run through the proposed zoning, let's start by  
5 looking again at the Steering Committee zoning map on  
6 the left that was provided to us in the East Harlem  
7 Neighborhood Plan. The Steering Committee started by  
8 looking at all of Community district 11 before  
9 zeroing in on targeted areas for rezoning changes.  
10 You can see in red the areas for increased density  
11 through up-zoning and in yellow the areas where the  
12 plan called for lower density preservation zoning.  
13 The grey areas are NYCHA campuses. On the right you  
14 can see our proposal, we also started wide like the  
15 Steering Committee looking at all of Community  
16 district 11 and doing a block by block analysis  
17 before arriving at our rezoning proposal. I think you  
18 can see many similarities between the two proposals  
19 with... which are both targeted and nuanced in their  
20 response to local conditions. Let's go area by area  
21 to discuss how we propose to change the zoning and  
22 what it will accomplish. First to the areas shown  
23 here are where we propose to allow new housing at  
24 greater densities. As you can see this is generally  
25 along the major avenues in East Harlem; Park,

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2 Lexington, 3<sup>rd</sup>, and 2<sup>nd</sup> as well as the 116<sup>th</sup> Street  
3 Corridor all of which are well served by transit.  
4 These are also some but not all of the areas where we  
5 would put into place mandatory inclusionary housing  
6 zoning requiring permanently affordable housing in  
7 East Harlem for the first time. Then there are the  
8 areas where we propose zoning that would promote  
9 economic development and bring new jobs for East  
10 Harlem's residents. These include areas close to the  
11 intersection of 125<sup>th</sup> Street and Park Avenue where  
12 the Metro North Station provides a vital connection  
13 to the central business district as well as the  
14 region as a whole. Mixed use zoning with required  
15 commercial uses would create a jobs hub at this  
16 intersection and would East Harlem's existing  
17 businesses to grow and expand. The Northern portion  
18 of 3<sup>rd</sup> Avenue is already mapped with commercial  
19 zoning and our plan would continue that approach. As  
20 I mentioned earlier we're updating this transit land  
21 use special district to match the updated locations  
22 of the 2<sup>nd</sup> Avenue subway stops at 106<sup>th</sup> Street, 116<sup>th</sup>  
23 Street and 125<sup>th</sup> Street. Our proposal will ensure  
24 that the subway will have generous access points  
25 within new buildings and that subway infrastructure

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2 such as vents can be incorporated into new buildings.  
3 Finally, our proposal builds off the 2003 rezoning  
4 that mapped contextual zoning East of 3<sup>rd</sup> Avenue. Our  
5 proposal maintains the existing contextual districts  
6 with height limits throughout much of the area  
7 rezoned in 2003 shown here in light yellow. We've  
8 responded to the East Harlem Neighborhood Plan by  
9 proposing new preservation districts with height  
10 limits in the areas shown in bright yellow. This will  
11 ensure that these areas with strong cohesive  
12 character are protected by height limits that ensure  
13 that new buildings would remain between seven and 11  
14 stories in height. Now looking at all these zoning  
15 moves together on one map this, this time showing our  
16 proposed densities, the purple areas show where we  
17 are proposing higher densities that would result in  
18 taller buildings. The darker purple being higher  
19 density than the lower... than the light purple. These  
20 are located along Park, 3<sup>rd</sup> and 2<sup>nd</sup> Avenues, the  
21 neighborhood's widest streets and those with the  
22 richest transit access. As you can see the higher  
23 densities, the darker purple is located closer to  
24 125<sup>th</sup> Street and also along 3<sup>rd</sup> Avenue. The orange  
25 areas are where we are proposing lower densities that

1  
2 would result in lower buildings, these are located in  
3 areas where the existing buildings are generally  
4 consistent and lower in height and would generally be  
5 limited to between seven and 11 stories. Excuse me...  
6 taken together we think the higher and lower  
7 densities, the orange and the purple areas are well  
8 balanced and locate density and new development in  
9 targeted areas on East Harlem's major North South  
10 corridors with ready access to transit. At the same  
11 time the proposal adopts the Steering Committee's  
12 recommendations for Lexington Avenue, 116<sup>th</sup> Street  
13 and many mid blocks with lower density zoning. When  
14 the East Harlem zoning proposal was certified into  
15 public review in April of this year we had proposed  
16 height limits in a number of areas outlined here in  
17 orange. This included height limits in our  
18 preservation zoning districts again seven to 11  
19 stories and in the mixed-use areas of Park Avenue. We  
20 did not propose height limits in other areas because  
21 our analysis showed that new building heights would  
22 remain lower than many existing buildings in the  
23 neighborhood today and would be of an appropriate  
24 size for East Harlem's major avenues. However, we  
25 heard clearly during the public review process that

1  
2 people were concerned about the possibility of taller  
3 buildings; 40, 50 or more stories. As a result, we  
4 engaged with the Speaker and the Steering Committee  
5 further and took a close look at the corridors that  
6 did not have height limits. The City Planning  
7 Commission in its approval of the land use actions  
8 earlier this month and at the recommendation of the  
9 Department of City Planning took these concerns to  
10 heart and modified the proposal with new height  
11 limits shown here in orange. The new height limits  
12 located in areas where higher density is proposed  
13 ensure that no new buildings would ever be higher  
14 than 28 stories in certain areas and 32 stories in  
15 others. Taken together with the original proposed  
16 height limits the Commissions modifications results  
17 in the entire rezoning area except for the  
18 intersection of Park and 125<sup>th</sup> Street being covered  
19 by height limits of between seven and 32 stories. As  
20 you can see here outlined in orange nearly every area  
21 now has height limits, this ensures that areas with  
22 preservation zoning are protected from out of context  
23 development and that areas where we want to see new  
24 affordable housing and job generating uses will be an  
25 appropriate and predictable height and in every case

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2 lower than existing towers in the neighborhood. The  
3 actions before you include changes to the zoning map  
4 that we've just walked through, several changes to  
5 the zoning text including the creation of a new  
6 special district, the East Harlem Corridors district,  
7 the modifications to the transit land use district I  
8 described earlier and the introduction of mandatory  
9 inclusionary housing to require permanently,  
10 permanently affordable housing within East Harlem and  
11 finally an amendment to the Millbank Frawley Urban  
12 Renewal area to permit new housing along Park Avenue.  
13 And here is the zoning summarized but the most  
14 important result of this zoning is how it feels and  
15 how it exists for East Harlem's residents. We think  
16 this proposal is sensitive, nuanced and balanced, it  
17 will bring through zoning actions alone and mandatory  
18 inclusionary housing nearly 1,500 apartments of  
19 permanently affordable housing to East Harlem and  
20 create new jobs and prosperity for East Harlem's  
21 residents. Requirements for ground floor uses and  
22 urban design controls will strengthen East Harlem's  
23 shopping streets, lay the groundwork for the 2<sup>nd</sup>  
24 Avenue subway and through height limits ensure that  
25 all new buildings in East Harlem are appropriately

1  
2 sized and lower than existing buildings in the  
3 neighborhood today. It is a proposal that is directly  
4 responsive to the community's East Harlem  
5 Neighborhood Plan with the same shared objectives and  
6 many of the same zoning recommendations. It balances  
7 growth with preservation and utilizes the strongest  
8 zoning tool in our arsenal to get as much permanently  
9 affordable housing as possible for the neighborhood.  
10 Now I'll turn it over to Calvin Brown, City  
11 Planning's Project Supervisor for East Harlem to  
12 discuss the ongoing work of city agencies in the  
13 neighborhood.

14 CALVIN BROWN: Thank you Erik. Good  
15 afternoon Chair Richards, Greenfield, and Madame  
16 Speaker. As you just saw the East Harlem Neighborhood  
17 Initiative is taking a very targeted and balanced  
18 zoning approach to address the current neighborhood  
19 trends that threatens the large affordable housing  
20 stock that exists in East Harlem today. However,  
21 zoning is just one component of this neighborhood  
22 initiative, the East Harlem Neighborhood Initiative  
23 is taking a comprehensive approach to address the  
24 neighborhood needs that will include investments and  
25 a wide range of city programs, services,

1  
2 infrastructure and amenities to help foster a  
3 thriving community. As previously stated there were  
4 numerous community meetings with local stakeholders,  
5 community members and city agencies leading up to  
6 visioning sessions, Steering Committee meetings and  
7 these meetings provided a valuable opportunity for  
8 residents to directly engage with community service  
9 providers, city agency's representatives to share  
10 their concerns and how they envision the future of  
11 their community. Once the neighborhood plan was  
12 issued the engagement process continued, the city  
13 through the various agencies as shown on the screen  
14 that were already working with the Steering Committee  
15 began a process of reviewing the recommendations and  
16 meeting with the Steering Committee subgroups and  
17 identifying agency actions within the neighborhood  
18 that addressed the community concerns. The amazing  
19 work that went into the community's plan provided a  
20 solid baseline for the Department of City Planning as  
21 well as our sister agencies to view our work in the  
22 neighborhood and identify areas where the programs  
23 and services could be improved or expanded. As a  
24 result, there have been many areas where the city has  
25 been able to respond to the plan and bring resources



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2 to bear in East Harlem. In the next couple of slides,  
3 I will highlight the work that's already underway by  
4 each of the major agencies as an outcome of this  
5 engagement process. Housing is such an important and  
6 necessary component of this initiative and in the  
7 East Harlem Neighborhood Plan there were several  
8 objectives and recommendations under housing  
9 preservation and affordable housing development which  
10 focus on keeping the existing of housing stock  
11 affordable, protecting tenants' rights and preventing  
12 tenant harassment and ensuring new housing reaches  
13 deeper levels of affordability. In response to the  
14 housing objectives HPD drafted the housing plan for  
15 East Harlem which will be discussed later in more  
16 detail. Most of the goals articulated in HPD's  
17 housing plan for the East... for East Harlem mirrors  
18 the recommendation and objectives included in the  
19 East Harlem Neighborhood Plan. As HPD will expand on  
20 later they have created a robust and aggressive  
21 housing plan for the neighborhood with strategies for  
22 preserving the existing affordable housing stock and  
23 ensuring that affordable housing opportunities for  
24 households of various income levels. HPD's... HPD has  
25 prioritized the development of over 2,000 affordable

1  
2 housing... affordable homes and has made commitments to  
3 reach deeper levels of affordability on publicly  
4 owned sites and develop new term sheets and revise  
5 their current RFP policies to achieve these goals.  
6 Additionally, HPD plans to explore new ways of  
7 preserving the existing affordable housing stock  
8 through piloting the community land trust program and  
9 conducting a study on the feasibility of implementing  
10 a certificate of no harassment in East Harlem. In  
11 response to several recommendations included in East  
12 Harlem Neighborhood Plan that focus on improving  
13 access to health care services for East Harlem  
14 residents the Department of Health and Mental Hygiene  
15 opened up a new East Harlem Neighborhood Health  
16 Action Center. Recognizing the severity of the health  
17 impacts that are affecting East Harlem this center  
18 will serve as a multiservice facility with a host of  
19 health and social related services. Additionally, the  
20 Department of Health and Mental Hygiene has provided  
21 over 200,000 in grants to local East Harlem  
22 organizations that have created programs that address  
23 the health and related recommendations included in  
24 the East Harlem Neighborhood Plan. Under schools and  
25 education, the recommendations that were included in

1  
2 the East Harlem Neighborhood Plan focus on the  
3 quality of East Harlem schools and the compacity of  
4 these schools to better serve East Harlem  
5 neighborhoods. One of the actions the city is taking  
6 is to improve the quality of school... the school  
7 environment in East Harlem is... in the 2018 Fiscal  
8 Year budget is to ensure that each classroom in East  
9 Harlem has air conditioners. In addition to the  
10 existing five community schools, these are schools  
11 that act as neighborhood hubs where students receive  
12 higher quality education and where families can  
13 access social services and participate in  
14 neighborhood events there will be three new schools  
15 opened up in 2018... in the 2018 school year.  
16 Additionally, ACS is increasing early care and  
17 education opportunities in East Harlem for toddlers  
18 with additional head start seats. The East Harlem  
19 Neighborhood Plan included a number of objectives and  
20 recommendations related to open space and recreation  
21 aimed at improving the quality and the access to open  
22 space and ensuring that these spaces can accommodate  
23 both existing and future residents. Parks continues  
24 to engage residents in the design process for the  
25 connection of the Harlem River Park Greenway which is

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between East 125<sup>th</sup> and East 132<sup>nd</sup> Streets and through their community parks initiative Parks has already put into the pipeline four capital projects to improve local interior parks. Similar to the design process that's underway for the Harlem River Greenway Project Parks will engage the community once they have kicked off their East Harlem Resiliency Study where... which is a plan that will be developed to address the coastal and social resiliency issues affecting the waterfront from East 92<sup>nd</sup> Street to East... [cross-talk]

CHAIRPERSON RICHARDS: I'll, I'll ask you to refrain from disrupting the hearing... I'll ask you to quiet down. If you don't quiet down we'll have to remove you. Sergeant you can remove them.

[off-mic dialogue]

CHAIRPERSON RICHARDS: Okay. We'll, we'll ask you to cease with the disruptions or we'll have to remove you, okay.

[off-mic dialogue]

CHAIRPERSON RICHARDS: Okay, okay. Thank you... thank you.

[off-mic dialogue]

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COUNCIL MEMBER MARK-VIVERITO: Right, so let me say something, the people want to say something..

CHAIRPERSON RICHARDS: Okay.. okay.. [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: This, this, this forum is an opportunity to hear from everybody, if we're not willing to engage in a dialogue and allow for all voices to be heard then, then we need to remove people from the room, we are here to have a public hearing, we are here to have a public hearing. We are here.. alright, we are here to have a public hearing. We are.. yeah, let me.. we are here to have a public hearing if we are not going to be allowed to hear all voices then we're going to remove people from the room, we're going to remove people from the room, this is a public hearing. As I've.. [cross-talk]

CHAIRPERSON RICHARDS: Okay.. [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...indicated.. let me say this, if we're not going to give each other respect then we're going to clear the room.

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CHAIRPERSON RICHARDS: Okay, okay, we  
don't... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Alright...  
[cross-talk]

CHAIRPERSON RICHARDS: ...we don't want to  
have to clear the... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...so, we're  
going to clear the... [cross-talk]

CHAIRPERSON RICHARDS: Okay... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...room...  
we're going to clear the room now, we are going...  
[cross-talk]

CHAIRPERSON RICHARDS: Okay... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...to clear  
the room, thank you, we're going to clear the room.  
Alright, clear, clear the room.

[off-mic dialogue]

COUNCIL MEMBER MARK-VIVERITO: Alright.

[off-mic dialogue]

COUNCIL MEMBER MARK-VIVERITO: Alright.

CHAIRPERSON RICHARDS: Okay, okay...  
[cross-talk]

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COUNCIL MEMBER MARK-VIVERITO: So, we're going to clear the room and allow the hearing to continue...

CHAIRPERSON RICHARDS: Okay.  
[off-mic dialogue]

CHAIRPERSON RICHARDS: Okay, okay, okay. We don't... we don't want to clear the entire room.

COUNCIL MEMBER MARK-VIVERITO: Alright, let them loose...

CHAIRPERSON RICHARDS: Okay.

COUNCIL MEMBER MARK-VIVERITO: Alright.  
[off-mic dialogue]

CHAIRPERSON RICHARDS: Okay, okay, we're going to ask everybody to be seated. Okay. Okay. Okay. Okay, alright.

COUNCIL MEMBER MARK-VIVERITO: So...

CHAIRPERSON RICHARDS: Alright, so I just want to... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Alright, so let me... let me be clear about a couple of things of how we're going to conduct ourselves at this hearing. This is a public hearing where everyone will be heard, we have the opportunity now to hear from the city in terms of what they are recommending,

1  
2 everyone else here who has signed up to testify will  
3 be able to speak whether they are in favor or they're  
4 not in favor that is what this hearing is about,  
5 people have their positions but they're not going to  
6 disrupt the process in which we allow for people to  
7 be... express themselves in this room, every voice will  
8 be heard and no one is going to be disrespected so  
9 we're going to continue with the hearing anymore  
10 disruptions will be handled the same way and we're  
11 going to continue, thank you.

12 CHAIRPERSON RICHARDS: Okay, you may  
13 continue.

14 CALVIN BROWN: Thank you. Other areas  
15 where the city is responding to recommendations that  
16 are included in the plan is that East 125<sup>th</sup> Street  
17 and Park Avenue which is a very important node in  
18 this community, a number of residents traverse this  
19 area as well as visitors because of the proximity to  
20 the Metro North Station and the Lexington Avenue  
21 Subway Station, this area is being improved to make  
22 connections safer for travelers, there will be areas  
23 dedicated for taxi pick up and make a better  
24 connection between the pedestrian and programming  
25 through the plaza program which is located South on



1  
2 the South street of Park Avenue and 125<sup>th</sup>. DOT has  
3 also implemented pedestrian improve, improvements  
4 along the stone section of Park Avenue viaduct and  
5 has installed LED lighting in the tunnels and built  
6 curb extensions to improve visibility and installed  
7 pedestrian signals that are easier to see. The East  
8 Harlem Neighborhood Plan also included  
9 recommendations and objections under small businesses  
10 and Workforce Development that focus on improving the  
11 access to quality jobs for East Harlem residents and  
12 improving the overall economic development  
13 opportunities while also improving the vibrancy of  
14 the existing commercial corridors. As part of the  
15 actions being taken by the city SBS created the  
16 Neighborhood 360 Grant which is a new program to  
17 identify, develop and launch commercial  
18 revitalization projects in partnership with local  
19 stakeholders. The grant has been issued to a local  
20 East Harlem organization to organize the merchants  
21 along East 116<sup>th</sup> Street. Also, there will be a  
22 Workforce One Center that will located within East  
23 Harlem to provide access to training and job  
24 opportunities for East Harlem residents. As you can  
25 see there are a number of areas where the city has

1  
2 already been able to take action in East Harlem and  
3 as a part of this process the city continues to  
4 engage with the Steering Committee as the East Harlem  
5 Initiative advance through the public review process.  
6 At this point I will turn it over to my colleagues at  
7 HPD who can elaborate more on the East Harlem Housing  
8 Plan.

9                   DAVID QUART: Good afternoon Chair  
10 Richards, Chair Greenfield and Madame Speaker,  
11 members of the City Council. I am David Quart, Deputy  
12 Commissioner of Strategy, Research and Communications  
13 at the Department of Housing Preservation and  
14 Development and I'm here to speak about our work that  
15 my team has been doing to support the  
16 administration's efforts in East Harlem and as  
17 mentioned earlier I'm joined by my colleague Leila  
18 Bozarg, Deputy Commissioner of Neighborhood  
19 Strategies. Over the past two and a half years HPD  
20 has been deeply involved in the East Harlem  
21 Neighborhood Planning process as Purnima and Calvin  
22 mentioned in terms of attending all of the meetings  
23 with Steering Committee members and other community  
24 stakeholders. One of East Harlem's greatest assets is  
25 it's housing stock, about three quarters of all

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2 apartments in the neighborhood are regulated by a  
3 government agency including a substantial number of  
4 NYCHA properties serving families with extremely low  
5 incomes. Over the past decade HPD has financed the  
6 construction or preservation of nearly 14,000  
7 affordable homes in the neighborhood including more  
8 than 4,200 since the start of Housing New York alone,  
9 that's nearly 3,400 homes preserved and over 840 new  
10 construction. However, the city's population is  
11 growing as we know, an increase demand is putting  
12 pressure on East Harlem's housing... East Harlem's  
13 housing supply, excuse me. Between 2002 and 2014 the  
14 median rent in the neighborhood increased by  
15 approximately 40 percent while rents across the rest  
16 of the city increased by 24 percent. New market rate  
17 apartments are being constructed right now in East  
18 Harlem without any requirements for affordability. In  
19 response to concerns we've heard from the community  
20 and building on the work of the community planning  
21 process HPD prepared a draft housing plan  
22 specifically for East Harlem which will guide how we  
23 prioritize investments and implement new policies in  
24 the neighborhood going forward and as I said it's a  
25 draft and, and is subject to change based on further

1  
2 input. The plan is organized around four main goals,  
3 first and foremost we want to preserve existing  
4 affordable housing by ensuring that the housing stock  
5 is in good physical and financial shape and that  
6 residents are protected from displacement. HPD is  
7 taking a more proactive and strategic approach to  
8 preservation by piloting new tactics to reach and  
9 assist building owners who could benefit from our  
10 financing and tax incentives in exchange for  
11 maintaining affordable rent. We've developed an  
12 extensive outreach strategy to promote our programs  
13 including through events, mailings, calls, referrals,  
14 and surveys to owners of buildings with signs of  
15 distress or expiring benefits. We also recently  
16 launched our, our Landlord Ambassador Pilot Program  
17 with Enterprise to offer technical assistance and  
18 improve customer service to owners interested in our  
19 loan products. The mutual housing association of New  
20 York was selected as the Landlord Ambassador for all  
21 of Upper Manhattan. We launched a new preservation  
22 marketing campaign called Let's, Let's Invest to make  
23 sure everyone is aware of all that we're doing on the  
24 preservation and what may be available there and  
25 we're holding property management courses and monthly

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2 clinics at our offices downtown. And earlier this  
3 year we issued an RFEI to identify qualified groups  
4 interested in forming community land trusts as a tool  
5 to preserve affordability. In July in partnership  
6 with Enterprise we awarded among other groups 500,000  
7 dollars to the East Harlem El Barrio CLT to acquire  
8 and rehab properties including a cluster of city  
9 owned properties under a land trust model. And I want  
10 to thank Madame Speaker and Chair Richards in  
11 particular for their leadership in this endeavor and  
12 their ongoing collaboration. We're continuing to  
13 promote safe and healthy housing through vigorous  
14 enforcement of the housing maintenance code,  
15 improving tenant education and how to use 3-1-1 and  
16 encouraging organizations to refer problem buildings  
17 to us. In addition to responding to 3-1-1 complaints  
18 we began conducting block sweeps, sweeps in East  
19 Harlem last summer where we proactively survey  
20 distressed properties using data and community  
21 referrals so far approximately 420 buildings have  
22 been surveyed and about 20 have been referred for  
23 additional action including litigation. We continue  
24 to accept building referrals from community groups  
25 and will monitor and return to buildings as needed

1  
2 and I just want to note that this is one of our bed  
3 bug dogs Nemo who's out hardworking today. Protecting  
4 tenants is a critical element of our preservation  
5 strategy, earlier this year the Mayor announced free  
6 legal representation in East Harlem for tenants  
7 facing harassment committing 4.6 million dollars  
8 annually through 2021. Since October 2015 just under  
9 1,000 households have received free legal assistance  
10 in East Harlem under this program. HRA's tenant  
11 support unit, TSU also continues to go door to door  
12 advising tenants of their rights and reporting  
13 incidents of harassment and poor building conditions.  
14 Since July 2015 TSU has knocked on over 28,000 doors  
15 and assisted over 1,500 tenants in East Harlem alone.  
16 We continue to work with the Tenant Harassment  
17 Prevention Task Force to investigate and take action  
18 including criminal charges that have been brought  
19 against landlords who harass tenants. A yearlong  
20 working group was also formed to explore the creation  
21 of a certificate of no harassment pilot program in  
22 partnership with Council Member Lander and other  
23 members and we are currently evaluating the potential  
24 to include East Harlem in that pilot. Finally, we  
25 host tenant resource fairs, distribute multilingual

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2 information and contract with community based groups  
3 to provide tenant education and resources that range  
4 from financial counseling to tenant organizing. Our  
5 second goal is to develop new affordable housing, in  
6 order to accommodate a growing population and help  
7 ensure that a shortage of housing does not drive  
8 rents higher we must ensure the supply of housing  
9 also increases and that any new housing built  
10 includes permanently affordable homes. To compliment  
11 the rezoning, we are prioritizing the development of  
12 now over 2,600 affordable homes on publicly owned  
13 land through the neighborhood with recent additions  
14 to the 126<sup>th</sup> Street project. We've also committed to  
15 deeper levels of affordability at key projects, at  
16 least 20 percent of all homes at Lexington Gardens  
17 II, Sendero Verde which we'll hear more about later  
18 and 126<sup>th</sup> Street bus depot will be affordable to  
19 families earning less than 25,770 dollars per year  
20 for a family of three the equivalent of under 30  
21 percent of AMI. As my colleagues at DCP mentioned  
22 implementing mandatory inclusionary housing among..  
23 along the major neighborhood corridors has the  
24 potential to facilitate the creation of an additional  
25 1,500 permanently affordable homes on private sites

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2 all together that's about 4,100 affordable homes that  
3 we are teeing up for East Harlem. We will continue to  
4 offer financing to incentivize the creation of even  
5 more affordable housing. We recently upped the date...  
6 updated our financing programs to ensure more housing  
7 for extremely low income and formally homeless  
8 families. Lastly our housing plan describes several  
9 initiatives to support mission driven groups  
10 interested in affordable housing. The third goal is  
11 to make it easier for residents to understand,  
12 prepare for and complete the affordable housing  
13 application process. We are training community based  
14 organizations as housing ambassadors to provide free  
15 help to residents applying for affordable housing,  
16 four housing ambassadors are now based in East Harlem  
17 alone and we're continuing to recruit more of them.  
18 We created a Ready, Set, Apply brochure which serves  
19 as a guide on how to prepare for the application  
20 process and we also recently created a video guide on  
21 how best to apply to affordable housing so it's as  
22 clear as possible to everyone in the community. We're  
23 working to better advertise open housing lotteries  
24 and ensuring multilingual information is online, in  
25 paper, and on site. Lastly, we continue to refine our



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2 marketing guidelines to reach New Yorkers most in  
3 need, ensuring among other things that applicants are  
4 not rejected based on credit score alone or  
5 involvement in housing court and are connected with  
6 free counseling services to help applicants prepare  
7 financially. The fourth goal is to promote economic  
8 opportunity by leveraging our investment in  
9 affordable housing to create jobs and strengthen  
10 small businesses. Calvin spoke to most of these but  
11 just to... in the interest of time I will quickly list  
12 them off, I'm happy to talk more about them later. We  
13 have our Hire NYC Program also new and in response to  
14 the community conversations in East Harlem and other  
15 neighborhoods, our RFP's for city owned properties  
16 now require a response to demonstrate a plan for  
17 targeted outreach to residents of the LoHo community  
18 district related to employment opportunities  
19 generated by that project. We've also expanded  
20 opportunities for MWBE's in the affordable housing  
21 development industry through our MWBE Build Up  
22 Program and we've expanded our capacity building  
23 workshops series to include both not-for-profit and  
24 MWBE's which introduces best practices in affordable  
25 housing development from site selection to

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2 construction and property management. Lastly, we, we  
3 want to ensure that the affordable housing  
4 development contributes to a healthy and diverse  
5 retail environment in East Harlem and we encourage  
6 developers to consult with SBS as community district  
7 needs assessment and the Neighborhood 360 partners.  
8 Before concluding I would like to say that we  
9 continue to refine and make progress at a number of  
10 important initiatives in the draft housing plan and  
11 we are evaluating additional public sites in the area  
12 for affordable housing. We remain committed to full  
13 transparency in our work so the public can keep us  
14 accountable to what we say we are going to do and  
15 track progress toward our goals. By laying out  
16 strategies and prioritizing investment in the  
17 neighborhood we can help residents stay in the  
18 neighborhood they love and make room for their  
19 children and New Yorkers who need affordable housing  
20 while also ensuring that future development results  
21 in an even more diverse and livable community. Thank  
22 you very much for the opportunity to testify and I  
23 look forward to our continued collaboration and at  
24 this time we're all happy to take any questions you  
25 may have, thank you.

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CHAIRPERSON RICHARDS: Okay, I'll go to the Speaker for questions.

COUNCIL MEMBER MARK-VIVERITO: Alright, first of all thank you so much, there is a lot of information that's been shared today and when it comes to any sort of land use process it's always very complicated and it can be a little bit heavy. So, where are... this... all these presentations and power points that you've presented where will they be made, made available to the general public?

PURNIMA KAPUR: We will look... put them on our website, the Department of City Planning website will have the presentation available publicly.

COUNCIL MEMBER MARK-VIVERITO: Both of them, the housing and the... [cross-talk]

PURNIMA KAPUR: Both... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Okay...

PURNIMA KAPUR: Yeah.

COUNCIL MEMBER MARK-VIVERITO: Second of all I believe they're being passed out, I think there's a, a sheet that we're handing out which is basically the East Harlem Neighborhood Plans, recommendations and some of the reporting that you've identified here today in terms of... in response

1  
2 particularly to the East Harlem Neighborhood Plan  
3 this is a, a summary that identifies how the city is  
4 responding to the recommendations that the East  
5 Harlem Neighborhood Plan put together. I'm going to  
6 try to go through... quickly through my questions but...  
7 because I know I do want to hear from the public but,  
8 but for the people that are listening and although  
9 this is something that is also being steamed online  
10 we welcome feedback, people can send their  
11 testimonies, the feedback is ongoing, this is a  
12 process that's going to last several months so we can  
13 engage. Through any, any sort of land use process,  
14 it's not a stagnant process, I mean I think people  
15 need to understand that what we're hearing today is  
16 very different from the proposal that the community  
17 board voted on, it's very different from the proposal  
18 that the Borough President voted on, it is an  
19 evolving process so there have been changes and  
20 response to community input and community feedback  
21 and community concerns and we're not done, that is  
22 where I now have to weight in, I want to hear  
23 additional feedback, we go back and negotiate with  
24 City Planning, I go back to the East Harlem  
25 Neighborhood Plan Steering Committee so it is an

1  
2 evolution, it is a process that evolves, it is not  
3 stagnant and clearly there are those in the community  
4 that don't want anything to happen, that to me is not  
5 a realistic proposition, okay, so the, the reality is  
6 that we want to hear feedback and hear how we can  
7 continue to have this plan evolve. The East Harlem  
8 Neighborhood Plan has been clear, I support it  
9 because it does ask for a moderate zoning, it doesn't  
10 ask for moderate density and height and unfortunately  
11 we're still not there 100 percent with what it is  
12 that you have presented us and obviously the issue of  
13 displacement is a very real concern that is happen..  
14 these are concerns that is city wide that's not  
15 unique to East Harlem, it is something that is a  
16 concern of every neighborhood as we proceed those are  
17 issues, right, we know that 3-1-1 is being accessed  
18 by residents who are being harassed by landlords, we  
19 have increased the level of outreach and engagement  
20 and resources so that tenants can have access to  
21 representation so that they're not going to court  
22 alone, we did pass the law, right, that ensures  
23 universal representation, there's a lot of work that  
24 we've been doing but the issue of displacement  
25 continues to be a very genuine concern. So, just

1  
2 taking a step further how do we create, you know a  
3 more proactive approach to tenant protection and  
4 affordable housing preservation to really deal with  
5 these concerns, the outreach engagement, you know  
6 being proactive as opposed to having or expecting  
7 residents to come to us as a city, we need to be  
8 engaged particularly in areas that are exhibiting a  
9 lot of pressure and a lot of changes so, looking at  
10 the proactive approach to engage residents how..  
11 what's the view here and what is... how has your  
12 approach evolved and where are you heading with that?

13 PURNIMA KAPUR: So, I, I think as you  
14 heard we are in this plan as focused on the  
15 preservation of the extensive affordable housing  
16 stock that is available in East Harlem as we are in  
17 the production of the East Harlem Plan. Many things  
18 have already been put into place and as you yourself  
19 have noted this is happening regardless of whether  
20 the zoning happens or not happens. So, I'm going to  
21 turn it over to my colleague David here to address  
22 the proactive elements of our preservation plan.

23 DAVID QUART: Thank you Purnima and thank  
24 you Madame Speaker. So, I think some of the things  
25 that I can get a little bit more detailed that I

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highlighted in my testimony are, are examples of exactly that proactive approach, you know we... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: And actually I'm... [cross-talk]

DAVID QUART: ...think about... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...sorry before you go into it further, I know in the... in the housing plan and what you presented and I'm hoping that maybe you can update the report as, as you put it online but is there a way that you can put numbers... give me... I'm looking for the page, give me a second... your, you talked in the preserving... when you preserve existing affordable housing on those slides, right, you're talking about proactive outreach to property owners, you're talking about... like I would like to know how many residents in East Harlem have access to legal representation, how many calls are we getting, how many people are we serving, when you're talking about being proactive and doing outreach because we've had some of those workshops in my office where you engage with current homeowners, right, the smaller homeowners and having them and knowing what... you know how we can help... work with

1  
2 them, is there a way of putting numbers on those,  
3 putting statistics and updating this... you know so we  
4 have an idea of the work that's... [cross-talk]

5 DAVID QUART: Sure... [cross-talk]

6 COUNCIL MEMBER MARK-VIVERITO: ...being  
7 done... [cross-talk]

8 DAVID QUART: ...yeah, we can... we, we can  
9 certainly put into the report, you know to date  
10 obviously this is all ongoing and continuing but we  
11 can certainly put into, into the report to date where  
12 we are with all those numbers, whose been served, how  
13 they've been served.

14 COUNCIL MEMBER MARK-VIVERITO: Okay...  
15 [cross-talk]

16 DAVID QUART: ...that... [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: ...so go  
18 ahead with what you were saying before.

19 DAVID QUART: Sure, so... I mean just...  
20 again just to take a step back I think our number one  
21 priority is to protect residents who are vulnerable  
22 to displacement, I mean we think about preservation  
23 and displacement and the fear of displacement sort of  
24 all together and that's why it's, it's, it's a suite  
25 of things that we've been doing. I think we've been



1  
2 doing a lot to build on that, I mean one example is  
3 the... is certainly the prevention... Harassment  
4 Prevention Task Force which is I think a very unique  
5 partnership between HPD, the Department of Buildings,  
6 the Attorney General's Office and the State Tenant  
7 Protection Unit and the more work that they do it's  
8 not only about the buildings that they investigate  
9 it's also the fact that more and more owners are  
10 aware that those, those folks are out there and  
11 taking a hard look and, and we've had... you know we...  
12 that group has had success in terms of a number of  
13 investigations and taking, taking action that has  
14 gone as far as criminal charges and, and arrests and,  
15 and... with the most serious landlords so that's,  
16 that's one piece and they're continuing to do that.  
17 The other is the landlord ambassador program that  
18 we've, we've, we've started... recently launched this  
19 summer with Enterprise which is to really help small  
20 buildings with... and, and, and owners to understand  
21 what kinds of technical resources and research  
22 assistance that they may need in order to... in order  
23 to best understand, you know what the options may be  
24 in terms of preservation.

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COUNCIL MEMBER MARK-VIVERITO: Okay...

[cross-talk]

DAVID QUART: We are also... we've, we've also recently... we, we are looking... I know one of the priorities that has come out of the Steering Committee is... and something we've talked to your office about is having a preservation coordinator for East Harlem and that's something that we have been considering and thinking about which we hope we can back to you soon on what, what that looks like and these are all proactive approaches that we're continuing to take.

COUNCIL MEMBER MARK-VIVERITO: I know that there have been a PSA, I, I'd seen it like I think on New York One etcetera talking about the legal services available to tenants, you know I, I don't... I haven't seen them lately so I'm not sure if that's an ongoing thing to again get the information out there to let people know that if you are being approached by your landlord, if you are being harassed that you have resources available to you in different languages I hope that would be considered but that's something that obviously we, we just need

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to do citywide whether... that should be a consistent thing.

DAVID QUART: Absolutely, I, I mean I... part... so part of that communication comes through the tenant's support unit that's been knocking on doors all throughout the neighborhood, I think as they said about 28,000 doors have been knocked on and over 1,500 tenants have been assisted and a lot of that has to do with connecting them with legal services...

[cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Okay...

[cross-talk]

DAVID QUART: ...and our partners at HRA are, are actively working again the... there's, there's millions of dollars in place over the next several years for East Harlem so that will certainly continue and we can make sure that the word is getting out

there... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Okay...

[cross-talk]

DAVID QUART: ...in the best way possible.

COUNCIL MEMBER MARK-VIVERITO: Alright,

let me keep jumping to my questions so I can get quick responses... [cross-talk]

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DAVID QUART: Go ahead... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...and then I'm going to move it to, to the testimony. So, obviously the other aspect of the Neighborhood Plan is the issue of permanent affordability that we've been talking about particularly on the city owned sites, you've alluded to it in the presentation but I would like to hear something more concrete, you know and the issue of permanent affordability particularly on city owned sites and along those same lines, you know the incorporation, right, of, of local community based non-profit housing developers to play a more central role, right, in HPD projects, that's something that we push, we just don't want a private developer that really doesn't have a connection to the community we want though, though... an active and equity stake role played by some of our non-profit community housing developers so I know we're going to be talking about Sendero Verde, you know but that, that as an overall approach by HPD is that something that you're leaning towards, is that something that you're putting in place?

DAVID QUART: So, in terms of permanent affordability of course anything that's subject to

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MIH as a baseline must provide between 20 and 30 percent depending on the option chosen of the units in the building that are permanent. In terms of public sites that we are financing if we are providing additional subsidies or additional help to that developer, to that property in addition to the requirement of MIH we require even more permanence. So, in addition... [cross-talk]

CHAIRPERSON RICHARDS: Please, please don't call out, thank you... [cross-talk]

DAVID QUART: So... yeah, so we'll be talking about Sendero Verde later but certainly as you know Sendero Verde while the MIH option would require say 20 to 25 or 30 percent that project is committing to 40 permanent affordability and we're continuing to work with that developer to try to get it even, even higher. Another thing that I think... I mean we also have many tools in place that we've put in place only in the last couple of years to ensure that at the end of any regulatory period HPD and the city are in the best position possible to have leverage to basically reopt that affordability in terms of the enforcement mortgage, in terms accrued interest and these are things that were not in place

1  
2 several years ago and are in place now that really we  
3 believe provide a very strong incentive for folks to  
4 come back to the table and then in addition most  
5 recently we launched a... our policy for publicly owned  
6 sites that HPD issues RFP's on something called  
7 remainder interest, which in short ensures that at  
8 the end of the regulatory period that that property  
9 the city can take that property back from the  
10 developer or owner at the time if they are not  
11 abiding by or not willing to further extend  
12 affordability so it put the... it puts the city, it  
13 puts the public in the driver's seat at the end of  
14 that regulatory period to ensure that affordability  
15 will continue and that's something that we have just  
16 started incorporating into our most recently issued  
17 RFP's that we issued at the end of August and early  
18 September and will be incorporating into all of RFP's  
19 going forward. So, those are all... those, those are  
20 pieces of, of... those are different tools that I  
21 believe do address all of... our collective goal to  
22 ensuring that these apartments are made affordable  
23 for as long as possible and into the future.

24 COUNCIL MEMBER MARK-VIVERITO: Alright, I  
25 mean if I, I... I'm not going to keep asking more

1  
2 questions on it, that doesn't mean that there's not  
3 more to discuss but I'm putting you on record with a  
4 couple of things and then as we negotiate we'll get  
5 deeper into it because again I do want to get to, to  
6 the audience. Twenty-eight percent, right, of our  
7 housing stock as we know, you know is, is public  
8 housing, we have the most in the country is in this  
9 district, it's always been a priority for me at my  
10 office so any housing preservation strategy has to  
11 include our public housing and there's always the  
12 issue of the backlogs of getting repairs done and  
13 improving the quality of life of the residents that  
14 live in public housing so if you can just speak a  
15 little bit to the approach on this that's going to  
16 obviously be of concern for me and this rezoning  
17 conversation.

18 PURNIMA KAPUR: So, I believe we have...

19 [cross-talk]

20 CHAIRPERSON RICHARDS: Press your mic

21 Purnima.

22 PURNIMA KAPUR: I believe we have  
23 representatives from NYCHA present here to address  
24 that, David Pristin, come on in.

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CHAIRPERSON RICHARDS: And just identify yourself David.

DAVID PRISTIN: Good afternoon, my name is David Pristin and I'm Executive Vice President for External Affairs at NYCHA.

COUNCIL MEMBER MARK-VIVERITO: So, the question about the issue of backlogs as in... particularly in this area which is going to be rezoned?

DAVID PRISTIN: So, I think as you know we've been working... we've released a plan called Next Generation NYCHA which is a plan that was released with the Mayor and the Chair and we have been focusing, you know with great energy and effort on changing the way we do business and preserving our buildings for current residents as well as the next generation of New Yorkers. Part of that process has been upgrading our use of technology to make our employees more efficient, we've reduced our maintenance worker service levels from what was originally about 14 days when we... this administration first started to now below seven days which was our goal, we're approximately now at 4.5 days so we recognize that there are, you know tremendous



1  
2 challenges and you know we've... continue to face  
3 tremendous challenges from a federal budget  
4 perspective and we continue to work, you know to  
5 increase our efficiency despite those challenges  
6 through use of technology, pushing decision making  
7 from an operations perspective down to the local... the  
8 local development level, we've rolled out a program  
9 called Next Generation Operations, NGO in East Harlem  
10 which is giving our property managers more discretion  
11 to be making budgeting and operational decisions and  
12 having a little bit more discretion on when they  
13 engage, some of our skill trade workers so that they  
14 have closer access to them and hopefully can speed up  
15 a lot of the issues.

16 COUNCIL MEMBER MARK-VIVERITO: Alright,  
17 so then obviously we will keep discussing that, so  
18 thank you for that. I have one more question and I  
19 understand you guys are going to stick around, right,  
20 there's going to be reps here so I'm going to... I want  
21 to hear testimony and then if I do want to come back  
22 for additional question I believe I'm the only one  
23 asking, asking questions obviously here then, then I  
24 would like to come back so I'm just going to allow  
25 people... okay, I have one more question for, for the

1  
2 reps that are at the table, so on the issue of the  
3 Neighborhood Plan one of the things that we  
4 identified was that we were losing an average of 360  
5 units of affordable housing every year since 2007 and  
6 that's just the way things are right now with no  
7 changes and it having... happening so we're losing  
8 about 360 units of affordable housing so our  
9 conversation as we were having the East Harlem  
10 Neighborhood Plan which included having extensive  
11 briefings on what land use process is, on what zoning  
12 is, what can zoning do, what are the plusses, what  
13 are the minuses so it was a real thorough discussion  
14 and dialogue to get educated on, on what zoning and  
15 how zoning can help, right, is how do we work to  
16 replace the units that we're losing every year,  
17 obviously preservation is critical to that but there  
18 is also the need for building new housing units that  
19 can then be put into the regulatory process. So,  
20 we've identified that in the... in the Neighborhood  
21 Plan but in the... your, your recommendation of City  
22 Planning you are proposing to up-zone blocks that are  
23 predominantly existing rent regulated housing so  
24 that's a concern for us that you are looking at those  
25 blocks where they're already and that might increase

1  
2 pressure so how do you... how do you go about thinking  
3 about those blocks, is there any way to, to look at  
4 it in a different way and I want to give you an  
5 example. The West side of 2<sup>nd</sup> Avenue between 111<sup>th</sup>  
6 Street and 112<sup>th</sup> Street and I literally live right  
7 around there so I'm very familiar with that block,  
8 six of the eight buildings on that block are rent  
9 stabilized and they have about 60 units of affordable  
10 housing so the idea of how to revisit the idea of  
11 looking at blocks that have a good number of, of rent  
12 regulated units and trying to minimize the amount of  
13 pressure that might be generated from a... from a  
14 rezoning.

15 PURNIMA KAPUR: Certainly. So, I think as  
16 you heard from our team we have tried to be as  
17 strategic as possible in looking at finding  
18 opportunities for increasing the production of  
19 affordable housing while at the same time working in  
20 close partnership with HPD on the preservation side  
21 of things. We have, you know approached this in a way  
22 that identifies areas that are wide streets, that are  
23 well served by transit and in many... most instances we  
24 have hued closely to the East Harlem Plan in coming  
25 up with those densities. I hear your concerns about

1  
2 the specific blocks and we will take a closer look at  
3 those blocks as well however really when we are  
4 looking at the zoning we are also trying to ensure  
5 that for instance on 2<sup>nd</sup> Avenue as the subway extends  
6 Northwards there is likely to be pressure of  
7 redevelopment and we want to ensure that we build  
8 into the zoning today anticipating that and making  
9 sure that we can get a, a development with the new  
10 subways while making sure that the people that are  
11 there today get preserved. So, you know our rezoning  
12 approach across the board is trying to balance these  
13 two goals of providing opportunities to create more  
14 affordable housing, you know the projects that David  
15 referenced, the city owned sites that we are working  
16 on are a large beneficiary of this rezoning effort as  
17 well as some of the private sites will be and we  
18 think in partnership with looking at the preservation  
19 alongside the production of housing that we will be  
20 able to address the concerns about, about specific  
21 areas.

22 COUNCIL MEMBER MARK-VIVERITO: Okay,  
23 thank you for the response to that. So, I'm going to...  
24 I'm going to finish here with my questions because I  
25 want to switch out and allow audience to, to provide

1  
2 testimony and hopefully those that stay behind if  
3 there's additional questions that I may have, a  
4 couple that I didn't get answered I could get you  
5 guys back up on, on the tables there. So... [cross-  
6 talk]

7 PURNIMA KAPUR: Thank you... [cross-talk]

8 COUNCIL MEMBER MARK-VIVERITO: Thank you  
9 again for your... [cross-talk]

10 PURNIMA KAPUR: Thank you... [cross-talk]

11 COUNCIL MEMBER MARK-VIVERITO:

12 ...testimonies today... [cross-talk]

13 PURNIMA KAPUR: ...very much... [cross-talk]

14 COUNCIL MEMBER MARK-VIVERITO: ...and...

15 [cross-talk]

16 DAVID QUART: Thank you very much...

17 [cross-talk]

18 COUNCIL MEMBER MARK-VIVERITO: ...we look  
19 forward to continued dialogue.

20 PURNIMA KAPUR: We do too, thank you.

21 CHAIRPERSON RICHARDS: Okay, hold on one  
22 second so I'm going to just ask... just ask maybe two  
23 or three questions and then we're going to get right  
24 to the public. So, let's just go through you  
25 preservation strategy again so based on the documents

1  
2 that you gave, I'm looking at so... for financing I see  
3 that you financed between 2003 and '13 2,500 units  
4 then it was sort of a drop off in 2014 to '17 you...  
5 where you financed 844 units why such a drastic drop  
6 between '14 and '17 is that in light of the rezoning  
7 or, or in anticipation of the rezoning and then the  
8 other question I have is related to preservation as  
9 well between 2003 and '13 you did a lot of  
10 preservation, 7,000 units or a little bit above that  
11 and then in 2014 through '17 you did... you preserved  
12 around nearly 4,000 so can you speak to a little bit  
13 more of your preservation strategies there and then  
14 also in terms of promoting safe and healthy housing  
15 you surveyed 426 buildings in, in this district,  
16 right and HPD has only, I think according your own  
17 stats has seen action in 19 buildings so you can  
18 speak to why are we saying the other buildings are in  
19 good shape or are there any other actions we are  
20 taking before we build new housing to ensure that the  
21 local residents who are in housing can actually live  
22 in quality housing at the moment, so can you just  
23 speak to those things quick?

24 DAVID QUART: Sure, happy to answer those  
25 questions. So, I think in terms of the, the data we

1  
2 provided... I mean in terms of a perceived drop off, I  
3 mean the first column is showing over a ten-year  
4 period in number of units that we... [cross-talk]

5 CHAIRPERSON RICHARDS: Right, okay...  
6 [cross-talk]

7 DAVID QUART: ...preserved and then the  
8 second is, is the... just in the last three years alone  
9 so in, in fact if you were looking at a... an average  
10 over... yeah over year we've actually increased our...  
11 [cross-talk]

12 CHAIRPERSON RICHARDS: Speak a little bit  
13 more into the mic.

14 DAVID QUART: We've, we've actually  
15 increased, increased the, the pace at which we have  
16 been preserving housing over the last three years so  
17 just in three years alone we're almost at 3,400 units  
18 and counting...

19 CHAIRPERSON RICHARDS: Please sustain  
20 yourself on the... thank you. Alright. Alright, you may  
21 continue, speak a little louder too David.

22 DAVID QUART: Sure, so, so I think that,  
23 that explains the discrepancy I think that you're  
24 seeing in this... [cross-talk]

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CHAIRPERSON RICHARDS: So, ten-year period, I see... [cross-talk]

DAVID QUART: ...and this table is just in... [cross-talk]

CHAIRPERSON RICHARDS: And how much more preservation do you anticipate you'll do here?

DAVID QUART: Specifically in, in terms of the overall... [cross-talk]

CHAIRPERSON RICHARDS: In the catchment area.

DAVID QUART: In the catchment area, I mean... you know I... it's, it's hard to predict exactly what the future will bring, I mean we always are... we have projects in the pipeline all the time, this is... again this is one of the areas where we're doing I think more preservation and more affordable housing, one of the top three or four areas in the whole city where we're doing that and we're continuing to do that, you know in terms of exact numbers or projections we don't generally track it that way in terms of having tracking for individual community districts or individual neighborhoods but it's something that we're completely committed to and, and as I said as, as any existing regulatory agreements



1  
2 expire we're always approaching those owners well in  
3 advance of that expiration and working with them and,  
4 and, and I'd say the majority of the time more  
5 successful than not in ensuring that we extend that...  
6 [cross-talk]

7 CHAIRPERSON RICHARDS: So, the majority  
8 of them agreed to tie back into or are you like  
9 talking about Article 11's the majority will enter...  
10 are you seeing a majority reenter into the program  
11 or... [cross-talk]

12 DAVID QUART: Right and whether it be...  
13 whether it be an Article 11 or whether it be moderate  
14 or substantial rehab that may be needed in an older  
15 building so... I mean all of that work will continue  
16 for sure... [cross-talk]

17 CHAIRPERSON RICHARDS: Okay... [cross-talk]

18 DAVID QUART: ...and then I think in terms  
19 of, you know your question about, you know just being  
20 more proactive and to the strategy generally and  
21 making sure we're... they're protecting tenants, I mean  
22 it's, it's some of the things I said before which is  
23 continuing to be out there and being as proactive as  
24 we can to ensure that we're protecting everyone in  
25 rent regulated build... in buildings, we continue to

1  
2 fight and we will again for stronger rent regulation  
3 laws to ensure that we're not... [cross-talk]

4 CHAIRPERSON RICHARDS: Okay... [cross-talk]

5 DAVID QUART: ...seeing... [cross-talk]

6 CHAIRPERSON RICHARDS: Okay and just get  
7 to the... because I know we want to move this along so  
8 you surveyed 426 buildings and out of those 19 are in  
9 some sort of action plan with HPD so do you  
10 anticipate more of these buildings to enter into  
11 litigation or monitoring?

12 DAVID QUART: So, that was a result of  
13 something that we... was a little bit experimental but  
14 I think successful and something that we're hoping  
15 to, to do more of which what we called block sweeps  
16 whereas if we saw a particular building in some  
17 substantial distress on a particular block even  
18 though we weren't getting necessarily calls from  
19 neighboring buildings we thought well if this  
20 building on this block is having issue it would be  
21 worthwhile for our team to go out and look at the  
22 whole block, the block as a whole and so that's where  
23 we got... that, that's how we got within East Harlem to  
24 the 420 buildings. In fact out of those 420 buildings  
25 there was enough in those buildings that about 60 of

1  
2 them warranted us to do a full roof to cellar  
3 inspection and we sent out division of neighborhood  
4 preservation to do those, those full building  
5 inspections and then out of those 19 of them were  
6 really I would say the, the most serious offenders in  
7 terms of where we found issues in buildings that  
8 otherwise were not necessarily on our radar and we  
9 weren't necessarily getting lots of calls about but  
10 we found substantial issues and that's where we moved  
11 forward on them, I mean... you know so, so... it's, it's,  
12 it's both ensuring that we're expanding our breadth  
13 of what we're, we're looking at and of course it's  
14 always good news to find buildings that aren't  
15 actually in distress especially if we're not getting  
16 calls but then to be able to identify a... even a... you  
17 know a couple of dozen that require significant  
18 action on behalf of the city is, is something that...  
19 you know these are buildings that we may not  
20 otherwise have identified without our proactive block  
21 sweeps.

22 CHAIRPERSON RICHARDS: Okay and then last  
23 two questions, just go through the community and land  
24 trust strategies because I know that's something that  
25 the community has been speaking a lot about so

1  
2 obviously we've announced half a million dollars  
3 which we know is to start this up, when do we  
4 anticipate some real motion on community and land  
5 trust and then lastly so we talked about public sites  
6 and I don't... I don't remember hearing if you're going  
7 to finance those 100 percent affordable or will  
8 public sites be 100 percent affordable and are we  
9 having any discussions around ensuring that there's  
10 financing for private sites as well and what does  
11 that strategy look like as well and what would we get  
12 right now so if we did nothing and we kept  
13 everything... I think what I see majority is R7/2,  
14 correct, so what would be allowable now and would  
15 there be any mandate with... of affordable housing  
16 without the rezoning's on these R7/2 lots as we  
17 speak, so I think that's an important question for  
18 the public to know that people can build now to a  
19 great degree and not have to build anything  
20 affordable so just speak to that? So, those are the  
21 last three things I'm going to go to Chair Greenfield  
22 after so once again just going back to are we  
23 committing to ensuring that public sites are 100  
24 percent affordable and then lastly what is the  
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strategy, will there be financing tools available for private sites and what does that strategy look like?

PURNIMA KAPUR: So, I... we'll take this in the reverse order, I will address the, the questions about the current zoning and what that would permit. As you noted the current zoning is a mid-density R7/2 district... [cross-talk]

CHAIRPERSON RICHARDS: So, people can build right now you're saying... [cross-talk]

PURNIMA KAPUR: People can build... [cross-talk]

CHAIRPERSON RICHARDS: Okay... [cross-talk]

PURNIMA KAPUR: ...today, people can... [cross-talk]

CHAIRPERSON RICHARDS: ...I just wanted the public to hear... [cross-talk]

PURNIMA KAPUR: ...yes... [cross-talk]

CHAIRPERSON RICHARDS: ...that because it's... [cross-talk]

PURNIMA KAPUR: ...people can build... [cross-talk]

CHAIRPERSON RICHARDS: ...very important thing to hear.

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PURNIMA KAPUR: Housing with no height limits today in those districts... [cross-talk]

CHAIRPERSON RICHARDS: Then no affordable housing?

PURNIMA KAPUR: Zero affordable housing... [cross-talk]

CHAIRPERSON RICHARDS: Okay... [cross-talk]

PURNIMA KAPUR: ...would be required as part of that development and so that is why we think it is really important and urgent to act in this area to make sure that as the market is catching up here that we put zoning into place that will ensure that any housing that gets built in areas that are proposed to be up-zoned here will have substantial permanently affordable requirements as part of new development. In addition to that we are looking as a city team very closely at the publicly owned sites to see how we can go deeper and wider on those sites in providing affordable housing so many of those sites today are really zoned for these mid densities where the amount of housing that was... this is produced is not going to be sufficient really to meet the demands for what we are trying to address here so up-zoning of those publicly owned sites is also critical in

1  
2 ensuring that the affordable housing production here  
3 is maximized and with that I'll let David speak to  
4 the specifics of those sites.

5 DAVID QUART: I, I'm going to pass it  
6 over to Leila to talk to this since she's been the  
7 closest to it.

8 LEILA BOZORG: Yeah, so on the public  
9 sites that we finance the vast majority that HPD  
10 finances is 100 percent affordable, there are  
11 situations few and far between where we may allow for  
12 that to be a little bit less than 100 percent if  
13 there are broader goals that we're trying to achieve  
14 with the project that we need some market rate units  
15 to cross finance those additional goals so... but for  
16 the vast... but the vast majority of what we finance on  
17 public sites is 100 percent affordable. On CLT's we...  
18 we're excited about the awards that we made through  
19 the RFEI and we're working with Enterprise to  
20 finalize the work plans for each of the grantees. In  
21 East Harlem one of the big upcoming milestones is  
22 actually working on the small city owned sites that  
23 we're working with the CLT to dispose of and we've  
24 actually been actively working with them to identify  
25 potentially some additional sites than was originally

1  
2 envisioned to add, add more to that portfolio that  
3 might be disposed of. So, those are some... that's some  
4 of the... one of the main next steps for that one.

5 CHAIRPERSON RICHARDS: Thank you, I'm  
6 going to go to Chair Greenfield, you didn't answer  
7 anything about the private sites though... [cross-talk]

8 LEILA BOZORG: Oh on private sites we  
9 absolutely have financing to do affordable housing on  
10 private sites, I mean the Housing New York Plan is  
11 about a balance of public and private sites and  
12 that's part of why we actually pace out our RFP's in  
13 our public sites so that we have room in our kind of  
14 annual financing of sites for private sites and we're  
15 actively working, doing proactive outreach with  
16 owners of land trying to incentivize folks coming in  
17 to, to take use of our, our, our programs for  
18 affordable housing so...

19 CHAIRPERSON RICHARDS: Okay, Chair  
20 Greenfield.

21 COUNCIL MEMBER GREENFIELD: Thank you  
22 Chair and I want to thank the entire panel I, I have  
23 to say that I've, I've been at this for four years as  
24 the Chair of the Land Use Committee and it's  
25 certainly an incredibly comprehensive group of folks



1  
2 who are working together from a variety of different  
3 agencies and the, the process was open and quite  
4 frankly I think the, the fact that we've saw today  
5 such public displays of protests proves that someone  
6 pointed out to me that, you know a few years back  
7 nobody would even know what's going on, right and  
8 today that we've made it so processed and so thorough  
9 and there's been a Steering Committee we've, we've...  
10 have... the fact that people are here I think is great  
11 and it shows that we've, we have people engaged in  
12 the process and I want to thank all of you and the  
13 Speaker and the Borough President and the Community  
14 Board and the Steering Committee for what you've  
15 done. I do... I do just want to... just... the Chair  
16 actually asked most of my questions, I just want to  
17 dig into that one final point and then just one  
18 technical question that the Chair raised. So, to, to  
19 the Chair's point so, what if we just said we'll do  
20 nothing over here so what's, what's happening, right,  
21 I mean I... and I hear this a lot as the Chair, we had  
22 another hearing yesterday and I heard similar  
23 criticism, why, why, why do anything at all, don't do  
24 anything, is it just going to benefit developers is  
25 they're going to make a lot of money, what's going to

1  
2 happen if we just do nothing, what's the default if  
3 we don't rezone the neighborhood?

4 PURNIMA KAPUR: So, the default will be  
5 that as the market continues to grow as our  
6 population continues to grow the areas that are  
7 approximate to mass transit as most of East Harlem is  
8 become attractive for new housing development that is  
9 necessary for every income strata in the city by not  
10 having in place any provision for affordable housing  
11 today most of the neighborhood is zoned for  
12 residential use today at mid to high mid densities,  
13 you would see housing development come here that  
14 would be entirely market rate, there is no  
15 requirement today on any site for any affordable  
16 housing whatsoever. So, if we did not do anything  
17 today the community is going to ultimately not get  
18 its share of affordable housing that is desperately  
19 needed here, by putting the mandatory inclusionary  
20 housing provisions into place we ensure that every  
21 piece of property; private, public, not-for-profit  
22 has minimum protections in that it must include a  
23 proportion of housing as affordable housing as those  
24 sites redevelop and as you've heard on the public  
25 sites the city is committed to going much further

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beyond that. So, not acting here today means not getting affordable housing in the community.

COUNCIL MEMBER GREENFIELD: Okay and I, I, I'll actually just say from personal experience in my district in Borough Park we actually have had people where they've been renting one family homes for years and because the market increased and the value increased they were forced out of their homes, they've knocked down their homes and now we have five and six story condos which they can't afford to live in because of the market prices which unfortunately the, the zoning in my neighborhood just never caught up with the market realities for something that you're trying to fix. The only... thank you for that just one technical question that I have for you David is can you just explain this remainder interest, I'm not familiar with this concept, is that a new concept and are you rolling this out in this proposal as well for your projects?

DAVID QUART: Thank you Chair Greenfield, the, the remainder interest is, is not something specifically associated with East Harlem but it's something that we have recently rolled out in association with all of... all of HPD's issued RFP's...

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COUNCIL MEMBER GREENFIELD: So, it's a new concept?

DAVID QUART: It's a... I mean it's a new concept for, for HPD.

COUNCIL MEMBER GREENFIELD: Okay... [cross-talk]

DAVID QUART: Yes... [cross-talk]

COUNCIL MEMBER GREENFIELD: ...fair enough, yes... [cross-talk]

DAVID QUART: And I, I guess... I mean it is not exactly the same but I would... I would make it... I would say it is most comparable to the terms of the ground lease which of course many people are familiar with, it's what EDC and NYCHA does but the idea is that there is a hook if you will from the public over the long-term that over time or at the end of whatever period... whatever that period may be, 60 years or 75 years or longer that at the point that the remainder interest kicks in that the city then at that point in time... it's not about the city saying owner A please come back to the table we want to incentivize you to extend the affordability, it is you must come back to the table and engage with us and if the city does not like what's happening and

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the city is not satisfied and the city has, has the right to bring that property back into city ownership and then... and go from there to ensure the affordability... [cross-talk]

COUNCIL MEMBER GREENFIELD: So, just to be clear for those folks who don't follow this as closely as we do at home, essentially what this does is that right now you have a 30, 40 year agreement and we're seeing right now that many of these apartments after 30, 40 years are coming online and now you as HPD have to go and essentially beg the landlord and say please stay in the program, we'll give you incentives, we'll give you money, sometimes they say yes, sometimes they say no but that's very expensive and you're not always successful so essentially what you're doing is you're looking towards the future and you're saying well in the future you have no choice, you're... have to... going to keep this affordable if not we're going to take the property back.

DAVID QUART: Exactly right.

COUNCIL MEMBER GREENFIELD: Alright, it sounds like a good innovation, thank you very much.

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DAVID QUART: Thank you Council Member Greenfield.

CHAIRPERSON RICHARDS: Okay, we're going to... alright, thank you so much for your testimony, we're going to get to the panels now because we're here to hear from the public. Alright, we're going to start with our Manhattan Borough President none other than the fabulous Gale Brewer.

GALE BREWER: I'm ready when you are, I don't know... am I supposed to start?

CHAIRPERSON RICHARDS: We are all ready.

GALE BREWER: Okay, thank you. So, good afternoon Chair Richards, Chair Greenfield, Council Member Helen Rosenthal and the very special Speaker, Melissa Mark-Viverito. I am Manhattan Borough President Gale Brewer and I'm here to speak to the New York City... in opposition to the New York City Department of City Planning application to rezone East Harlem. I'm speaking in opposition to the proposal but for the Neighborhood Plan and I'm also here to voice my conditional support of HPD's application for Sendero Verde East 111<sup>th</sup> Street. I do want to thank the Speaker for her leadership and commitment to community planning and for reaching out

1  
2 to my office to collaborate on the East Harlem  
3 Neighborhood Plan. I heard Chair Greenfield talk  
4 about the plan and his version of a lot of planning  
5 went into it is 100 percent correct. On the  
6 application to rezone East Harlem I recommended a  
7 straight no, the Department of City Planning proposal  
8 shares broader goals with the East Harlem  
9 Neighborhood Plan on the need for required affordable  
10 housing and concentrated new commercial use along the  
11 viaduct to better utilize that area. I am grateful to  
12 City Planning and their sister agency's involvement  
13 in the neighborhood process and their subsequent  
14 meetings with local stakeholders to discuss steps.  
15 The administration invested an extraordinary amount  
16 of agency staff in the effort. We understand... we  
17 understood that the community's self-defying vision  
18 would be central to the final plan. Unfortunately, at  
19 the end of the process my office felt that too much  
20 of that self-defying vision had been overlooked.  
21 Planning is difficult, the process of bringing  
22 desperate voices together is challenging and requires  
23 trust building and a deep knowledge of  
24 constituencies. It is clear that changes to the  
25 current zoning are necessary in East Harlem to

1  
2 address the changes and pressures the neighborhood is  
3 facing, we talked about this earlier. Now as of right  
4 development continues in East Harlem under the  
5 current zoning framework with no requirements for  
6 affordable housing as we know, rents go up  
7 threatening affordability and neighborhood cohesion,  
8 doing nothing and allowing this to continue would be  
9 wrong but to get an already destabilized community on  
10 board with more change we must be able to clearly  
11 demonstrate that any final plan for East Harlem  
12 furthers responsible growth and smart investment and  
13 protects the neighborhood's character. The  
14 administration's current plan calls in my opinion for  
15 too much density, too much construction and too many  
16 market rate units while not constructing enough units  
17 affordable... no, no, no, no...

18 CHAIRPERSON RICHARDS: Alright... [cross-  
19 talk]

20 GALE BREWER: Uh-huh... no, no, no...

21 CHAIRPERSON RICHARDS: To the public if  
22 you like what someone says you do this...

23 GALE BREWER: To the existing... [cross-  
24 talk]

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CHAIRPERSON RICHARDS: ...if you don't you  
can... [cross-talk]

GALE BREWER: ...population... [cross-talk]

CHAIRPERSON RICHARDS: ...do this... [cross-  
talk]

GALE BREWER: ...to offset the expected  
loss of rent regulated units and families who live  
there, what is lacking are serious up-front housing  
preservation efforts and investments in  
infrastructure, public realm, and social services. We  
must plan appropriately to protect the current  
population before we allow for significant growth. To  
accomplish this the rezoning plan must seek to  
preserve existing affordable units in two ways, first  
in the rental market where we face the greatest  
threat of displacement and second through a long-term  
targeted financial commitment to repair and maintain  
NYCHA then new development must create housing that  
is permanently, underline that work, affordable to  
residents. The key is to limit the kind and location  
of market rate development that increases  
displacement, I'm not saying this is easy. Finally,  
we must require that development respect the  
neighborhood's physical and cultural character. The

1  
2 biggest challenge in these neighborhood rezoning's  
3 and I have been through a lot, is balancing the need  
4 for new development and its promise of mandatory  
5 affordable housing versus the fears that too much new  
6 development will accelerate gentrification and hasten  
7 displacement, that is why we agree with the local  
8 East Harlem Neighborhood Plan and call for maximum  
9 density of R9 and R9A. the administration's option  
10 for height limits submitted as part of the Apex which  
11 the city planning adopted do not go far enough.  
12 However, the work done in conjunction with the Apex  
13 would also allow the council to reduce density and  
14 set appropriate heights along certain portions of  
15 Park and 3<sup>rd</sup>. I appreciate the addition of this new  
16 tool to the application and urge the council to use  
17 it for maximum benefit. Just a couple of other points  
18 of disagreement with the Mayor's proposal, these are  
19 issues that it does not address in my opinion. Number  
20 one, the narrowing of the rezoning boundaries from  
21 those proposed in the local neighborhood plan we want  
22 the full community board to be included because then  
23 we would have less density over a wider area. Number  
24 two, something that I care desperately about, more  
25 requirement in commercial corridors that support

1  
2 small businesses mom and pop. Number three, a greater  
3 allowance of as of right parking garages. Number  
4 four, NYCHA, mapping commercial overlays on NYCHA  
5 campuses without further study does not make sense,  
6 make sure that they are discussed in advance and you  
7 need to have development specific discussions with  
8 the residents and local stakeholders before moving  
9 forward. I was also dismayed to see that the  
10 Landmarks Preservation Commission has not provided a  
11 thorough response to the list of potential landmark  
12 sites identified by the members of the local Planning  
13 team. We know how important cultural and historic  
14 preservation is and I want to say this is  
15 particularly challenging because in the East midtown  
16 rezoning Landmarks Preservation Commission came  
17 through in the time period that we asked, this has  
18 not happened in East Harlem. Finally, and hard to  
19 address is a need for commitments and how we can  
20 achieve a deeper affordability in the planned  
21 affordable housing. The local plan called for a  
22 minimal of 20 percent of affordable units to be  
23 affordable to those earning 30 percent of AMI or  
24 less, we have barely been able to meet that target in  
25 most projects on city owned land if we cannot do it

1  
2 their success is very unlikely on private  
3 development. A plan for East Harlem must do more to  
4 preserve neighborhood context, make detailed up-front  
5 commitments to affordable housing preservation,  
6 spread new development across a wider area, and  
7 address the many other needs that were identified by  
8 this amazing community process. Finally, regarding  
9 Sendero Verde after careful review I believe the  
10 proposal put forward by HPD and the proposed  
11 development team is appropriate by support for the  
12 application however those come with some specific  
13 concerns. East 111<sup>th</sup> Street is already a location  
14 with as we know very important... great importance to  
15 the fabric of East Harlem. HPD has always planned I  
16 believe to develop affordable housing for this site  
17 and given the depth of the housing crisis especially  
18 in community board 11 I believe affordable housing is  
19 so appropriate as we all do. The applicant and the  
20 proposed developer have outlined a proposal and the  
21 concept plan as presented is a genuine attempt to  
22 achieve the elements of the Neighborhood Plan. With  
23 that said I believe more can be done to improve the  
24 project while all the residential units will be  
25 income restricted at the beginning. Let me be clear,

1  
2 income restricted at the beginning, 60 percent of the  
3 units are not permanently affordable and as someone  
4 who has dealt with years, years with the consequences  
5 of expiring affordability as in the program on the  
6 West side of Manhattan city owned land represents one  
7 of the few places where we can require permanent  
8 affordability and we must not let the opportunity  
9 slip away. The 60 percent will represent the tax  
10 abatements and the regulatory agreements and they're  
11 not permanent. Additionally, one of Community Board  
12 11's recommendations called for an East Harlem based  
13 mission driven organization to be part of the  
14 development team with selection based on input from  
15 the board recommendations that were ignored. This  
16 kind of collaboration should not be ignored but  
17 encouraged instead. So, I would urge HPD to heed  
18 these recommendations and make them standard practice  
19 as part of projects on public land. I want to thank  
20 you for giving me the opportunity to testify and I  
21 really do thank the Speaker Staff and Community Board  
22 11 for an amazing partnership and a plan that has had  
23 a great deal of input and to be taken very seriously,  
24 thank you very much Mr. Chair.

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COUNCIL MEMBER MARK-VIVERITO: So, just to be clear Gale you're not opposed to a rezoning, you want it to be more aligned with the Neighborhood Plan?

GALE BREWER: Absolutely correct.

COUNCIL MEMBER MARK-VIVERITO: Okay, so that's what we're aiming for as well... [cross-talk]

GALE BREWER: Thank you very much.

COUNCIL MEMBER MARK-VIVERITO: So, thank you for your testimony.

CHAIRPERSON RICHARDS: Thank you. alright, we're going to go to the next panel Chris Walters, ANHD; Juan Peralta, Justice Center in El Barrio; Marina Ortiz, East Harlem Preservation; Xavier Santiago and Michelle Kohut Save Inwood Library. So, I'll call you again Chris Walters I believe, East Harlem Rezoning ANHD; Juan Peralta, Justice Center in El Barrio; Marina Ortiz, East Harlem Preservation; Xavier Santiago; Michelle Kohut oh Konut I'm sorry, it looks like an H, Save Inwood Library. Do we have all six, alright if not we're going to go to... let's just go call two more people up. Alright. Alright, we have two more... three more chairs, can I get another... okay, you got another

1  
2 chair up there. Okay, I'll call Kimberly Libman, the  
3 New York Academy of Medicine and also Kathleen  
4 Haskins, Cavitus... Civatus, Landmark East Harlem  
5 Civita. Emily Parkey, DREAM, Emily Parkey are you  
6 here, DREAM, Okay. With that you'll introduce  
7 yourselves and we're going to give each speaker two  
8 minutes to testify based on the amount of people we  
9 have signed up. So, we'll start from my right, I'll  
10 start... yeah and just identify yourself for the record  
11 and, and don't hit your mic, press the button, there  
12 you go.

13 KIMBERLY LIBMAN: Thank you.

14 CHAIRPERSON RICHARDS: Okay.

15 KIMBERLY LIBMAN: Can you hear me..

16 [cross-talk]

17 CHAIRPERSON RICHARDS: You may begin.

18 KIMBERLY LIBMAN: Alright, my name is

19 Doctor Kimberly Libman, I'm the Director for  
20 Prevention and Community Development at the New York  
21 Academy of Medicine. The Academy was founded in 1847  
22 to take on the critical health problems facing New  
23 York City at that time and we continue to advance  
24 solutions that promote the health and people.. the  
25 health and well-being of people living in cities. The

1  
2 Academy was pointed.. appointed to the East Harlem  
3 Neighborhood Plan's Steering Committee by City  
4 Council Speaker Melissa Mark-Viverito and asked to  
5 convene community members and develop recommendations  
6 for health and aging in the East Harlem Neighborhood  
7 Plan. The Steering Committee created a comprehensive  
8 Neighborhood Plan that not only includes  
9 recommendations for rezoning but also key investments  
10 to support the growth of existing.. to support the  
11 growth of the existing community. As the Neighborhood  
12 Plan Steering Committee member, the Academy has been  
13 engaged in the neighborhood planning process for over  
14 two years. In our role as a member of the Steering  
15 Committee we conducted a health impact assessment to  
16 provide information about the potential health  
17 effects of the plan's affordable housing and zoning  
18 recommendations and to make this tool available to  
19 the East Harlem community throughout the rezoning  
20 process. Our health impact assessment concluded that  
21 to prevent negative health impacts and promote health  
22 equity implementation of the proposed rezoning in  
23 connection to mandatory inclusionary housing should  
24 prioritize maintaining existing affordable housing in  
25 building new units as well as preventing the



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2 displacement of long term residents and local  
3 businesses. I would like to emphasize to the council  
4 that the public health chapter of the draft  
5 environmental impact statement in connection with  
6 this rezoning does not address the health impact of  
7 changes to what are commonly known as the broader  
8 determinants of health such as education, employment,  
9 socioeconomic status and housing. We know that  
10 residential displacement can negatively impact  
11 health, evidence shows that displacement can result  
12 in disruption of important social support, erosion of  
13 social capital and cohesion as well as increased  
14 transportation and other costs for families. We also  
15 know that some displaced residents will become  
16 homeless which in and of itself is linked to several  
17 negative health outcomes. Displacement and the threat  
18 of displacement can also lead to high levels of  
19 stress which is linked to chronic disease. In  
20 conclusion we find that the DEIS significantly  
21 underestimates the potential negative health impacts,  
22 the... as currently proposed the city council... the City  
23 Planning rezoning for East Harlem would adversely  
24 impact the health and character of this community and  
25 lower density rezoning proposed in the Neighborhood

1  
2 Plan achieves a better balance between creating new  
3 affordable housing and preserving the existing  
4 character of the East Harlem.

5 CHAIRPERSON RICHARDS: Thank you for your  
6 testimony, sir you may begin.

7 JUAN PERALTA: Hi, my name is Juan  
8 Peralta, I'm a Harlem native and part of the Justice  
9 Center in El Barrio. I have been to, to many of these  
10 meetings where 80 to 90 percent of the room are  
11 against the, the plans of rezoning but still votes  
12 are being passed no with conditions, yes and I truly  
13 feel that no matter how many people come out here the  
14 vote that is decided is going to... is going to pass.  
15 If... these votes directly go against the real  
16 stakeholders of East Harlem which are the, the  
17 members of the community that are at risk at... of  
18 displacement. Almost 40 percent of people living in  
19 East Harlem live under 30 percent AMI, 20 percent set  
20 aside is not enough. The Neighborhood Plan was not  
21 enough, if we are truly a sanctuary city we should be  
22 demanding for truly 100 percent affordable housing.  
23 New York City has enough vacant buildings to house up  
24 to two... 200,000 people, this is a study done by  
25 Picture the Homeless in 2012 and that's not taking

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2 into, into consideration the, the high-rises that are  
3 in Midtown and Queens that, that fall with 60, 50, 75  
4 percent vacancy that have all been reported on in  
5 different news articles. Mr., Mr. Greenfield who's  
6 unfortunately not in the room gave himself a pat on  
7 the back talking about how the community engagement  
8 is what brought people out but today those people  
9 that were up in the balcony were brought out by us,  
10 Justice Center in El Barrio, we brought down 58  
11 people that didn't know anything about the rezoning.  
12 We... the petitions that were dropped down from the  
13 balcony were signatures from over... form almost 3,000  
14 people against the rezoning. We are not saying that  
15 rezoning does not need to happen but it needs to be  
16 truly for the people and not this so-called balance  
17 that is being said that is really balance... saying to  
18 the developers to give a little bit and that they'll  
19 be okay, we need real, real change and regulations  
20 that is truly for the people, we cannot be thinking  
21 about transplants and people coming into our  
22 neighborhood when everyday people are going homeless  
23 in East Harlem. Thank you for your time.

24 CHAIRPERSON RICHARDS: Thank you for your  
25 testimony. Yes ma'am.

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MARINA ORTIZ: Hi, my name is Marina Ortiz and born and raised in East Harlem. Two minutes is absolutely not enough time to dispute everything that was said here and every single time we've tried to have a conversation at the East Harlem Neighborhood Plan meetings there's never been the opportunity to have a real dialogue to break down and debate every single point that is being made about why we need to be rezoned. So, I invite the Speaker to have a debate in East Harlem so we can go point by point... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Marina, if you would ask... [cross-talk]

MARINA ORTIZ: ...to dispute... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...a question you would... [cross-talk]

MARINA ORTIZ: ...are you going to take... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...if you would ask... [cross-talk]

MARINA ORTIZ: ...my two minutes... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...no be... oh no, you get more time... [cross-talk]

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MARINA ORTIZ: ...are you going to... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...you will get more time... [cross-talk]

MARINA ORTIZ: ...let my finish my two... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...you will get more time... [cross-talk]

MARINA ORTIZ: ...minutes... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...you will get more time. So, what I'm saying is and it was going to say it before the public testimony started, okay, this conversation... those of you that have lived in the community know that I'm not afraid to discuss the issues and debate the issues... [cross-talk]

MARINA ORTIZ: That's not true... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...I have a three month... I have a three-month window to engage, there is going to be a community engagement conversation in East Harlem about this plan, this is not the only hearing we're going to have, there's a lot of information... [cross-talk]

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MARINA ORTIZ: That's not what I'm talking... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...that was... there was a lot of... [cross-talk]

MARINA ORTIZ: ...about, I'm talking... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...there was a lot of... [cross-talk]

MARINA ORTIZ: ...about a point by point... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...let me... hold on a second... [cross-talk]

MARINA ORTIZ: ...debate... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...let me finish and then you can... [cross-talk]

MARINA ORTIZ: ...not a controlled conversation... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...back to what you were saying, so there was a lot of information... [cross-talk]

MARINA ORTIZ: ...where we get two minutes... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...as I indicated... there was a lot of information that was

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shared by the city, it was a very extensive PowerPoint presentation which we're asking to be made available to the public, we will then have conversations in the community regarding what was presented and what the city basically presented here today, this is not the only hearing or opportunity to engage in this conversation so that's going to come back into the neighborhood, this is the formal meeting that we're having here in the... in the chambers, there's going to be more dialogue in the community. So, go ahead if you want to start your time again... [cross-talk]

MARINA ORTIZ: Yes, could we start...

[cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...and speak

directly... [cross-talk]

MARINA ORTIZ: ...the two minutes... [cross-

talk]

COUNCIL MEMBER MARK-VIVERITO: ...to the

testimony... [cross-talk]

MARINA ORTIZ: ...again... thank you.

COUNCIL MEMBER MARK-VIVERITO: Go ahead,

of course you will... [cross-talk]

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2 MARINA ORTIZ: So, what I'm talking about  
3 is a point by point debate not a controlled  
4 conversation where we get up and line up again for  
5 one or two minutes and you again tell us every time I  
6 see you we don't know what we're talking about, we do  
7 know what we're talking about, I invite you to have a  
8 point by point debate about why we should not do any  
9 rezoning, okay and then I also want to take  
10 opportunity for my own time to let you know that I've  
11 been trying to get to housing connect for over a  
12 month, I've been locked out of the website, I've  
13 called, I've emailed, I've texted, no... I cannot reach  
14 a live person, I've tried on three different browsers  
15 and three different computers so that's just an  
16 example of the government... the government... the city's  
17 bureaucracy and ineptitude so don't tell us you're  
18 going to promise us housing but I'll give you a few  
19 points about the rezoning. One, the housing will not  
20 be affordable as been said, 30 percent is not enough  
21 for the people in East Harlem, 38 percent of us earn  
22 less than 30, 30 percent AMI. You're not providing  
23 any housing for people who actually need affordable  
24 housing, you're not doing anything for the homeless  
25 population in East Harlem except building more



1  
2 shelters here and there. Working people are going to  
3 be priced out, you know the, the tsunami effect of  
4 rezoning, it's been proven in Williamsburg and every  
5 other city in this country. Rezoning exacerbates  
6 gentrification, you know that Melissa, you know  
7 people in Williamsburg that are no longer there  
8 because they can't afford to be there, we're going to  
9 lose control of our neighborhood, 20 or 25 percent  
10 set asides of quote "affordable housing" is going to  
11 mean that 75 percent of the people moving into every  
12 single one of these buildings are not going to be  
13 people for the most part who look and sound and talk  
14 like us. So, we're going to be displaced at the rate  
15 of three to one, that's a civil rights issue, we're  
16 going to lose our cultural legacy and our political  
17 power, you know that to be true. Our cultural legacy  
18 is fine with the wonderful murals but they're not  
19 going to allow us to afford to live there. We need  
20 you to stop the rezoning, there are alternatives, you  
21 cannot give away city owned land, huge parcels of  
22 city owned land to private developers for market rate  
23 housing, there's no excuse for that, you can't cry  
24 that you need to have rezoning when you've given away  
25

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2 public land and you continue to do so. No rezoning,  
3 period.

4 COUNCIL MEMBER MARK-VIVERITO: Next,  
5 next.

6 XAVIER ALUSER SANTIAGO: Dear honorable  
7 Council Members... [cross-talk]

8 CHAIRPERSON RICHARDS: Just press your  
9 mic and make sure it's working.

10 XAVIER ALUSER SANTIAGO: Can you hear me  
11 now? Dear honorable Council Members, first thank you  
12 Madame Speaker for shining a light on Puerto Rico,  
13 many of our residents have family and friends there,  
14 I appreciate you shining that light. I just want to  
15 offer a different perspective. My name is Xavier  
16 Aluser Santiago, I am a resident of East Harlem. My  
17 business is based in this vibrant community but more  
18 importantly I'm raising what will be a fifth  
19 generation with deep roots in the district. I'm also  
20 a member of Community Board 11 of Manhattan where  
21 I've served as Housing Committee Chair and now I'm  
22 Budget Committee Chair overseeing requests on behalf  
23 of our district. You're already in possession of our  
24 position on the rezoning. Today though I speak to you  
25 as a concerned citizen to offer insight from my

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2 studies into long... into the long-term impact this  
3 rezoning will have on our community because this has  
4 happened before to our friends across the pond at  
5 Notting Hill Gate, London, England. What connection  
6 does East Harlem, Spanish Harlem have with Notting  
7 Hill Gate, both had large populations of families  
8 with roots in the Caribbean, they went through a  
9 similar redistribution rezoning process and  
10 subsequent privatization of their public housing  
11 stock, having lived in that community and witnessed  
12 firsthand the negative impact to those policy  
13 decisions voting for this rezoning in its current  
14 iteration will lay the groundwork toward not just  
15 displacing hundreds if not thousands of people but  
16 will enable a greater scheme to turn our beloved  
17 Spanish Harlem into a stomping ground for  
18 millionaires. Regrettably this isn't rhetoric, it's  
19 fact. The famous Portobello Road where I live near  
20 and the surrounding homes were once a place to find  
21 young families of diversity now they are a minority  
22 if any to be found at all. After the policy decisions  
23 made by the leadership of the Borough of Kensington  
24 in Chelsea the super wealthy have scooped up many  
25 properties Balegars from Russia, the Middle East and

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2 elsewhere have converted affordable homes into single  
3 family compounds. I can cite many for the record  
4 later if you so choose. Their public housing equally  
5 has been decimated, is this the future we desire for  
6 our district? Case and point, a town house was  
7 flipped by speculators for 3.9 million on 101<sup>st</sup>  
8 Street, although many of you may think this is an  
9 exaggeration the proof is in the pudding with their  
10 privatization of land and public housing, it all  
11 starts with a policy and a vote. This information has  
12 been shared with all of our elected representatives  
13 during my time here in London. Even though I could  
14 speak at length to the board's position which is  
15 public record my greater concern is what our  
16 community will yield in 30 years, will we be the  
17 family friendly community or will we be those proud  
18 members who shaped our essence be pushed to the curb  
19 through rising costs..

20 CHAIRPERSON RICHARDS: I'm going to ask  
21 you to begin to wrap up.

22 XAVIER ALUSER SANTIAGO: I'm, I'm  
23 wrapping it up, thank you. Will our Puerto Rican day  
24 festivities slow... be slowly pushed out as the  
25 carnival in Notting Hill has, will those local

1  
2 families like mine, our businesses, artists and the  
3 like be jettison. The Subcommittee and the greater  
4 honorable body... honorable body have the singular  
5 opportunity to change the course of New York history  
6 for... history for the better but by not being a  
7 footnote but rather a chapter of significance. I  
8 implore you to vote against the rezoning and truly  
9 study the matter holistically. This is our watershed  
10 moment where we may truly right the wrongs of Robert  
11 Moses and others. Thank you for your time.

12 CHAIRPERSON RICHARDS: Thank you for your  
13 testimony.

14 MICHELLE KOHUT: Hello, Michelle Kohut,  
15 that's how you pronounce my name. I'm here as a  
16 resident of Inwood actually to support and ally with  
17 the residents of East Harlem who are fighting against  
18 rezoning. We have the same fears for our community  
19 and Inwood and I became involved when I heard about  
20 the first project developed for Inwood which is the  
21 Inwood Library redevelopment which entails the  
22 demolition of our library without a plan for any  
23 interim library and also the use of public land being  
24 sold to a private developer for, for housing. So, I  
25 became involved and just wanted to come here today to

1  
2 share our support the other neighborhoods in the city  
3 are going to unite, this is affecting all of us. I'm  
4 really learning a lot about this process and I hope  
5 our Council Member can also work with our community,  
6 it seems you've done a lot in yours Speaker but as I  
7 can see the community is not on board with the plan  
8 and if they were there wouldn't be so much protests.  
9 So, if there is a way to build consensus because  
10 that's what Chair Richards you talked about at the  
11 beginning to build a consensus, you said that there  
12 was no easy solution and that there's a lot of fear  
13 and uncertainty and that is true but it seems that  
14 throughout the process for the East Harlem rezoning  
15 that those issues have not at all been resolved. When  
16 I got to know some of the other members sitting on  
17 the panel today they let me know that while there was  
18 a Steering Committee and a group to build the East  
19 Harlem Neighborhood Plan that it really was not a, a  
20 thorough process that was inclusive of the  
21 community's voices so thanks for listening, I'm going  
22 to be back again and we're going to continue to unite  
23 with the other neighborhoods who are going through  
24 rezoning because these solutions that are being  
25 proposed are unacceptable.

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CHAIRPERSON RICHARDS: Thank you for your testimony.

KATHY BENSON HASKINS: Good afternoon Mr. Chairman, Speaker Mark-Viverito, Council Member Rosenthal, I think that's all... they're right here... my name is Kathy Benson Haskins and I'm here representing Landmark East Harlem. We formed Landmark East Harlem so that the East Harlem community would have an ongoing voice in how our neighborhood is developed, we also want to support developments that preserve the unique cultural and historically significance of the neighborhood. Currently East Harlem has only 22 city designated landmarks and zero city designated historic districts. LEH has... that's Landmark East Harlem has compiled a list of buildings and historic districts for evaluation by the Landmarks Preservation Commission, we strongly urge the City Council, our local elected officials and the Community Board 11 to secure commitments from LPC that they will act to protect these endangered properties before any rezoning takes effect in East Harlem. Development pressures already threaten many of these irreplaceable properties and we cannot afford to lose any more pieces of the neighborhood's

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2 history. Landmark East Harlem supports the zoning  
3 recommendations contained in the East Harlem  
4 Neighborhood Plan developed under the auspices of the  
5 Speaker in a community based planning process. We  
6 strongly oppose the rezoning proposal approved by the  
7 Department of City Planning. Landmark East Harlem is  
8 not opposed to rezoning or sensitive new development.  
9 We do believe however that the greatest neighborhoods  
10 are those that incorporate and celebrate older  
11 buildings and streetscapes. Landmark East Harlem  
12 supports up-zoning only to the extent that it will  
13 trigger the implementation of mandatory inclusionary  
14 housing requirements in East Harlem. The Department  
15 of City Planning's proposed up-zoning for 3<sup>rd</sup> and  
16 Park Avenue's would yield the maximum residential  
17 density allowed anywhere in New York City. We believe  
18 the proposed rezoning gives developers license to  
19 build as of right with no opportunity for community  
20 input to determine the appropriateness of such large  
21 structures. We urge the City Council to vote no on  
22 the Department of City Planning's Plan and strongly  
23 advocate instead for the East Harlem Neighborhood  
24 Plan Rezoning. Thank... [cross-talk]



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CHAIRPERSON RICHARDS: Thank you all for your testimony.

JUAN PERALTA: Excuse me, I just want to make one last remark, I'll be very quick less than... [cross-talk]

CHAIRPERSON RICHARDS: Very quick... [cross-talk]

JUAN PERALTA: ..ten seconds. The people from HPD were talking about secure housing in East Harlem and they were mentioning the projects but truly if you go into, into these projects you will see that it is not secure because there is leaky pipes, ceilings falling off, black mold, asbestos, how is that secure and, and... do... the people in the community truly don't know about these meetings and being... it being held at 12 in the... during the... during daytime when people are working, I had to call out of work to be here and I'm running to my second job now... [cross-talk]

CHAIRPERSON RICHARDS: Okay, I'm going to have to cut you off because I have to get to the next panel...

COUNCIL MEMBER MARK-VIVERITO: So, let me... let me just say this that again as I indicated I

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2 was going to say this at the beginning of the panel  
3 there is going to be more conversation about this  
4 hearing, this is the formal hearing that we have to  
5 have in the city council chambers, that we have to  
6 have for the city council but there's going to be  
7 more conversation. I'm going to engage in more  
8 conversation with people, I appreciate those of you  
9 that testified on this panel, we have many more  
10 panels to come and thank you for your time.

11 CHAIRPERSON RICHARDS: Thank you, thank  
12 you all for your testimony. Alright. Alright, we're  
13 going to go to the next panel; Daria Fane, the Fane  
14 Organization; Brian Brown 32BJ SEIU.

15 COUNCIL MEMBER MARK-VIVERITO: Thank you.

16 CHAIRPERSON RICHARDS: And let me remind  
17 people that mandatory inclusionary is one tool in the  
18 box, it's not the end all, the city can subsidize on  
19 top of mandatory inclusionary housing which would  
20 produce more units so just something to keep in mind  
21 because we get lost in all of these terms, rezoning's  
22 are very difficult but mandatory is one tool in the  
23 toolbox not the whole pie. And are there any other  
24 members here... any other people here in favor if so  
25 you're more than welcome to come up now, we'll ask

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you to fill out a slip, any other members in favor, any other people in favor? Alright, so I'll ask you just to introduce yourselves for the record and then you may begin.

DARIA FANE: Hi, my name is Daria Fane and I represent the Fane Organization and I'm here to encourage the Speaker and the city council in favor of the proposed up-zoning for East Harlem. I know you've heard some opposition but I want to speak out about why greater density is good and why height is good in a city. We're... [cross-talk]

CHAIRPERSON RICHARDS: I'm going to ask everybody stay respectful if you don't agree you could... [cross-talk]

DARIA FANE: Yes... [cross-talk]

CHAIRPERSON RICHARDS: ...do your little gestures... [cross-talk]

DARIA FANE: I listened to you... [cross-talk]

CHAIRPERSON RICHARDS: ...as long as they're respectful... [cross-talk]

DARIA FANE: ...you can listen to me. We're real estate developers and we own property along Park Avenue, we're not newcomers to the neighborhood but

1  
2 we've been in East Harlem since the 1980's, many of  
3 you may be familiar with the yellow brick loft  
4 building on Park Avenue between East 130<sup>th</sup> and East  
5 131<sup>st</sup>. During the years since the 1980's as members  
6 of the private sector we've worked to improve the...  
7 those blocks, to improve our property from... it was  
8 burned out, graffiti covered now it's filled with  
9 vibrant community use; Harlem children zone, we have  
10 a, a senior day care center, a health clinic and  
11 other community services in the buildings. If up-  
12 zoned there will be new construction along Park  
13 Avenue frankly, Park Avenue desperately needs it  
14 right now it's a dismal deserted place at night,  
15 frankly it's scary to walk between the subway up Park  
16 Avenue corridor at night. The proposal for mixed use  
17 will allow commercial on the ground floor and  
18 residential up above, it's good to get residential up  
19 above the tracks where the air is better and the view  
20 is better, height is better for Park Avenue. The  
21 density bringing people, residents living on that  
22 stretch of land will be good for the neighborhood  
23 instead of a dangerous deserted area people will be  
24 walking home and there will people shopping in  
25 grocery stores, picking things up before they go home

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2 in a normal, vibrant, residential neighborhood.

3 That's the kind of up-zoning that East Harlem needs  
4 and that Park Avenue needs. I encourage you to go  
5 ahead with the, the rezoning.

6 CHAIRPERSON RICHARDS: Thank you for your  
7 testimony Daria.

8 BRYANT BROWN: Good afternoon, my name is  
9 Bryant Brown and I am here testifying today on behalf  
10 of my union, 32BJ SEIU. Over 1,232 BJ members live in  
11 East Harlem and over 732 BJ members work in the  
12 neighborhood. These individuals maintain, clean and  
13 provide security services in market rate and  
14 affordable residential buildings. The well-paying  
15 building service jobs they hold allow their families  
16 to live, work and succeed in this city. East Harlem  
17 is a diverse community of working people like me, I  
18 know many of my neighbors are struggling as their  
19 rents increase while their wages stay the same. New  
20 development that includes affordable housing for a  
21 mix of incomes and that creates jobs that pay decent  
22 wages is the only way working people will be able to  
23 continue to live in East Harlem. The East Harlem  
24 Neighborhood Plan recommended that this rezoning move  
25 forward with a number of provisions to help ensure it

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2 would create good jobs for neighborhood residents.  
3 These recommendations include; number one a guarantee  
4 from the city that any developer receiving public  
5 subsidies who are building on public land will be  
6 required to pay the prevailing wage for building  
7 service workers. Number two, a guarantee from private  
8 developers that they too will pay the prevailing wage  
9 in their industry. Number three, a local hiring plan  
10 that prioritizes offering job placements to East  
11 Harlem residents. We believe this rezoning should  
12 only move forward with these provisions. We are happy  
13 to report some progress on the second provision, 32BJ  
14 has had conversations with L and M, the developer  
15 behind both the Sendero Verde site and another site  
16 in the rezoning area and we are confident that the  
17 developer will soon make a public commitment to  
18 ensuring that the building service jobs at these  
19 sites are good jobs that meet the area standards. We  
20 believe that before this area wide rezoning is  
21 approved other developers who stand to gain from it  
22 Artimus Construction and Tall Property Equities  
23 should make public commitments to good jobs as well.  
24 Thank you.  
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CHAIRPERSON RICHARDS: Thank you for your testimony. Alright, we're going to go to the next panel. Emily Parkey, DREAM; Chris Walters, ANHD; Esther Devore, Harlem Drummers I think... Harlem Drummers... Harlem Drummers; Ben Haber, a resident it looks like and CIVITAS Alexander Adams and... yeah... and also William Rudenbush... Rodenbush... Raudenbush. So, Emily Parkey, DREAM; Chris Walters, ANHD; Esther Devore, Harlem Drummers; Ben Habor; Alexander Adams, CIVITAS; William Raudenbush. Alright, can you just give me your names quickly so I can know who's up... Emily Parkey if you're raise... up there raise your hand; Chris Walters, Chris Walters; Esther Devore, that's you; Ben Haber, Ben Haber; Alexander Adams? You're Al... okay and William... is it Ben Haber?

WILLIAM RAUDENBUSH: What's that?

CHAIRPERSON RICHARDS: You're Ben Haber?

WILLIAM RAUDENBUSH: No, William Raudenbush.

CHAIRPERSON RICHARDS: Okay. Oh okay, so Ben is not here, okay. So, we'll fill two more seats. Okay, we're going to go to Valin [sp?] Ranelli, Northern Manhattan Not for Sale and Paula Crespo, Pratt Institute, Paula Crespo, Pratt you here, okay.

1  
2 Alright, you may begin. State your names for the  
3 record before you begin and who you're representing,  
4 thank you.

5           EMILY PARKEY: Good afternoon Speaker,  
6 good afternoon Council Members. My name is Emily  
7 Parkey and I am a proud resident of East Harlem. I am  
8 also the Director of Family and Community Engagement  
9 and Government Affairs at DREAM, a community based  
10 organization with more than 26 years of experience in  
11 East Harlem. Our mission is to inspire youth to  
12 recognize their potential and realize their dreams.  
13 The vast majority of the youth and families that my  
14 organization serves are extremely low income. In  
15 fact, 91 percent of our school's youth receive free  
16 and reduced lunch. This is consistent with data  
17 published about our neighborhood where the median  
18 household income is 32,677 dollars. It is these low-  
19 income youth and families that I kept in mind as I  
20 served as the subgroup lead on pre-K, after school,  
21 and day care for the East Harlem Neighborhood  
22 Steering Committee organized by Speaker Viverito. For  
23 the past two years the Steering Committee has worked  
24 tirelessly to organize community forums and subgroup  
25 meetings to include the voices of East Harlem and a



1  
2 plan to rezone our neighborhood. It is these families  
3 that I am here for today. In recent years I have seen  
4 far too many of our organizations long standing low-  
5 income immigrant families many of whom have lived in  
6 the neighborhood for more than 25 years and  
7 contribute to the unique cultural fabric of East  
8 Harlem be forced from their homes and into our city's  
9 shelter system because they are unable to keep up  
10 with the neighborhood's rising rents. That is why I  
11 want to reiterate today what I feel to be the most  
12 important priorities issued in the neighborhood plan.  
13 It is critical that East Harlem's rezoning must  
14 maximize deep and permanently affordable... deep and  
15 permanent affordability on all publicly owned sites  
16 with at least 20 percent of units at or below 30  
17 percent of AMI. City Planning has chosen to exclude  
18 vast areas of our district from the rezoning  
19 particularly the areas between 96<sup>th</sup> Streets and 104<sup>th</sup>  
20 Street. I would urge city council to consider  
21 expanding the boundaries of rezoning to increase  
22 affordable units without an appropriate density.  
23 Finally, I want to ensure that city council is able  
24 to make significant capital investments in East  
25 Harlem's NYCHA developments to mitigate the 1.88

1  
2 billion dollars in unmet needs that is currently  
3 happening in community board 11 and ensure that NYCHA  
4 residents have a voice in any decision making around  
5 the rezoning. This is important particularly to the  
6 youth and families of DREAM Charter School which  
7 ensures that 50 percent of our incoming scholars come  
8 from the NYCHA developments surrounding our school.

9 CHAIRPERSON RICHARDS: Thank you for your  
10 testimony. Drummers.

11 ESTHER DEVORE: Okay.

12 CHAIRPERSON RICHARDS: Are you actual  
13 drummers, you actually... [cross-talk]

14 ESTHER DEVORE: Yes...

15 CHAIRPERSON RICHARDS: Your organization  
16 drums... okay.

17 ESTHER DEVORE: Uh-huh... [cross-talk]

18 CHAIRPERSON RICHARDS: Awesome.

19 ESTHER DEVORE: My name is Esther Devore,  
20 I'm the CEO of the Harlem Drummers Steppers and Flag  
21 Team. I'm here as a resident and I was at the  
22 beginning of this project, I went to a lot of the  
23 meetings, I'm on the Steering Committee and  
24 everything either way I made my... I made myself  
25

1  
2 available to have a stake and a say in the.. [cross-  
3 talk]

4 COUNCIL MEMBER MARK-VIVERITO: Esther  
5 pull it closer to you please.

6 ESTHER DEVORE: Oh in the outcome of this  
7 decision, you know a lot of people walked out and  
8 want not, I wanted to be there. I live on the 16<sup>th</sup>  
9 floor in a complex where the elevators don't work  
10 that well, okay, we had no lights for two days and  
11 water, the water was off for, for two days and then  
12 we have 35 floors so density is one of my main  
13 concerns due to the fact that I had two.. I have two  
14 knee replacements, how in the world am I going to get  
15 up and down into another building and I want my  
16 children to be able to move in one of these buildings  
17 and I can visit them. another thing I'm concerned  
18 about is the green space, there should be trees on,  
19 on each block so there could be fresh air so the  
20 youth and the babies won't get asthma, okay and then  
21 also I was thinking about the.. let me get the glasses  
22 now, telling my age now... the internships for jobs in  
23 the community it's where they'll be trained and be  
24 the first to, to, to work and if.. you know either way  
25 it goes they still have to be built, okay and they

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should be the first people there and first rights for the community to get stores and businesses in the community instead of outsiders. I think it should be for the community to get first hand privileges. That's it.

CHAIRPERSON RICHARDS: Thank you so much for your testimony.

ESTHER DEVORE: Okay... [cross-talk]

CHAIRPERSON RICHARDS: Esther...

ALEXANDER ADAMS: Hello, yeah...

CHAIRPERSON RICHARDS: Pull your mic a little closer, okay.

ALEXANDER ADAMS: Hello, my, my name is Alexander Adams and I'm with CIVITAS Organizations. CIVITAS believes that the East Harlem Neighborhood Plan that everyone has talked about here today has almost 100 stakeholders in it, is a model and should be actually formally acknowledged by the city council as a long-term community strategy. Beyond this rezoning because we can talk about the rezoning but we're concerned that this not be one bite at the apple that this a long-term investment, long term strategy. We think mandatory inclusionary housing across all of East Harlem would result actually in

1  
2 more affordable house... housing units than what this  
3 exact narrow rezoning would. We appreciate the height  
4 limits for context however we acknowledge that  
5 additional density will mean additional sewage,  
6 additional infrastructure, additional other items  
7 that's why we're advocating also for items like the  
8 East River esplanade not only as a park but to be  
9 rebuilt correctly as a resiliency item that can help  
10 with flooding and an ecological edge that can help  
11 with filtering sediment and runoff and that helps as  
12 the actual river for the residents. We're looking at  
13 individual and district wide historic preservation  
14 areas to preserve culture buildings and businesses  
15 and we're looking at areas we support like La  
16 Marqueta that can be both a preservation and a job  
17 generator, they can be an incubator of jobs. So, East  
18 Harlem needs the council to set long term priorities,  
19 long term policies beyond this rezoning and this be a  
20 start, a beginning not an end.

21 CHAIRPERSON RICHARDS: Thank you for your  
22 testimony. You may begin.

23 PAULA CRESPO: Good afternoon Council  
24 Members. My name is Paula Crespo and I'm a planner at  
25 the Pratt Center for Community Development one of

1  
2 several technical assistance providers to community  
3 voices heard. The Pratt Center works with community  
4 based organizations across the city to help them  
5 achieve equitable development in their neighborhoods.  
6 I'd like to talk about the Neighborhood Development  
7 Fund and how a potentially rezoned East Harlem should  
8 get access to public capital investment. In the last  
9 several years the private sector has started to  
10 reinvest in the neighborhood. We see this in the form  
11 of new housing and retail however despite an  
12 impressive resurgence since the low days of the  
13 1960's and 70's in many respects East Harlem is still  
14 an underserved neighborhood that regardless of, of a  
15 rezoning needs public sector capital investment in  
16 parks, playgrounds, schools and other key elements of  
17 the public realm. Therefore, we are greatly concerned  
18 about the administration's intention to tie the  
19 amount of public capital investment to how much new  
20 density that East Harlem stakeholders are willing to  
21 accept. Another word the administration is planning  
22 on breaking off a chunk of the neighborhood  
23 development fund in an amount that is proportional to  
24 the amount of new housing units that the rezoning  
25 would create. This ignores the fact that East Harlem

1  
2 is already dealing with public underinvestment and  
3 it's an example of inequitable development. It also  
4 fuels the more universal complaint from longtime  
5 residents that their neighborhoods do not receive  
6 adequate public investment until they gentrify, new  
7 higher income households arrive. East Harlem deserves  
8 a more equitable formula for determining an  
9 appropriate level of public investment. I urge the  
10 city council to work with the administration to  
11 ensure that the rezoning process allows East Harlem  
12 to get its fair share of public capital investment at  
13 levels that do not merely consider the new population  
14 that will arrive after the rezoning. Thank you.

15 CHAIRPERSON RICHARDS: Thank you.

16 WILLIAM RAUDENBUSH: My name is William  
17 Raudenbush, I'm a Candidate for City Council in  
18 District six and I'm also a Community Advocate and a  
19 responsible Development Advocate and I'd like to echo  
20 what was just stated. I think it's very important to  
21 understand that there is no infrastructure being  
22 built in advance of this plan and East Harlem already  
23 lapse behind in infrastructure so I just wanted to  
24 double down on that point. My first point is that... of  
25 my own points is that the long-term affordability of

1  
2 this plan needs to work for the existing residents of  
3 East Harlem. On the way over here, I was listening to  
4 the radio and there was a gentleman from the  
5 Bloomberg Administration who was fielding calls and  
6 someone had called from Greenpoint and they talked  
7 about how the Greenpoint rezoning had pushed out all  
8 the old Polish immigrant community and his response  
9 was that well we're still spending 29 percent of our  
10 income on housing so it's still affordable even  
11 though that's a completely different set of people  
12 that had replaced existing residents. Make no mistake  
13 that this plan as it currently is will replace many  
14 of the existing residents. I share the Municipal Arts  
15 of Society's concern that what this plan will do is  
16 expose 72 unregistered subsidized buildings because  
17 there's a four-year backlog to redevelopment that  
18 means that the legal status of the people who are in  
19 those buildings is questionable because even though  
20 the developer... even though the people who own those  
21 buildings are getting the subsidy, are getting the  
22 rent... the tax subsidy those people are not protected,  
23 that is a large concern. I think all of the market  
24 rate forces are being understated because that will  
25 be the largest displacement. In the own... in the



1  
2 environmental impact statement from this project it  
3 admits that it would result with new populations of  
4 higher income than existing residents and it would  
5 not... and they believe that it would not create  
6 significant adverse impacts through secondary  
7 displacements, I disagree on its face that is simply  
8 false. I just want to say that this plan right now  
9 offers halfhearted solutions to problems it creates  
10 of rezoned buildings and the unaffordable housing  
11 will... and the affordable housing part of this will  
12 turbo charge gentrification and all just in time for  
13 the phase two of the 2<sup>nd</sup> Avenue subway which we all  
14 know will change the neighborhood fundamentally as it  
15 is. Thank you very much for your time.

16 CHAIRPERSON RICHARDS: You may begin,  
17 okay.

18 VALIN RANELLI: Good afternoon. My name  
19 is Valin Ranelli and I am here representing the  
20 Northern Manhattan Not For Sale Coalition in  
21 solidarity with the people of East Harlem in their  
22 opposition to the proposed rezoning plan. In Inwood  
23 like many neighborhoods throughout New York City we  
24 are facing a similar proposal which threatens to  
25 displace many of our long time and hardworking

1  
2 residents who are already struggling to make ends  
3 meet. In order to continue being a historical city  
4 that welcomes immigrants and prides itself on  
5 diversity we must stand united in this fight so my  
6 fight is your fight, your fight is our fight. East  
7 Harlem's fight is Inwood's fight, Northern Manhattan  
8 is not for sale, East Harlem is not for sale, Jerome  
9 Avenue is not for sale, New York City is not for  
10 sale, our homes and our lives are not for sale. Thank  
11 you very much.

12 [Spanish dialogue]

13 CHAIRPERSON RICHARDS: Gracias. Alright,  
14 thank you all for your testimony. No calling out  
15 please, gracias. Paula Segal, East Harlem Rezoning,  
16 Urban Justice Center; Lynn Elsworth and Alan Berger  
17 are you both testifying or is.. Human Service Skill  
18 NYC. Yeah, this is Lynn Elsworth and Alan Berger the  
19 first.. the other person is Paula Segal, Urban Justice  
20 Center; Maria, I can't understand your handwriting  
21 but Picture the Homeless, it looks like my  
22 handwriting; Toya Malino, Malino, Malino, Justice  
23 Center for El Barrio; Linda Corselus [sp?], Franklin  
24 Plaza Apartments; Yanina Calderon, People's Congress  
25 of Resistance. Do we have everybody? So, I'll read

1  
2 that again; Paula Segal, just raise your hand if  
3 you're here, Paula Segal, no? Okay, great, thank you.  
4 Alright, so we can probably get two more people up.  
5 Let me just say... Lynn Elsworth?

6 LYNN ELSWORTH: Yes, I'm here... [cross-  
7 talk]

8 CHAIRPERSON RICHARDS: Yeah, that's you.  
9 Maria, that's you? Toy... Toya? Okay. Alright, we'll  
10 call two more individuals. Althea York, Picture the  
11 Homeless, Althea? Alright, you're here, okay and  
12 Pearl Barkley or Bartley, Bart... yes, come on up.  
13 Alright, you may begin ma'am.

14 LYNN ELSWORTH: Okay, great.

15 [off-mic dialogue]

16 CHAIRPERSON RICHARDS: Alright, sir.  
17 Okay, you may begin.

18 LYNN ELSWORTH: Okay, thank you. I have a  
19 question after my testimony that arose from this if  
20 I'm free to ask afterwards, I don't know... [cross-  
21 talk]

22 CHAIRPERSON RICHARDS: Just speak a  
23 little bit higher into your mic.

24 LYNN ELSWORTH: Okay, great. I do have a  
25 question after my testimony that arose during the

1  
2 presentation from the City Planning but I'll throw it  
3 in if there's time. I'm Lynn Elsworth, I'm an  
4 economist and member of Human Scale NYC, a non-profit  
5 that promotes neighborhood livability, democratic  
6 control over the built environment and human scale  
7 urbanism. First, we consider the East Harlem rezoning  
8 proposal to be too flawed to pass, it's underlying  
9 premise is unproven and destructive falsely insisting  
10 that affordable housing can only be achieved by a  
11 tower deals with developers at a ratio of 70 market  
12 rates... market rate units to 30 affordable units. The  
13 idea ignores the issue of displacement and results in  
14 a flood in the market of luxury units, where in the  
15 world has a similar plan lowered housing costs,  
16 nowhere. In fact, the evidence is to the contrary,  
17 developer led towerization causes poorer families of  
18 color to leave as reported last year in the study of  
19 Upper East Side census tracts. Second, we also object  
20 when the city tries to trick the public with fake  
21 participatory planning meetings and with the use of  
22 cooked environmental impact statements. It is odd  
23 that rezoning's are not put to real public referenda  
24 instead tightly controlled neighborhood planning  
25 workshops are used to claim that residents desire the

1  
2 plan, workshops where the no rezoning option is never  
3 allowed to surface and it is an insult to our  
4 intelligence when the EIS pretends that there is no  
5 significant impact on the area's history, existing  
6 human scale, density, shadows, open space and  
7 libraries. Third the plan is also misguided from an  
8 architectural point of view. Not only does it ignore  
9 the need for landmarking a significant chunk of East  
10 Harlem instead it aims to replicate New York's worst  
11 urban design experience, the demolition and  
12 subsequent towerization of Yorkville. Last, we decry  
13 that the city did not even attempt to human scale  
14 affordable housing plan for East Harlem, in the long  
15 run of history this failure of imagination will be  
16 considered shocking for the destructive violence it  
17 inflicts on a human scale neighborhood destruction  
18 that is at the same scale of urban renewal years ago.  
19 Therefore, we urge the council to vote no and ask  
20 that members vote their conscious rather than follow  
21 the lead of the speaker. I have a couple of.. one  
22 question in the presentation... [cross-talk]

23 CHAIRPERSON RICHARDS: We've got to... we  
24 have to move to the... [cross-talk]

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LYNN ELSWORTH: Okay, I'll move on..

[cross-talk]

CHAIRPERSON RICHARDS: ...we have to get through, yeah but you... but you're... at, at... towards the end of the panel you're more than welcome. Press your... press your mic.

LINDA CORSELUS: I'm sorry?

CHAIRPERSON RICHARDS: Press your mic to be lit up red.

LINDA CORSELUS: Okay, my... [cross-talk]

CHAIRPERSON RICHARDS: There you go... [cross-talk]

LINDA CORSELUS: My name is Linda Corselus, I live in Franklin Plaza which is a Mitchell-Lama building and we are subsidized. I did not come here for myself, I came here because of the residents that were not able to come here and testify against rezoning. I was born and raised in East Harlem, I have seen the changes in East Harlem from day one. I'm not a spring chicken, I'm 74 years old so spring... there's nothing spring about me, well I, I do have spring however let's get away from that. Let me say I'm against rezoning because I remember when Bill De Blasio came up with rezoning and in so far as

1  
2 I'm concerned when people give you money, politicians  
3 money they want something back, they don't give you  
4 money because you're cute, it doesn't happen like  
5 that. Bill De Blasio was getting a lot of money from  
6 developers and the pay back is that now they want to  
7 put buildings in East Harlem that we can't afford to  
8 move into. I am a... I'm in complete opposition of  
9 rezoning, hundreds of apartments are going up that  
10 are not affordable. This rezoning plan is set to add  
11 4,500 apartments that are not affordable, they say  
12 they are building 1,500 affordable apartments that in  
13 East Harlem... East... in East Harlem like myself cannot  
14 afford to move into. Neighborhoods that we were born  
15 and raised in... neighborhoods that we were born and  
16 raised in now are getting pushed out. Landlords are  
17 harassing a lot of the tenants that live there that  
18 have been living there for a long time. I lived on  
19 East 91<sup>st</sup> Street... prior to moving into Franklin Plaza  
20 I lived on 91<sup>st</sup> Street be... between Lexington and 3<sup>rd</sup>  
21 when I told the landlord I'm moving to East Harlem  
22 the man celebrated because he wanted to refurnish the  
23 apartment so he could raise the rent, it's all about  
24 money and politics and in business it's all about  
25 money. We need more affordable apartments in East

1  
2 Harlem that... where the income is 35,000 or below.  
3 Without rezoning the city can truly afford  
4 apartments... affordable... can truly... wait a minute, I'm  
5 sorry, without rezoning the city can build truly  
6 affordable apartments on public land. Miss Melissa  
7 Mark-Viverito you are good to the people in Franklin  
8 Plaza and for that I give you a lot of... lot of credit  
9 however with rezoning the people that live in East  
10 Harlem they're not going to get anywhere, the...  
11 they're building buildings everywhere right now. I  
12 walked... I'm 74 but I walk all over East Harlem and we  
13 have buildings everywhere and they're not for the  
14 people that live and if rezoning comes in that's not  
15 going to happen either. So, I beg you to reconsider  
16 about voting yes for rezoning, we want you to vote no  
17 and you said that you're going to have more meetings  
18 Melissa you're going to see me there like a cockroach  
19 I'll be... I'm going to be there, Linda Corselus is  
20 going to be at all the meetings. Thank you for your  
21 time.

22 CHAIRPERSON RICHARDS: Thank you and you  
23 don't... [cross-talk]

24 LINDA CORSELUS: Thank you... [cross-talk]

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CHAIRPERSON RICHARDS: ...look a day over  
25... [cross-talk]

LINDA CORSELUS: Yes... [cross-talk]

CHAIRPERSON RICHARDS: Alright, yes ma'am  
you may begin.

MARIA WALLEES: I am scared and I am  
nervous. I just want to... [cross-talk]

CHAIRPERSON RICHARDS: Is your mic on?

MARIA WALLEES: Yes, it is...

CHAIRPERSON RICHARDS: It is, okay.

MARIA WALLEES: Yes, it is... [cross-talk]

CHAIRPERSON RICHARDS: Bring it a little  
closer... [cross-talk]

MARIA WALLEES: ...I'm just scared and I'm  
just nervous about this whole rezoning thing so I'll  
just keep it like that. Good afternoon everybody on  
the panel. My name is Maria Walles, I am a member of  
Picture the Homeless. I'm testifying today, today to  
impose to the current neighborhood rezoning proposal.  
Two years ago, I started getting involved with the  
East Harlem Neighborhood Planning talking to the  
people in the community, we helped about what we  
wanted in the neighborhood. They're asking everyone  
who works and lives in the neighborhood to contribute

1  
2 to this plan, we thought this plan was going to help  
3 us, repeat was going to help us getting what our  
4 neighborhood needs but I feel like all of our work  
5 went down the toilet, nothing seems to be getting  
6 done. As far as the rezoning is concerned instead of  
7 talking about what we're supposed to do it feels like  
8 these things are, are being deteriorated. I don't  
9 like the fact that we're getting ready to decrease  
10 our mommas and papa stores and small business in the  
11 area, we're getting rid of retail like the local  
12 Pathmark and of course the Rainbow shops, it's not  
13 there. The people who used to be... to... used to work in  
14 the... in the stores, the people who used to live in  
15 this neighborhood may be facing eviction or facing  
16 entering into shelter and I don't like that word but  
17 the building is just sitting there empty, we thought  
18 something would go up right away instead we have  
19 nothing, what do we have to build luxury building,  
20 repeat luxury buildings when people in the  
21 neighborhood are low income, they can't afford that.  
22 We are throwing people into shelters including  
23 cluster sites with the shelter residents and tenants  
24 that live in the same building. The rezoning will  
25 lead to paying tenants getting knocked out of their

1  
2 home entering the shelter system, going through the  
3 whole process over again, I repeat over and over  
4 again. The neighborhood needs real low-income  
5 housing, we need to keep our supermarkets in the  
6 neighborhood, we need community gardens and  
7 playgrounds, community centers, service for the  
8 senior citizens, after school and a lot more. I don't  
9 see how that is going to accomplish through this  
10 rezoning. We don't need for this rezoning to go any  
11 further, not at all. My name is Maria, thank you.

12 CHAIRPERSON RICHARDS: Thank you so much  
13 for your testimony.

14 YANINA CALDERON: Can you hear me? Good  
15 afternoon, my name is Yanina Calderon, I'm  
16 representing the Justice Center in El Barrio, a  
17 People Congress of Resistance. More than 2,000  
18 signatures collected over the new... the few weeks in  
19 El Barrio and East Harlem. A lot of these people  
20 didn't know what was going on in their area in  
21 regards of rezoning but they saw changes in their  
22 neighborhoods, why, when there is a plan of  
23 gentrification and rezoning the members that actually  
24 live in these neighborhoods are not informed or asked  
25 if they want these changes in their communities. This

1  
2 is a real act of racist rezoning, this will not  
3 contribute to the low-income families to obtain  
4 affordable housing and the small local businesses are  
5 already being affected. Not only Puerto Rico just  
6 suffered the destruction of hurricane Maria many of  
7 the residents in El Barrio is still not communicating  
8 with their families. Some have lost loved ones and  
9 yet the recovery of this colony will be a very long  
10 one. A community of Puerto Ricans in New York City is  
11 being a target of rezoning, this entire community is  
12 full of flavor, of tradition and culture the form  
13 what we call El Barrio. People of El Barrio, people  
14 of East Harlem, the elderly, people of color,  
15 immigrants, low income families are the most  
16 effected, our people it is in disagreement with Mayor  
17 De Blasio's plan. This plan is a trojan horse that  
18 will lead to gentrification and displacement. We want  
19 our voices to be heard and to be taken in account at  
20 a... at a time you are taking a decision. We want the  
21 accountability of the signing petitions done by the  
22 real community members that are being affected by  
23 this plan. We want to reverse the trend towards  
24 displacement and we want to preserve our communities  
25 and culture. Thank you.

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CHAIRPERSON RICHARDS: Thank you.

PEARL BARKLEY: Can everybody hear me, I'm having a little problem with my voice, it's... well anyway my name is Pearl Barkley, I'm a long-term resident of Jefferson Houses in East Harlem and I stand here today as a descendent of Africans enslaved in the United States and I say that with pride and dignity and from that perspective I'm speaking. I think that the major problem that we're hitting on is the concepts and the definitions that we're using. I remember a time when East Harlem had gone through the process of plan shrinkage, okay, that was one thing, we were designated as being deserved of benign neglect and now we're the hot market, who determines that? Who determines now that East Harlem is quote, unquote "valuable", the real estate board of New York, that's what we're talking about, the have and the have nots. Okay, that's what we're talking about plain and simple. So, at the end of the day if you don't change the definitions of what you're talking about you're going to continue to have the same problem. Land in and of itself has no extrinsic value other than what is assigned to it. Most people are renting air space, we're not even renting land space

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2 and with all of that you still cannot solve a housing  
3 problem, you have people in the United States right  
4 now that are living in the woods, that is shameful  
5 for the United States, shameful. You go down to the  
6 South people are living out in the woods and on a  
7 ending note I'm... because I'm not going to talk too  
8 long, I could go on forever, right now the Lenape  
9 Indians as we sit here are fighting the Pilgrim Oil  
10 Company so what have we learned as a nation? Until  
11 you redefine these concepts what is land, what does  
12 that mean, what is it worth, how should it be  
13 distributed, you're going to continue to have these  
14 conversations?

15 CHAIRPERSON RICHARDS: Thank you for your  
16 testimony.

17 COUNCIL MEMBER MARK-VIVERITO: So, I'm  
18 going to... be, because...

19 ASHLEY HAMOS: Just to be clear this is  
20 the testimony of Althea York, member of Picture the  
21 Homeless. So, my name is Althea York, I'm a member of  
22 Picture the Homeless and a former resident of East  
23 Harlem specifically 225 East 96<sup>th</sup> Street where I  
24 lived for 18 years. Due to a family emergency in 1979  
25 I had to leave my home and when I came back to New

1  
2 York everything had changed. I don't know what pull  
3 my ex-landlord has but his four pre-war five story  
4 walk up buildings on which penthouses were added are  
5 the only ones that are still around in a two block or  
6 more radius, everything else are high-rises and not  
7 affordable... not affordable to former residents like  
8 myself. They got rid of all the rent controlled units  
9 around there and I doubt very much if they became  
10 rent stabilized before going straight to market  
11 rates. Only one person that was my neighbor is still  
12 living there the last time that I checked and I think  
13 he might be going through hell. This was only  
14 possible because where I lived on 96<sup>th</sup> Street was  
15 zoned for buildings much taller than the areas North  
16 of it. While 96<sup>th</sup> Street was zoned R10, the street  
17 just North of 96<sup>th</sup> and most of East Harlem was zoned  
18 only R7. I don't want to see what happened in Lower  
19 East Harlem happen to us... to Upper East Harlem then  
20 everybody will be displaced like I am today. I live  
21 in the Bronx now but I want to move back to El  
22 Barrio. What has been done to El Barrio's La Marqueta  
23 is preposterous that market under the L used to run  
24 from 110<sup>th</sup> to 125<sup>th</sup> Street and you could get clothing,  
25 food, shoes, you name it right there, it was a big

1  
2 draw to East Harlem, people came from Brooklyn,  
3 Queens and all over to shop there. Our Spanish Movie  
4 Theater, our famous restaurant on 116<sup>th</sup> Street, key  
5 food, A and P Supermarkets and so many of our little,  
6 local, cultural businesses were all taken away from  
7 us. To preserve our East Harlem culture and stop the  
8 displacement of the residents who have made their  
9 homes here for decades please ignore all these  
10 attempts at blackmail and threats to withhold  
11 investments in the neighborhood, funding for NYCHA  
12 repairs, subsidies for housing and other things our  
13 neighborhood deserves. Please vote no against this  
14 rezoning.

15 CHAIRPERSON RICHARDS: Thank you and I  
16 think you had one question ma'am?

17 COUNCIL MEMBER MARK-VIVERITO: If you  
18 want to just... [cross-talk]

19 LYNN ELSWORTH: Well just a... confusion  
20 about City Planning. When City Planning made their  
21 presentation it was a little... they are in... some  
22 clarification might be useful for the public like  
23 myself, I like numbers, went through the EIS in great  
24 detail one slide said 4,100 affordable housing units,  
25 a third slide said 1,500 another... yet another



1  
2 gentleman mentioned 2,100 and the EIS mentioned 900  
3 somewhere and then yet another person mentioned 2,600  
4 affordable housing units and I realize they're using  
5 different definitions and talking about different  
6 things but in such a short time span of 20 minutes  
7 all those numbers were thrown out as to... [cross-talk]

8 COUNCIL MEMBER MARK-VIVERITO: Uh-huh...  
9 [cross-talk]

10 LYNN ELSWORTH: ...how many units would be  
11 produced, it would be great to have a... [cross-talk]

12 COUNCIL MEMBER MARK-VIVERITO: Well we  
13 can get clarification so we, we... again the, the  
14 information and the slides they presented will be  
15 online so at least you can access it and look at it  
16 more carefully and if there's additional questions, I  
17 mean we just wrote down what you asked, we can get  
18 clarification not a problem, we obviously want more  
19 information shared not less but obviously they were  
20 going through it very quickly and it was very dense  
21 so we'll try to get clarification on that but it will  
22 be online and we'll make sure that we at least from  
23 our website on the council direct people to it as  
24 well. Just a couple of things because I, I want to  
25 clarify since I know Linda and some others kind of

1  
2 addressed me directly but I am... you know since I am  
3 using the East Harlem Neighborhood Plan as a  
4 foundation in terms of pushing back with the city  
5 again it does ask for moderate increase in density,  
6 the moderate increase in density that would be  
7 provided would be primarily affordable housing and  
8 deeper levels of affordability is what we're looking  
9 to get obviously for that. A lot of the development  
10 and you alluded to it Linda, a lot of the development  
11 that is happening in El Barrio right around us is  
12 stuff that owners... those are private landlords,  
13 private owners that can build that as of right with  
14 no mandate for affordability, it is all luxury, it is  
15 all luxury and that is putting... pressure on our  
16 community. The 103<sup>rd</sup> those of you that live in El  
17 Barrio you know for... prime example is 104<sup>th</sup> Street  
18 and Park Avenue that big huge structure that's going  
19 up there, that's private, that owner buys... bought  
20 those lots, approached some other people, bought up  
21 lots and is building that and has absolutely no  
22 affordability in it. So, what the East Harlem  
23 Neighborhood Plan is asking is that, you know what  
24 they're going to construct market rate housing  
25 because they have the right to do that even before,

1  
2 right but that any additional density that that vast  
3 majority of that density is going to produce  
4 affordable housing, so there's a mandate and that  
5 does not exist right now. So, with that and dealing  
6 with other issues that I heard, you know the plan is  
7 very specific about open space, about improving our  
8 parks, about creating jobs that are for the  
9 community, those, those are all the things and that's  
10 what I am using, right because it was an extensive  
11 plan, it had a lot of community engagement, a lot of  
12 community dialogue that came out of it that is what  
13 the plan is calling for. So, what City Planning has  
14 presented to us, to me does not answer, it does not  
15 speak to the plan therefore that's why we're having  
16 this conversation because I'm going to have to vote  
17 on it and I'm going to be demanding some additional  
18 changes and revisions from the city. So, I just  
19 wanted to put that in perspective because that's the  
20 basis on which I'm using a lot of my... the, the... you  
21 know guidance in terms of how I proceed is... because  
22 we went through over... almost a two-year process of  
23 community engagement and there are those who chose to  
24 be part of the process and those that chose not to be  
25 part of the process but everybody's opinion is valid

1  
2 and so... we move forward. Thank you so much for your  
3 testimony...

4 CHAIRPERSON RICHARDS: Thank you all for  
5 your testimony... [cross-talk]

6 LINDA CORSELUS: Can I ask a question,  
7 Melissa how could I find out about these upcoming  
8 meetings that we're going to have...

9 COUNCIL MEMBER MARK-VIVERITO: Yes,  
10 definitely the additional meetings we'll have in the  
11 community to talk more about this... [cross-talk]

12 LINDA CORSELUS: Right... [cross-talk]

13 COUNCIL MEMBER MARK-VIVERITO: ...we will  
14 share so you... we... you can always call my office...  
15 [cross-talk]

16 LINDA CORSELUS: Okay... [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: ...okay and  
18 once we decide on the dates we'll definitely let the  
19 community know, okay, thank you for coming.

20 LINDA CORSELUS: Thank you very much,  
21 thank you... [cross-talk]

22 COUNCIL MEMBER MARK-VIVERITO: Thank you,  
23 thank you.

24 CHAIRPERSON RICHARDS: Thank you. Thank  
25 you. Andres Perez, Picture of the Home... Picture the

1  
2 Homeless; Jose Rodriguez, Picture the Homeless; Ryan  
3 Cullen, East Harlem; Simus Coolin, Culin, New Design  
4 High School in El Barrio; Marge Othero; Acarina  
5 Bedsforco. Alright, alright. Let's see who comes up,  
6 alright. Andres Perez, Jose Rodriguez, Ryan Cullen,  
7 Simus Culin, Marge Othero, Acarina... Acaterina... okay,  
8 alright. Okay, on... are you Andres? Jose, Jose?

9 JOSE RODRIGUEZ: Yes, Jose, yes.

10 CHAIRPERSON RICHARDS: Okay, we'll just...  
11 as you sit... Ray Rodgers, Ray Rodgers, raise your  
12 hand, you coming on down, okay. David Eisenbach,  
13 okay. Mathusa Ramon Ciera Nieves, Ciera Nieves, are  
14 you here, Ciera, no. Tom DeMott? Alright, let's get  
15 to the next person. Evan Blum, Evan Blum, raise your  
16 hand, okay come on down. And we'll call Pilar  
17 DeJesus, Pilar, Pilar, you're here? Okay. Alright.  
18 Okay. Okay, if we're overbooked just sit on the side  
19 and then we'll, we'll call you right after, sorry.  
20 Alright, Jose you may begin. Press your mic make sure  
21 its lit up red.

22 JOSE RODRIGUEZ: Okay, good day to all.

23 My name is Jose Rodriguez and I am a member of  
24 Picture the Homeless formally homeless and a Banana  
25 Kelly Resident's Council Member. I am testifying

1  
2 today to impose the rezoning proposal in East Harlem.  
3 The city has lost over 250,000 rent subsidized  
4 apartments since 1994. The city has a chronic and  
5 extensive homeless dilemma and rezoning communities  
6 of color has not been the solution to the problem but  
7 has contributed to it along with voucher programs  
8 failing the most vulnerable. People are homeless not  
9 because of medical issues, psychological issues,  
10 substance abuse issues, or because people are lazy  
11 like the news always portrays. People are being  
12 pushed out of their homes because becoming homeless  
13 because of economics, people are not able to afford  
14 the high rents. There are solutions to the homeless  
15 crisis the city is currently facing and there is no  
16 concrete study indicating that rezoning any community  
17 has had a positive impact on reducing the over 60,000  
18 New Yorkers who are... who, who are homeless.  
19 Warehousing people in shelters is not moral and is  
20 not the solution, Picture the Homeless is asking the  
21 city council to vote no on the rezoning to end the  
22 practice of rezoning and displacing communities of  
23 color and to hear, serve and honor the community  
24 residents and also, I would like to take the time out  
25 to thank Melissa Mark-Viverito for the East Harlem El

1  
2 Barrio Community Land Trust, thank you for supporting  
3 it.

4 CHAIRPERSON RICHARDS: Thank you.

5 ECATADINA DESPERATCO: Good afternoon, my  
6 name Ecatadina Desperatco and I am from Queens and a  
7 member of Queens Neighborhoods United an anti-  
8 gentrification group in Corona Elmhurst and Jackson  
9 Heights and we are here in support of East Harlem and  
10 El Barrio residents who are opposing the zoning plan.  
11 This plan despite the one-and-a-half-hour  
12 conversation about all the other good things that it  
13 will bring it is fundamentally an up-zoning plan. All  
14 the other services and protections for existing  
15 tenants can be provided right now without rezoning  
16 anything and it is also not true that if we do not  
17 rezone we get no affordable housing, you can demand  
18 right now that existing developers have mandatory  
19 inclusionary housing, you simply don't choose to do  
20 that, you choose to have a law that says we will give  
21 mandatory inclusionary housing in exchange for up-  
22 zoning. Again up-zoning as the prior speaker just  
23 pointed out does not... has, has never prevented  
24 displacement and has always exacerbated displacement  
25 everywhere it's been done in New York City and in all

1  
2 other cities that it's been done in and again  
3 mandatory inclusionary housing is only conditioning...  
4 conditional on up-zoning because you chose to make it  
5 conditional on up-zoning and all the other  
6 protections such as anti-harassment and so forth  
7 should be there regardless of zoning. Again, we urge  
8 the council to vote unequivocally unconditionally no  
9 because it... this is a plan about up-zoning  
10 displacement and everything else that goes along with  
11 it to sweeten the deal can be given and should be  
12 given to the community without it... with, without any  
13 kind of rezoning, thank you.

14 CHAIRPERSON RICHARDS: Thank you. You may  
15 begin sir. Press your mic.

16 EVAN BLUM: My name is Evan Blum, I have  
17 a piece of property on the South side of 125<sup>th</sup> Street  
18 between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue where I operate a business  
19 and I wanted to find out about the rezoning because  
20 the rezoning seems to include everyone else in the  
21 area except me and I don't understand why it cannot  
22 be continued and why I have to be involved with  
23 affordable housing just to benefit by the up-zoning.  
24 I'm not here to debate one side or another but I just  
25 feel it's grossly unfair that you have to be in



1  
2 housing in order to benefit by the... in these zoning  
3 changes. It seems to be on both sides of both  
4 avenues, the proposed zoning change, both corners and  
5 right in the middle where I'm at its left out and I  
6 just want to find out how I can go get my share of  
7 benefit of the up-zoning for a commercial development  
8 that is badly needed because you have all these  
9 places of affordable housing, housing, housing... but  
10 who's... where are they going to work, no jobs, where's  
11 the jobs? Construction jobs are not sustainable, they  
12 come and go, where's the sustainability of real  
13 sustainable jobs, those jobs should be permanent jobs  
14 that stay in the community. For example, hotels,  
15 restaurants, office buildings for legitimate  
16 commercial development which really shouldn't be a  
17 high opposition. I think we really need to think  
18 about the shrinkage of retail and all those big box  
19 stores which are slowly shrinking and eroding because  
20 of online retailing and I'm think it's outdated this  
21 plan because I don't think it takes into account the  
22 correct amount of jobs creation that really should be  
23 taking place in proportion to the amount of housing  
24 that is created. So, my question is how do I get my  
25 share of the benefit... [cross-talk]

1  
2 CHAIRPERSON RICHARDS: You should  
3 probably speak to the Department of City Planning.

4 EVAN BLUM: Unfortunately they all left.

5 CHAIRPERSON RICHARDS: You can call them,  
6 I'm sure they have a Manhattan Office and you are  
7 more than welcome to call them, alright.

8 RAY ROGERS: Thank you, Ray Rogers, East  
9 Harlem resident. I want to quote from a new book  
10 called *The Creative Destruction of New York City;*  
11 *Engineering the City for the Elite* by Alessandro  
12 Busa. "When did people tell their government  
13 bureaucracies to drain city budgets to give out  
14 massive tax breaks to developers and buyers of luxury  
15 units when affordable housing is shrinking at a  
16 record pace", unfortunately the rezoning plans  
17 leading to their hypergentrification on steroids  
18 throughout New York City including East Harlem are  
19 the rezoning profit driven plans of REBNY, the Real  
20 Estate Board of New York which has been described by  
21 many as being run by a cartel of bullies and rock,  
22 rocketeers. Who are these rocketeers and bullies that  
23 are making these policies that the politicians seem  
24 to be following? Number one, tax avoider and, and  
25 union buster Steven Ross of related companies net

1  
2 worth 7.6 billion dollars, Rob and Jerry Speyer of  
3 Tishman Speyer net worth 3.9 billion dollars, they  
4 illegally deregulated thousands of rent stabilized  
5 apartments in Stuyvesant town in a scheme to steal  
6 millions of dollars from more than 27,000 tenants in  
7 order to turn those apartments into high priced  
8 condominiums. Tishman Speyer right now is building  
9 3,000 Long Island City and is reported that they're  
10 receiving 200 million in tax abatements to, to  
11 provide affordable housing yet because of a loop hole  
12 in the 421A Law they're not going to provide any  
13 affordable housing but they're keeping the tax  
14 abatements. Number three, Jed and David Walentas of  
15 Two Trees Management net worth 2.1 billion dollars,  
16 they're also crooks, they violated rent stabilization  
17 laws and construction safety laws. Then let's not  
18 forget slumlord Daniel Brodsky, our Extell  
19 Development Company head, Gary Barnett the one who  
20 created the poor doors, thank goodness for the folks  
21 that outlawed those, you know the... in affordable  
22 housing the poor people have one entrance, the rich  
23 people have another and one last one we should  
24 mention Ron Moelis who's very closely associated with  
25 Deputy Mayor Alicia Glen, Ron Moelis he's the head of

1  
2 L and M Development and he's very close I might add  
3 to the President of REBNY because the REBNY President  
4 John Banks his wife Lisa Gomez is the Chief Operating  
5 Officer of L and M Development. Thank you.

6 CHAIRPERSON RICHARDS: Thank you.

7 DAVID EISENBACH: My name is David  
8 Eisenbach and I just ran for Public Advocate in the  
9 Democratic Primary. I just want to make it clear that  
10 the disproportionate opposition that we saw today in  
11 this room versus the support for this plan is  
12 actually reflective of the sentiment in the city, I  
13 just spent the past year going to every borough and  
14 neighborhoods and meeting and talking with people  
15 from every socioeconomic, ethnic group and exactly  
16 what we heard today is what they're saying out on the  
17 streets. they saw the big... the big real estate  
18 giveaways whether it's the Inwood Library or the  
19 Bedford Armory, the Elizabeth Street Garden and they  
20 are sick of it and they see these East Harlem  
21 affordable housing plan and they know it's a trojan  
22 horse because they've been paying attention for the  
23 past four years. And I would just like to add one  
24 thing, I teach History for a living, I'm a historian  
25 and what I'm seeing right now is that we are on... in

1  
2 the last stages of a speculative bubble. This is the  
3 top, the stock market is about to crash, it's going  
4 to take the real estate market, this is the worst  
5 time to embark upon a massive real estate building  
6 project which is going to cause huge displacement and  
7 if the bubble bursts in the middle of it the city is  
8 going to be left holding the bag. So, I hope that you  
9 keep this in mind when you're making this decision  
10 and think long term not the short-term buck, not the  
11 campaign contribution for the next election cycle.

12 Thank you.

13           PILAR DEJESUS: Good afternoon. My name  
14 is Pilar DeJesus, I am a born and raised East Harlem  
15 resident 36 years of my life I've spent in East  
16 Harlem, family is from East Harlem, we've had small  
17 businesses in East Harlem, I'm an advocate in East  
18 Harlem, I've worked in East Harlem, I'm also a  
19 Housing Paralegal with the Urban Justice Center but  
20 I'm here today speaking as a resident, a very  
21 concerned resident of East Harlem. I've been to many  
22 of these hearings not here in City Hall but many of  
23 the community board meeting where I've testified  
24 against rezoning and where I've heard all of my  
25 neighbors come out and testify against rezoning. I

1  
2 love these PowerPoint presentations that the city  
3 always comes with but it's not realistic. Again, as a  
4 Housing Paralegal I spend a lot of time in court, no  
5 one's talking about how the, the, the unified court  
6 system is really needs some reform. We can't... you  
7 know the law says tenants should not be without gas  
8 for more than 24 hours but when you go to court, one  
9 you got to wait for a court date and then you go in  
10 front of a judge and then the landlord's attorneys  
11 they like to delay the time and sometimes the judges  
12 allow that to happen and then the judge gives these  
13 landlords three months to repair the issue because  
14 they say it's unrealistic to get it done in 24 hours  
15 so all these plans, you guys have plans. The city  
16 cannot handle what is... the, the issues that they have  
17 at hand right now and I know this from me personally  
18 experiencing it, personally working with tenants and  
19 seeing what they go through and then living in my  
20 community and seeing it every day and talking to my  
21 neighbors because unlike some of the elected  
22 officials in my community you don't talk to us, you  
23 don't hear us, we, we, we're crying out, we don't  
24 want it and still the... decisions are made on behalf  
25 of us because people like you and people like from

1  
2 the city think it's best for us. We know what's best  
3 for us and we're telling you no, we don't want it,  
4 it's not going to improve the housing crisis we have  
5 right now, if that were true we... why is our homeless  
6 rate still increasing and the Mayor's been the Mayor  
7 for four years now it's still... is... it's... nothing is  
8 happening and government can't even work the DMV, do  
9 you expect me to believe that they're going to make  
10 this work, this is my livelihood, this is not  
11 politics, my life is not politics, it's my life and  
12 these are my neighbor's life and I will do anything  
13 and anything to stand up for them and let you guys  
14 know we don't want it.

15 CHAIRPERSON RICHARDS: Thank you, can  
16 somebody swap seats... thank you, thank you for your  
17 testimony.

18 TOM DEMOTT: Hi, I'm Tom DeMott from the  
19 Coalition to Preserve Community we've been... we were  
20 fighting against the rezoning of the Columbia  
21 expansion and the rezoning... a similar rezoning the  
22 equivalent on the East side a number of years back.  
23 We support the position of the rezoning that's been  
24 exposed by El Barrio, we are opposed to it. I've  
25 lived in West Harlem since 1969 in the building of

1  
2 the Butts where the Columbia University expansion  
3 began and the rezoning on 125<sup>th</sup> Street, I've lived  
4 through and organized against waves of real estate  
5 manipulation would you imagine... of the financial  
6 system, the legal system and me and a number of  
7 people have been fairly critiquing I'd say the  
8 elected official's involvement in the whole system  
9 here by giving liberal cover to these waves of  
10 gentrification periods as they go along. We supported  
11 the 197A community plan over in West Harlem, worked  
12 real hard for it. This East Side rezoning is going to  
13 bring... it's going to get what we're getting now which  
14 is essentially there's no concept here of the idea of  
15 a... of a working-class neighborhood having value that...  
16 of there being, you know a sense to preserve that.  
17 Every new face now, they're not black, they're not  
18 brown, they're not a family face, they're not a  
19 working-class face, these rezoning's are eviction  
20 plans they're not about affordable housing and they  
21 need... there needs to be a radically different  
22 approach to them. My last point, over in... over in  
23 this rezoning here on, on... in my area in West Harlem  
24 President Bollinger and Councilman Jackson they came  
25 through with a, a position about this rezoning and



1  
2 how they needed to have a big.. a 17 acre.. they needed  
3 all 17 acres in order to do their plan because they  
4 were going to dig this 80-foot basement. The first  
5 two buildings Columbia built there was no basement  
6 built, they built a cellar in the green building but  
7 nothing else, why is that important because in the  
8 third phase of this expansion and rezoning of their  
9 promises, this is about promises and what city  
10 council tells you that, that are promises. In this  
11 third phase there are four or five HPD buildings that  
12 we fought for as for affordable housing.. [cross-talk]

13 CHAIRPERSON RICHARDS: Can I ask to begin  
14 to wrap up.. [cross-talk]

15 TOM DEMOTT: ...and Columbia is using  
16 those.. wants them in the.. next year under imminent  
17 domain to, to, to get those all.. no, you, you need to  
18 fight against.. [cross-talk]

19 CHAIRPERSON RICHARDS: Please begin to  
20 wrap up sir.. [cross-talk]

21 TOM DEMOTT: ...that.. you need to fight  
22 against both these expansions.. [cross-talk]

23 CHAIRPERSON RICHARDS: Thank you.. [cross-  
24 talk]

25

1  
2 TOM DEMOTT: ...West Harlem and the city of  
3 New York and East Harlem are not for sale.

4 CHAIRPERSON RICHARDS: Okay, thank you  
5 all for your testimony. Thank you. Alright, we'll  
6 call the next panel Jim Shelton, Municipal Art  
7 Society of New York, Jim you here, okay. Gianina  
8 Solano, Movement for Justice in El Barrio, here... are  
9 you here? Okay; Ashley Ramos, Movement for Social  
10 Justice in El Barrio, are you here, okay. Tom DeMott?

11 TOM DEMOTT: That's me I, I don't...  
12 [cross-talk]

13 CHAIRPERSON RICHARDS: Oh you spoke,  
14 okay... [cross-talk]

15 TOM DEMOTT: I spoke last... [cross-talk]

16 CHAIRPERSON RICHARDS: Alright, thank  
17 you. Jennifer Hyman, Picture for the Homeless,  
18 Jennifer, no... Daby Carreras, Daby, that's you, okay.  
19 Denise Rickels, Denise? Okay. Robert... oh you've  
20 already spoken sir...

21 EVAN BLUM: No, no can you just tell me  
22 the name of this lady that's City Planning again.

23 CHAIRPERSON RICHARDS: Okay, you'll...  
24 we'll get that information... yeah. Robert... or if  
25 somebody's from the administration here who can give

1  
2 him the number to City Planning.. Robert Thibault,  
3 alright, come on down. Alright. This is it and we  
4 have to get to another hearing directly after this so  
5 we're really going to be strict on time so really  
6 adhere to the two minutes, thank you.

7 JIM SHELTON: My name is Jim Shelton I'm  
8 here representing the Municipal Art Society of New  
9 York. MAS has a number of critical concerns that we  
10 urge the city to address before we can support the  
11 East Harlem Rezoning Proposal. In the full version of  
12 our testimony we have recommendations regarding the  
13 undercounting of potential development sites, the  
14 displacement of area residents, shadow impacts, the  
15 provision and protection of public space as well as  
16 broader concerns of long term affordability and the  
17 preservation of existing dwelling units but given the  
18 time constraints I will only comment on potential  
19 residential displacement and the inaccuracy of the  
20 socioeconomic conditions evaluated in the SEIS. MAS  
21 finds that the reasonable worst-case developments in  
22 the area which frames the evaluation in the SEIS does  
23 not accurately represent the most conservative  
24 potential development projection under the zoning  
25 proposal and thus effects the accuracy of the

1  
2 socioeconomic conditions evaluation. The rezoning  
3 area has 521 multi-family residential buildings that  
4 are underbuilt based on current zoning. By increasing  
5 allowable density, the rezoning would put additional  
6 redevelopment pressure on these sites. While we  
7 acknowledge that there are reasonable arguments for  
8 excluding certain buildings in this evaluation we  
9 feel the city's calculation may underestimate future  
10 development potential facilitated by the rezoning.  
11 Twenty-eight of the underbuilt properties contain  
12 rent stabilized units registered with New York State  
13 Division of Housing and Community Renewal and another  
14 72 are likely to contain rent stabilized units that  
15 are not registered with the state agency. East Harlem  
16 is already losing rent stabilized units at a rapid  
17 pace having lost five and a half percent of its rent  
18 stabilized housing between 2007 and 2014. While the  
19 housing plan outlines strategies to preserving  
20 affordable units, MAS believes these measures do not  
21 go far enough to ensure that rent stabilized units  
22 are not lost and this is not an exacerbated trend.  
23 The SEIS asserts that the rezoning would not result  
24 in new populations with higher average incomes in  
25 existing populations, MAS questions the validity of

1  
2 this conclusion without a full analysis from specific  
3 MIH options. Given the gap between the MIH  
4 projections and incomes in the neighborhood we feel  
5 there's a need to establish real targets for low and  
6 moderate-income households that accurately reflect  
7 neighborhood median incomes and we thank you for the  
8 opportunity to comment today and have a more detailed  
9 testimony available.

10 CHAIRPERSON RICHARDS: Thank you for your  
11 testimony. You may begin.

12 [Spanish dialogue]

13 COUNCIL MEMBER MARK-VIVERITO: Alright,  
14 we're going to... can we go to the next testimony?  
15 We're going to go to the next testimony, thank you so  
16 much.

17 CHAIRPERSON RICHARDS: Thank you...

18 COUNCIL MEMBER MARK-VIVERITO: Gracias.

19 CHAIRPERSON RICHARDS: Thank you.

20 ASHLEY HAMOS: Okay, I will be doing the  
21 translation in English. Good afternoon my name is  
22 Gianina Solano and I represent Movement for Justice  
23 in El Barrio. Melissa Mark-Viverito as you know we  
24 are the East Harlem organization of long term rent  
25 stabilized tenants that fight against displacement.

1  
2 The great majority of our members are women and many  
3 of us are immigrants. We, the low income long term  
4 residents of El Barrio are the people that will be  
5 most impacted if the Mayor's rezoning plan is opposed  
6 on our beloved community. We, the humble people of El  
7 Barrio are unconditionally against Mayor De Blasio's  
8 luxury housing plan. First and foremost, we want to  
9 let you know that this hearing that you have convened  
10 excludes the voices of the majority of the people of  
11 El Barrio. You know very well that the people of El  
12 Barrio are a working-class community, holding this  
13 hearing in the middle of the day at the same time  
14 that many of us are at work makes it impossible for  
15 our neighbors to attend to let you know what they  
16 think of the Mayor's rezoning plan. Furthermore,  
17 holding the hearing outside of East Harlem is another  
18 way that you impose so that our voices are not heard.  
19 The majority of the members of Movement for Justice  
20 in El Barrio are working women and many of us have...  
21 are mothers with kids that need to be picked up when  
22 they get out of school. This is yet another reason  
23 why we cannot be here at the hour you convene this  
24 meeting. This is not what democracy looks like.  
25 Excluding the voices of those that are most impacted

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2 by the Mayor's luxury housing plan shows that you are  
3 not truly interested in listening to the voices of  
4 the sector that we the most humble represent. If  
5 you're truly interested in community engagement  
6 during this time of hearing we ask that you convene  
7 another hearing that is accessible to the community  
8 that will be directly impacted by the Mayor's plan.  
9 That hearing needs to be held during the evening in  
10 East Harlem, we're going to keep you to your word. In  
11 fact... [cross-talk]

12 COUNCIL MEMBER MARK-VIVERITO: Don't  
13 worry, I do commit to my word so go ahead, keep  
14 going.

15 ASHLEY HAMOS: Please don't interrupt me...  
16 [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: Keep  
18 going... keep going, thank you, keep going.

19 ASHLEY HAMOS: In fact, all the city  
20 council public hearings regarding the Mayor's  
21 rezoning plan that you convene before you vote on  
22 them should take place in the affected neighborhoods  
23 and in the evening so those that will be directly  
24 impacted can participate. The Mayor wants to impose a  
25 plan that threatens to displace us from our beloved

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East Harlem. The Mayor and his lackies are trying to make the people of New York city believe that his rezoning plan would generate... [cross-talk]

CHAIRPERSON RICHARDS: Going to ask you... [cross-talk]

ASHLEY HAMOS: ...affordable housing... [cross-talk]

CHAIRPERSON RICHARDS: ...to begin to wrap up... [cross-talk]

ASHLEY HAMOS: ...but that is a lie...

COUNCIL MEMBER MARK-VIVERITO: Thank you so much.

ASHLEY HAMOS: Wait... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Next, next testimony please.

ASHLEY HAMOS: This is my testimony.

COUNCIL MEMBER MARK-VIVERITO: Thank you. No, no, no we have... we're going to keep going... [cross-talk]

ASHLEY HAMOS: Wait, no... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...and then... we'll come back... we'll come back to you just let... let's just keep going down the line and I'll come back to you, I promise you. Go ahead.



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JENNIFER HYMAN: Good afternoon, my name is Jennifer Hyman... good afternoon, my name's Jennifer Hyman, I am a Social Economic Justice Activist with the organization Picture the Homeless. Thank you Speaker Mark-Viverito and thank you all the attendees today, I'm glad to see your presence here. This important issue needs you to be present here today. I want to let you know first of all that there's a problem of representation here. Personally, I cannot advocate as a homeless man but many of the homeless men I've come across need advocates, they need to be empowered to speak for themselves. The men up here to suffer worse than the women from the problem of homelessness, when they are displaced into the streets they do not have a safe shelter to enter, their alternatives and life chances are unjustly limited, they are displaced onto the streets into violent prisons or into violent shelters. I think that the city shelter system is a temporary tax payer funded mechanism to get homeless people into permanent subsidized housing yet why is the system inefficient in guaranteeing housing. I see long stays in shelters, I see recidivism into street homelessness, there is displacement into counties

1  
2 outside of the New York City and there's artificially  
3 restricted access to vacancies. What we need to do  
4 city council is pass the housing not warehousing act  
5 legislation. What we're doing instead is zoning the  
6 city for luxury development and this is hastening  
7 rather than doing as De Blasio says, turning the tide  
8 on homelessness. Now you understand that the housing  
9 not warehousing act takes account of the existing  
10 vacancies in New York City and requires you as  
11 legislators to come up with a development plan to  
12 fill those vacancies to occupancy, this is an  
13 excellent plan proposed by Public Advocate Latisha  
14 James as well as City Council Representatives Jumaane  
15 Williams and Ydanis Rodriguez, it's gotten a lot of  
16 support but we need our elected officials to take  
17 action on this now. So, I want to say Harlem ought  
18 not to be sale... for sale to private developers,  
19 housing is a human right and we have to affirm this  
20 as New Yorkers.

21 COUNCIL MEMBER MARK-VIVERITO: Thank you.

22 JENNIFER HYMAN: Thank you.

23 DABY CARRERAS: Hello, I'm Daby Carreras  
24 and I'm an Assembly District Leader in East Harlem  
25 and I'm also running for City Council, I'm running

1  
2 for your seat Melissa Mark-Viverito, my party is no  
3 rezoning forever. I was born in the Bronx, I run a  
4 community garden and years ago in 2008 my neighbors  
5 and I saw that our greenspaces in the district were  
6 overpopulated so we decided to restore a dilapidated  
7 garden. Today we have 20 to 30 people mostly children  
8 enjoying this small space daily. In Business I'm a  
9 Financial Advisor, recently I've been called the Wall  
10 State Politician which I completely own but I'm a  
11 financial advisor. What I do is I meet with and have...  
12 do business with CEO's of publicly and private chain  
13 traded companies as well as non-profits every single  
14 day. Non-profit organizations are so important in the  
15 solution making body in a hybrid complex community  
16 like ours. It's disgusting that we're not listening  
17 to them. these organizations and myself are looking  
18 to grow community based jobs, local jobs for the  
19 community because it's about accountability and that  
20 is what's simply lacking here, accountability. I'll  
21 help this entire community become independent, live a  
22 healthier lifestyle and become our own boss. This is  
23 just one of the many reasons why I became an Assembly  
24 District Leader and as well as a Vice President of  
25 Manhattan and our next City Council Member in the 8<sup>th</sup>

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2 District, my home El Barrio. It's time for real  
3 change because year after year our elected officials  
4 and their staff can be found neglecting us in the  
5 community, it's evident when you look around and see  
6 the subways run so poorly, the increased garbage, the  
7 increased homelessness and poverty and the decades  
8 upon decades upon decades of neglected mold  
9 infestation in our... [cross-talk]

10 CHAIRPERSON RICHARDS: May I ask you to  
11 begin to wrap up.

12 DABY CARRERAS: ...homes along with the  
13 countless other promises that never get kept but only  
14 for the select few that are closest to the elected  
15 politician, paradoxidly a promise these politicians...  
16 [cross-talk]

17 CHAIRPERSON RICHARDS: I'm going to ask  
18 you to begin to wrap up... [cross-talk]

19 DABY CARRERAS: ...are hell bent... [cross-  
20 talk]

21 CHAIRPERSON RICHARDS: ...sir, got to...  
22 [cross-talk]

23 DABY CARRERAS: ...on keeping... [cross-talk]

24 CHAIRPERSON RICHARDS: ...got to move on  
25 because we have another... [cross-talk]

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DABY CARRERAS: I will... [cross-talk]

CHAIRPERSON RICHARDS: ...hearing to get to. Sorry, I'm going to have to ask you to... [cross-talk]

DABY CARRERAS: Is this rezoning measure... [cross-talk]

CHAIRPERSON RICHARDS: Thank you... thank you, you can submit your testimony... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Thank you... [cross-talk]

CHAIRPERSON RICHARDS: ...as well... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Thank you for your testimony and... [cross-talk]

DABY CARRERAS: We must say no to displacement of El Barrio... [cross-talk]

CHAIRPERSON RICHARDS: Sir... [cross-talk]

DABY CARRERAS: ...El Barrio [Spanish dialogue]

COUNCIL MEMBER MARK-VIVERITO: Thank you for your testimony and good luck on your City Council race.

DABY CARRERAS: I will win... [cross-talk]

1  
2 COUNCIL MEMBER MARK-VIVERITO: Go ahead,  
3 the next testimony... [cross-talk]

4 DABY CARRERAS: ...and I will stop rezoning  
5 and I'll stop you... [cross-talk]

6 COUNCIL MEMBER MARK-VIVERITO: Alright,  
7 sure, the next... [cross-talk]

8 DABY CARRERAS: ...and Bill De Blasio...  
9 [cross-talk]

10 COUNCIL MEMBER MARK-VIVERITO: ...please...  
11 the next testimony and then we have to go to the... to,  
12 to Ashley, go ahead.

13 CHAIRPERSON RICHARDS: We have another  
14 hearing after this so we really have to be strict on  
15 time.

16 DENISE RICKLES: Is Denise... Hi, my name  
17 is Denise Rickles and I am here because I oppose  
18 rezoning the way it's being done in a time when  
19 people are being displaced because of war and  
20 persecution and have nowhere to go, we are displacing  
21 people have... who have grown roots in your  
22 communities, raised families, built family  
23 businesses, where will they be displaced to?  
24 Redevelopment is another name for displacement,  
25 managed change as you call it. I haven't heard

1  
2 residents pining for people to come in from outside  
3 their community and redevelop it not in their image  
4 but in an image of other people foreigners. During  
5 the planning period you asked for dialogue, feedback  
6 and recommendations and then you come back to the  
7 community with nothing of much consequence changed.  
8 All the forums and community meetings are a rouse, a  
9 well-choreographed dance, each decade or era the city  
10 formulates new and improved programs that they say  
11 take community residents into consideration. In the  
12 case of the West... the West side urban renewal area  
13 East of Broadway Helen Rosenthal and Gale Brewer's  
14 neighborhood, I used to live there but was priced  
15 out, housing was demolished with the promise that  
16 every family would be able to move back into  
17 affordable apartments, East of Broadway was working  
18 class mostly Hispanic families from Puerto Rico that  
19 is not the ethnic and economic composition of the  
20 community today. Another great promise that was never  
21 realized. Nothing has changed, you control the  
22 narrative, you give options, your options not ours.  
23 Jackson... under President Jackson under manifest  
24 destiny who sent Louis and Clark out to pacify the  
25 native Americans. To soften the poison of manifest

1  
2 destiny they gifted alcohol. In East Harlem you give  
3 1,500 units of permanently affordable housing, this  
4 is not what democracy looks like and you know it.

5 CHAIRPERSON RICHARDS: Thank you.

6 COUNCIL MEMBER MARK-VIVERITO: Thank you.

7 CHAIRPERSON RICHARDS: Young lady I'm  
8 going to go back to you, thank you and state your  
9 name for the record again and who you're  
10 representing.

11 ASHLEY HAMOS: My name is Ashley Hamos  
12 [sp?] and I represent Movement for Justice in El  
13 Barrio. Our East Harlem community is currently  
14 fighting against, against both Trump phonophobia  
15 policies and De Blasio's displacement policies. We  
16 ask that you stand with the people of El Barrio in  
17 our fight to put a halt to these two major threats  
18 that our community is facing. Mayor De Blasio's  
19 rezoning plan or what we call his luxury housing plan  
20 benefits developers, landlords and the real estate  
21 industry. This is why the Real Estate Board of New  
22 York supports this plan. We, the low-income people  
23 of El Barrio cannot afford any of the new apartments  
24 that will be built under Mayor's plan. Neither the  
25 market rate units which are a vast majority nor the



1  
2 20 to 25 percent so called affordable units that are  
3 for the people who make more money than us.  
4 Developers will get to build apartment buildings  
5 higher than ever before allowing them to reap huge  
6 profits. Our greedy landlords already use illegal and  
7 underhanded methods to try to displace us their rent  
8 stabilized tenants and permanently remove our homes  
9 from rows of rent stabilization and HPD does not  
10 enforce the local housing code the way they're  
11 supposed to. With the Mayor's massive up-zoning plan  
12 the pressure will drastically increase because  
13 landlords will want to rake in even more profits  
14 which will lead to the secondary displacement of low...  
15 long term low income rent stabilized tenants. When  
16 the market is flooded with thousands of the Mayor's  
17 luxury units it will cause rapid rent increase in  
18 East Harlem thus potentially displacing long term low  
19 income residents from the rent stabilized units just  
20 like what happened in the rezoning of other hot  
21 markets like Chelsea and Williamsburg. In fact,  
22 Melissa despite major opposition from residents and  
23 small business owners throughout Harlem you rubber  
24 stamped Mayor Bloomberg's destructive river to river  
25 125<sup>th</sup> Street rezoning plan, the Columbia University

1  
2 expansion plan and the East 125<sup>th</sup> Street development  
3 plan that has gentrified and displaced low-income  
4 people of color across Harlem. That is now part of  
5 your legacy. If this plan is enacted our local  
6 businesses and street vendors will be displaced and  
7 workers will lose their livelihood and new luxury  
8 tenant demands luxury stores and amenities. We will  
9 no longer be able to afford to shop in our stores in  
10 our community, the mayor's plan will destroy the  
11 beautiful culture that makes East Harlem El Barrio by  
12 replacing it with a culture of money. We are not  
13 asking for crumbs in exchange for the rezoning plans  
14 because we have dignity. We want the New York City  
15 Council to roll 100 percent against any rezoning of  
16 our beloved East Harlem... [cross-talk]

17 CHAIRPERSON RICHARDS: I'm going to ask  
18 you to begin to wrap up... [cross-talk]

19 ASHLEY HAMOS: I will, a noble with  
20 conditions if not accessible to us because that would  
21 essentially be an approval of the Mayor's destructive  
22 rezoning plan with a few cosmetic changes. We ask  
23 that you, Melissa Mark-Viverito save our beloved East  
24 Harlem by voting unconditionally against the Mayor's  
25 rezoning plan this will prevent the displacement of

1  
2 low income people of color of El Barrio from becoming  
3 part of your legacy...

4 COUNCIL MEMBER MARK-VIVERITO: I'm, I'm...  
5 let me say this, I'm more than happy because I've  
6 made attempts in the past to reach out and to address  
7 your organization and it's been rejected, I'm more  
8 than happy to come to a meeting of your members as  
9 opposed to a larger meeting that involves other  
10 members and engage in a conversation and present my  
11 position on this issue and present... and present the  
12 work that we've been doing, if you want to take me up  
13 on that that is fine, I would hope that you do, you  
14 can take that back to your organization, if you  
15 reject it then that's your... that's on you as well.

16 ASHLEY HAMOS: We have... [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: So...  
18 [Spanish dialogue]

19 ASHLEY HAMOS: Excuse me, we have met in  
20 the past Melissa and we asked... [cross-talk]

21 COUNCIL MEMBER MARK-VIVERITO: How many  
22 years ago was that?

23 ASHLEY HAMOS: Yes, but we asked... [cross-  
24 talk]

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COUNCIL MEMBER MARK-VIVERITO: How many years ago was that... [cross-talk]

ASHLEY HAMOS: Can I... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...maybe nine, ten years ago... [cross-talk]

ASHLEY HAMOS: Excuse me... excuse me?

COUNCIL MEMBER MARK-VIVERITO: No, no, hold on a second, you said that you've met with... that we met that was about nine or ten years ago... [cross-talk]

ASHLEY HAMOS: And also... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Since then I've made... [cross-talk]

ASHLEY HAMOS: ...broken promises... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...attempts to meet with your organization and it's been... [cross-talk]

ASHLEY HAMOS: ...that you promised during... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...rejected, okay... [cross-talk]

1  
2 ASHLEY HAMOS: ...that meeting and the  
3 letters we never received... [cross-talk]

4 COUNCIL MEMBER MARK-VIVERITO: Alright...  
5 [cross-talk]

6 ASHLEY HAMOS: ...and how many times we  
7 tried to contact you after for those same letters,  
8 please tell the whole story before you... [cross-talk]

9 COUNCIL MEMBER MARK-VIVERITO: That's not  
10 accurate but we'll move on... [cross-talk]

11 ASHLEY HAMOS: Thank you... [cross-talk]

12 COUNCIL MEMBER MARK-VIVERITO: Thank you.  
13 There's been attempts on my part and they've been  
14 rejected to me so... [cross-talk]

15 CHAIRPERSON RICHARDS: Alright, alright...  
16 [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: It's  
18 unfortunate that that's not... that's... you would hope  
19 you people would want to engage in a conversation and  
20 a constructive conversation with your representative  
21 if people choose not to do that then that's your  
22 decision, okay, so I appreciate it. Thank you. Thank  
23 you so much.

24 CHAIRPERSON RICHARDS: Sir you're the  
25 last person to... [cross-talk]

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COUNCIL MEMBER MARK-VIVERITO: The last...  
[cross-talk]

CHAIRPERSON RICHARDS: ...testify... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...the last testimony for today.

ROBERT THIBAUT: Hello, my name is Robert Thibault and I'm a non-profit professional, I live in Chelsea. I'm here in solidarity with the people of El Barrio, I'm noting that this hearing regarding the rezoning of El Barrio is taking place during the day when many residents are at work. This public hearing should be held in the evening in the neighborhood of El Barrio. Rezoning equals gentrification, gentrification is violence, gentrification is racist, gentrification is colonialism, El Barrio is not for sale. El Barrio is a living, breathing document of Puerto Rican and Latino culture, gentrification tries to minimize this fact. The medium household income is 30,972 in El Barrio, the lowest level of affordability under the city's plan is 31,000 for a family of three, this is unacceptable. Your plan is a land grab for the super-rich with a few crumbs for the poor. Mayor De Blasio

1  
2 is in bed with luxury real estate developers, these  
3 include Two Trees Management, Brookfield Financial  
4 Property, Bill Rudin, L and M Development just to  
5 name a few. The Mayor's rezoning plan for El Barrio  
6 is dangerous, racist and should be completely  
7 scrapped. I raise my fist in solidarity with the  
8 people in El Barrio, New York City.

9 CHAIRPERSON RICHARDS: Thank you all for  
10 your testimony today and I... [cross-talk]

11 ROBERT THIBAUT: I have 35 seconds left...  
12 [cross-talk]

13 CHAIRPERSON RICHARDS: Oh you have 35  
14 seconds... [cross-talk]

15 ROBERT THIBAUT: ...and I'm raising...  
16 [cross-talk]

17 CHAIRPERSON RICHARDS: Okay... [cross-talk]

18 ROBERT THIBAUT: ...my fist... [cross-talk]

19 CHAIRPERSON RICHARDS: Sorry... [cross-  
20 talk]

21 ROBERT THIBAUT: ...for those 35 seconds...  
22 [cross-talk]

23 CHAIRPERSON RICHARDS: You got your 35...

24 COUNCIL MEMBER MARK-VIVERITO: Alright,  
25 thank you.

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ROBERT THIBAUT: Thank you.

CHAIRPERSON RICHARDS: Thank you, thank you for your testimony. Alright, are there any other members of the public who wish to testify on this rezoning, the East Harlem Rezoning?

COUNCIL MEMBER MARK-VIVERITO: Again as I've said in the past there's going to be additional conversations in the community regarding what presentation was made today and also to give a status update on the conversations and negotiations and again to be clear because people want a say, the development that is happening, the vast majority of the development that his happening in El Barrio is luxury market rate housing that we have absolutely no responsibility for, that is not something we approved of, that is not something... [cross-talk]

CHAIRPERSON RICHARDS: Please no calling out... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...we supported... yes, it's true Marina, you know that so... [cross-talk]

CHAIRPERSON RICHARDS: Please no, no controlling, no... [cross-talk]



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COUNCIL MEMBER MARK-VIVERITO: We... I'm talking about the private lands. So, we have... [cross-talk]

CHAIRPERSON RICHARDS: Please, please no calling out ma'am, no ma'am, no... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: So, we will engage in conversations so I want to make sure that that's clear, we'll talk about what it is that the city is recommending and people can give feedback, more conversations will happen, this is not the beginning... this is not the end of the conversations it's the beginning so I appreciate everyone for having come today and I know that we have another land use application that's in East Harlem in my district so we're going to take a five-minute break and then we're going to get into that hearing next.

CHAIRPERSON RICHARDS: Alright, any other members of the public wish to testify? Alright, seeing none I will now close the public hearing on the East Harlem Rezoning, we'll take a five-minute recess. Okay, we're going to begin again, going to ask everybody to have a seat. Alright, okay. We're ready NYCTV, okay. That's my constituent back there.

1  
2 Okay, we will now open the hearing up on the second  
3 item on the agenda, application submitted by the  
4 Department of Housing, Preservation and Development  
5 to facilitate the redevelopment of city owned land  
6 roughly bounded by East 111<sup>th</sup> Street, Madison Avenue,  
7 East 112<sup>th</sup> Street and Park Avenue by Jonathon Rose  
8 Companies, L and M and Acacia and I don't know if the  
9 Speaker has a statement she wants to read and so  
10 we'll go to her and then we will hear from the  
11 administration, thank you.

12 COUNCIL MEMBER MARK-VIVERITO: Alright,  
13 so very quickly the redevelopment of the publicly  
14 owned parcels along 111<sup>th</sup> Street has been a goal of  
15 our community for a number of years. Today we'll hear  
16 details and solicit public comments on the Sendero  
17 Verde Project which proposes to develop this site as  
18 100 percent affordable housing, public open space  
19 including community facility space many of our most  
20 accomplished community based organizations. The  
21 development team which includes a local non-profit  
22 development partner has proposed a project that has  
23 the potential to help the community through a wide  
24 variety of community centric services and uses. I  
25 look forward to ensuring that this project also meets

1  
2 all the development and housing affordability goals  
3 outlined in the East Harlem Neighborhood Plan. So,  
4 that's my statement and we look forward to the  
5 presentation.

6 CHAIRPERSON RICHARDS: Mr. Jordan.

7 Alright and we'll ask everybody before you begin just  
8 state your name and who you represent, you should  
9 know the drill by now.

10 JORDAN PRESS: Thank you, my name is  
11 Jordan Press from HPD's Government Affairs Office.  
12 I'm joined by Asher Freeman from HPD. I will read  
13 into the record the land use items we're considering  
14 before the council on and then turn it over to the  
15 development team to present on the project. The  
16 following pre-considered land use items are related  
17 ULURP actions regarding a project known as Sendero  
18 Verde which will be developed on 26 city owned  
19 parcels located at block 1617, lots 20, 22, 23, 25,  
20 28, 29, 31, 33, 35, 37, 38, 39, 40, 41, 42, 43, 45,  
21 46, 48, 50, 51, 52, 53, 54, 121, and 122 in Manhattan  
22 council district number eight and is within the East  
23 Harlem rezoning area. The first item CPC Number  
24 C170361 ZMM consists of a zoning map amendment to  
25 change an existing R7-2 and R7-2/C1-4 district to R9

1  
2 and R9/C2-5 district. This amendment will allow for  
3 residential and other uses to be developed across the  
4 entire site. The next action relates to a zoning text  
5 amendment to designate a mandatory inclusionary  
6 housing area. CPC Number C170363 HAM specifically  
7 relates to the UDAAP designation project approval and  
8 disposition of the parcels mentioned above in order  
9 to facilitate the development of three mixed use  
10 buildings with commercial and community facility uses  
11 as well as community gardens. Under our new  
12 construction finance programs, the sponsor is  
13 proposing to create 655 100 percent affordable  
14 dwelling units including three superintendent's  
15 units. The Sendero Verde Project will be marketed  
16 towards households with incomes ranging from 30  
17 percent to 165 percent of AMI. Building A will be  
18 comprised of 365 units with a bedroom mix of 90  
19 studios, 131 bed... 130 one bedrooms, 87 two bedrooms,  
20 and 58 three bedrooms with initial rents anticipated  
21 to range between 30 and 130 percent of AMI. The  
22 community facility space totals approximately 10,311  
23 square feet and the commercial space will be 32,194  
24 square feet. It is anticipated that the community  
25 facility space will be occupied by a medical office

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2 from Mount Sinai. Building B will be comprised of 211  
3 units with an expected bedroom mix of 51 studios, 78  
4 one bedrooms, 52 two bedrooms and 30 three bedrooms  
5 and rents are anticipated to range from 30 to 60  
6 percent of AMI. The community facility space will be  
7 approximately 120,934 square feet. Currently the plan  
8 is for the space to be used by a charter school in  
9 the YMCA. Building C will be comprised of 79 units  
10 with a bedroom mix of 11 studios, 35 one bedrooms, 21  
11 two bedrooms, 12 three bedrooms and rents are  
12 anticipated also to range to 30 to 60 percent of AMI.  
13 The community facility space in building C is 10,941  
14 square feet and will be made available to union  
15 settlement, a non-profit organization that offers an  
16 array of community services. The agency anticipates  
17 that the proposed development will be built to pass..  
18 surpass standards by utilizing superior building  
19 materials and sustainable features such as storm  
20 water retention tanks for the garden irrigation,  
21 bioswales and street trees on the sidewalk  
22 surrounding the site, green roofs. CPC Number C170364  
23 PQM consists of the acquisition of block 1617, lots  
24 22, 35, 121, 122 and parts of lots 23, 25, 28, and 37  
25 by the city to be utilized as recreational space and

1  
2 community gardens. The community gardens will be  
3 operated under licensed agreements with the  
4 Department of Parks and Recreation. Also in order to  
5 facilitate the Sendero Verde Project several, several  
6 special permits are required. As such CPC Number  
7 C170365 ZSM will modify the height setback and yard  
8 requirements within a large scale general  
9 development. We also have a special permit that will  
10 allow commercial use above the 2<sup>nd</sup> story within a  
11 mixed-use building within the large scale general  
12 development another that will modify parking  
13 requirements within a large scale general development  
14 in order to allow for the development of affordable  
15 units. Thank you and I'll turn it over to the  
16 Development Team.

17 LYMARIS ALBORS: Thank you, good  
18 afternoon. My name is Lymaris Albors and I'm here  
19 representing Acacia Network and Raul Russi the CEO.  
20 Acacia Network is a non-profit organization founded  
21 by Puerto Rican and led by Puerto Ricans and I am  
22 also here as part of the development team. Our  
23 organization has a 15 percent ownership in this  
24 development and as part of the things that we  
25 negotiated with the Sendero team was to allow us to

1  
2 bring a new architect... landscape architect to work  
3 with the gardeners and also to revamp what they call  
4 a path, I... we thought that a plaza was more in  
5 alignment to what the community asked and I... so we  
6 were able to, to become part of the ownership  
7 structure and also to bring Gonzalo who is here with  
8 us today and is working diligently to redesign the  
9 path and also to work very closely with the gardeners  
10 and I'm very involved with both processes. In  
11 addition, the art and culture space that we felt it  
12 was missing from the first schematic has been added  
13 and we're working diligently to design the purpose of  
14 that space and how it could be an incubator that can  
15 work with other local organizations and do different  
16 things at this space and also to bring the initiative  
17 that's been going El Marqueta for four years so we  
18 can make an alignment between that and Sendero Verde  
19 with the initiatives that are already going on very  
20 close to where this building is going to be built. In  
21 addition the cultural space is going to be close to  
22 the open space, we want that communication to be open  
23 so while you have an event going on in the space you  
24 also can have la plaza engaging with the cultural  
25 space and I have to say that since the day I've been

1  
2 at the table as a non-profit representative we do  
3 have a say in the design and in the programming of  
4 this building making sure that the rich culture of El  
5 Barrio does not get erased by this building and every  
6 single element that is being proposed is being vetted  
7 by everybody including Acacia Network. I think I'm  
8 now going to pass the mic to you.

9 FRED HARRIS: Thank you Lymaris. My name  
10 is Fred Harris, I'm here representing Jonathan Rose  
11 Companies another partner along with Acacia Network  
12 and L and M Development partners in, in the  
13 development group and I'm going to just try to take  
14 you through quickly our... what we were trying to  
15 accomplish in the end in our proposal and, and allow  
16 the architect and the landscape architect just a few  
17 minutes to talk about what they're up to as well.  
18 Jonathan Rose Companies firmly believes that, that  
19 developments like this should really strengthen and,  
20 and create stronger communities not just for the  
21 residents that move into the new... the new buildings  
22 but also for those around. We looked for to create  
23 what we call a community of opportunity blending  
24 jobs, walkability and transit, arts and culture,  
25 access to fresh food, open space, community gardens,



1  
2 health care, affordable housing, education,  
3 recreation, community and social services, we try to  
4 bring these all together and, and you'll see in our  
5 program that we've tried to get all of these elements  
6 put together in a way that they'll be very available  
7 to the people in the building but also open to others  
8 from the neighborhood. When our first community  
9 partner is Mount Sinai, Mount Sinai is going to have  
10 a neighborhood medical clinic and it's going to...  
11 we're going to seek to use this in a way that will  
12 provide better health outcomes for people that live  
13 in the neighborhood and it's going to partner in a  
14 unique way with the YMCA. The YMCA facility won't be  
15 a typical YMCA membership facility, it's going to be  
16 a facility that will focus on wellness and wellbeing  
17 for people of all ages and will work closely with the  
18 medical folks at the Mount Sinai facility so that  
19 people can use the medical, medical advice and  
20 treatment along with the other aspects of healthy  
21 living that they can get from exercise and therapy at  
22 the YMCA. Union settlement is well known to the  
23 people of, of East Harlem, they... they've for a long  
24 time provided services for, for seniors, for, for  
25 young adults, for, for children, they will do this in

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2 a... in a wonderful new facility in Sendero Verde like  
3 the others it... they will all surround the open space  
4 and be able to both serve the neighborhood through  
5 front doors on the street in an active way as well as  
6 allow for the use of the open space that would of  
7 otherwise been the rear yards of all these buildings  
8 which will be, you know created into a wonderful  
9 outdoor environment. Last but not least the Dream  
10 Charter School which is... which we worked with just a  
11 few years ago building the East Harlem Center for  
12 Learning and Living which is the... which is pictured  
13 here which is the home of the existing Dream Charter  
14 School which will... not going to go anywhere we're  
15 just adding another one. It's place... you know it will  
16 enable Dream to reach 1,700 boys and girls, it will  
17 we hope to enable high school to be part of their... of  
18 their system in East Harlem as, as you may know DREAM  
19 really focuses on serving people in the neighborhood  
20 and especially NYCHA residents and the first Dream  
21 development that Jonathan Rose partnered with them on  
22 is actually located on the campus of Washington  
23 Houses. I'm now going to turn this over to Debra  
24 Moelis from Handel Architects and she's going to  
25 describe the program of the buildings.

1  
2 DEBRA MOELIS: Sure. Hello, my name is  
3 Debra Moelis from Handel Architects here in New York  
4 City. I want to talk a little bit about the massing  
5 of the project, what we tried to do here is pull as  
6 much of the building away from the South as possible  
7 to give the most light for the gardens and the plaza  
8 and so we put the, the mass of the building on  
9 Madison Avenue towards the North, towards the, the  
10 wide Madison Avenue side and then the, the shortest  
11 portion of the building is on the South side to allow  
12 for as much light to be flooded in. As Fred described  
13 we have a, a program that is extremely diverse and  
14 rich in its... in its uses, there will be a Mount Sinai  
15 facing onto Madison Avenue with a retail frontage on  
16 Madison Avenue as well. On 112<sup>th</sup> Street you'll have  
17 entrances to residential units as well as resident..  
18 the, the YMCA and the community space and the Dream  
19 High School and then on the South side on 111<sup>th</sup>  
20 Street you'll have the entrance to the Union  
21 Settlement as well as Building C. And so here's the  
22 organization of the ground floor, the, the plaza is  
23 raised a story so that's why you're seeing a sort of  
24 cut through the plaza here, you're seeing what's  
25 below the plaza which, which will support the Dream

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2 High School, the gym and auditorium and so at the  
3 ground level coming off of the street you'll see all  
4 this... all these entrances, all these ways to access  
5 into the building, glass store fronts, a lot of  
6 activation on the street frontage as well as the four  
7 community gardens which Gonzalo will talk about  
8 shortly. And then this... now you're up at the second  
9 floor and you're seeing how the program sort of hugs  
10 around the plaza and starts to... and show you how to...  
11 how every... the different users will engage with the  
12 plaza. And now Gonzalo will...

13 GONZALO CRUZ: Hello. Hi, hi guys, my  
14 name is Gonzalo Cruz and I'm a landscape architect by  
15 training and I'm a relatively new addition to the... to  
16 the team, I was actually brought up by the Acacia  
17 Network. So, we've actually... have had a few... a series  
18 of meetings with the Acacia team and also the  
19 Jonathon Rose team to go over the logistics about  
20 sharing program on this plaza. One of the primary  
21 spaces sits on the second level which should be and  
22 will be a shared landscape by, by all users.  
23 Currently the plan or the plan that you previously  
24 saw it's, it's very choppy and it's very  
25 compartmentalized meaning that it kind of creates its

1  
2 own little rooms for the people immediately across  
3 from the buildings in which they're sitting. What  
4 we're after is more of an open shared space that can  
5 function on a number of ways depending on the time of  
6 day. So, we're looking into sort of more options and  
7 concept ideas about how to achieve that, have an...  
8 have an open plan for the... for the upper publicly  
9 accessible plaza. One of the things that you should  
10 note is that for example the stairs that you're  
11 looking into from the street we're working really  
12 hard about making that entry way even more accessible  
13 or more welcoming to the passer byer community. So,  
14 that's... like that's just to give you an example of  
15 how we want to make this a little bit more broader  
16 and not so compartmentalized in the way that I kind  
17 of adopted the plan. Not to say that they were not  
18 good things but we can do a lot better by introducing  
19 more sort of engagement with the community. And  
20 secondly, the second challenge that I've had so far  
21 is the configuration of the community gardens both  
22 the ones facing Park Avenue and the ones facing this...  
23 the... these... on Park and also primarily speaking  
24 really the ones on 112<sup>th</sup>... 11<sup>th</sup> Street and Madison  
25 Avenue. We saw that there was a lot of opportunity

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2 for improvement here particularly in the way that the  
3 path was separating these two-community garden sort  
4 of agents. What I was able to do very shortly and we  
5 got some really good sort of positive feedback with  
6 the... with the garden team members, we actually met at  
7 the end of last week to, to walk over some of the  
8 future changes and what I've done is basically I've  
9 pushed that path all the way to the edge of the  
10 building releasing a frontage for all... for both of  
11 these two community gardens and that was pretty well  
12 received. So, now everyone has an equal frontage to  
13 both Madison Avenue and 112<sup>th</sup> Street and we don't  
14 have this condition of sort of separating both, both  
15 gardens. It, it would be more... it would have a more  
16 sense of community now that everybody has the same  
17 sort of capacity to see the street. So, one important  
18 thing and I know that I'm not going take too much  
19 into it but to mention is that I am an advocate of  
20 great public space obviously and I have worked with  
21 communities in the past, I am bilingual so I can  
22 speak to them in the... in a language that they can  
23 understand, if there's... there are issues of sort of  
24 communication but what's important to me is that we  
25 do the right thing for the community that we're right

1  
2 now shuffling a building. So, so far we've had  
3 conversations about holding workshops in the coming  
4 months where we are going to bring a few ideas,  
5 precedence just examples of things that have worked  
6 really well around the city and also internationally  
7 and what we want to do with that is then take a lot  
8 of feedback, you know we got some initial feedback  
9 last week, it... during the workshop we'll get more  
10 specific and come back in... sometime in January or in  
11 the middle of to the end of January with a... with a  
12 proposed concept plan from which the community will  
13 have yet another time to sort of advocate for what  
14 they want and what they need and get their final  
15 feedback from which we can go back in the early to  
16 late spring with a final design plan. So, I think  
17 that kind of summarizes is, if I missed anything  
18 just... thank... [cross-talk]

19 CHAIRPERSON RICHARDS: Thank you.

20 FRED HARRIS: And just to finish up I  
21 wanted to review the, the affordability of the  
22 apartment homes. The... there... you know the, the  
23 apartments are all, all... every single apartment is  
24 proposed to be income limited, 20 percent are  
25 affordable at 30 percent AMI or below and we've shown

1  
2 on this sheet what that translates to in rents from  
3 studios to three bedrooms from 327 to 582 a month and  
4 we've also given the percentage of the total  
5 apartments in the... in the complex added up for each  
6 income band and we've taken that through the  
7 affordable 30 percent to 60 percent, 40, 80, 50 and  
8 the most... the most expensive apartments constituting  
9 about a quarter of the total apartments in the  
10 development are capped at 130 percent of AMI. We've  
11 aggregated that in this chart just to give folks...  
12 it's a little complicated to go through each income  
13 band but basically almost 50 percent of the  
14 apartments, 48 percent would rent for less than 1,000  
15 dollars per month. A quarter are less than 600 a  
16 month, 262 which is 40 percent of the apartments are  
17 permanently affordable, the remaining 60 percent is  
18 currently planned would be affordable for at least 40  
19 to 60 years depending on which, which program there,  
20 they're part of. This is just a chart. The... this  
21 diagram just indicates the portions of the building  
22 that are subject to the special permit waivers which  
23 were, were listed at the very beginning. There is a,  
24 a... you know that there's tower portions above  
25 required street walls that are shown in pink, there's



1  
2 a setback between an... essentially early set back  
3 shown in orange. A, a non-conforming use allowed  
4 below the courtyard in the middle that's, that's,  
5 that's shown in green and there is an absence of a  
6 street wall obviously in front of the community  
7 gardens and a street wall that's set back on the  
8 corner of Park and 112<sup>th</sup>. And this is... I... this is  
9 just... really just repeats the land use actions that  
10 were... that were listed in the beginning. Okay, thank  
11 you.

12 CHAIRPERSON RICHARDS: Thank you, yeah.

13 COUNCIL MEMBER MARK-VIVERITO: Alright,  
14 thanks for your presentation and I'm not going to... I  
15 think a lot of what I was going ask... was going to  
16 have been answered in terms of the public space and  
17 access and how it relates to other things. Obviously,  
18 the issue of the community gardens that we're  
19 preserving and those that, that were, were not but  
20 could be part of the conversation, hopefully  
21 everyone's being included in those discussions. In  
22 terms of the gardeners and the amount of space that  
23 we are going to allocate to community gardens and  
24 open space that is important to me personally and  
25 definitely... I know we've engaged in a lot of

1  
2 conversations and the issue of the affordability and  
3 the permanent affordability piece which is going to  
4 be a continued source of conversation. Those are  
5 issues that I know that right now as it stands its 40  
6 percent permanent affordability and we have to have  
7 further conversations on that. I do, you know support  
8 the concept of mixed income housing, you know but,  
9 but there's going to be more conversations about the  
10 spread and how it looks right now but those are the  
11 key things. The issue of the open space, access to it  
12 as well by the community and how it, you know  
13 interrelates and I know Lymaris was speaking to that  
14 in terms of the Marqueta proposed vision there and  
15 the issue of the, the affordability levels and the  
16 permanency. Those, those are the key items for this  
17 proposal so I don't know if you want to speak to  
18 those.

19 JORDAN PRESS: Thank you for all of that,  
20 I think, you know we think that HP selected a, a  
21 great proposal, it always has room for improvement as  
22 it goes through the land use process, working with  
23 your office and, and your representation of the  
24 community we, we look forward to getting it even  
25 better.

1  
2 COUNCIL MEMBER MARK-VIVERITO: Okay,  
3 thank you Mr. Chair.

4 JORDAN PRESS: Thank you.

5 CHAIRPERSON RICHARDS: Thank you Madame  
6 Speaker and just one last question so on the waiver  
7 for the requirement for the commercial ground floor  
8 that's technically because you're putting community  
9 facility in or... what is those purposes, well I mean I  
10 obviously know the purpose of you waiving it but just  
11 give a little bit more rational?

12 FRED HARRIS: I think the, the, the  
13 requirement was for commercial frontage... [cross-talk]

14 CHAIRPERSON RICHARDS: For 50 percent...  
15 [cross-talk]

16 FRED HARRIS: For 50 percent of the... let  
17 me just... I'm just trying to see... right, the... so the,  
18 the... that's, that's what the waiver is, there can't...  
19 there, there wouldn't be room for all the... all... of  
20 all the different uses if we... if we had commercial  
21 usage on 50 percent unless you're exactly what  
22 percent we have but it's not... it's not insubstantial,  
23 we do have... [cross-talk]

24 CHAIRPERSON RICHARDS: And then lastly  
25 just on jobs, you'll be working with a local

1  
2 organization, is Acacia handling that portion for  
3 jobs, tying in jobs to local residents, okay.

4 LYMARIS ALBORS: We are in conversations,  
5 we have had a couple of brainstorming meetings  
6 identifying local organizations, put together a  
7 proposal for the team to, to... so explore but that  
8 right now in pre-development if you will, I have to  
9 put together all the organizations that we think we  
10 can work with to develop the local hiring and also  
11 the workforce development before, during and after  
12 construction. Does that answer your question?

13 CHAIRPERSON RICHARDS: Yes, great, thank  
14 you. Thank you all for your testimony, are there any  
15 other members of the public who wish to testify on  
16 this issue? Okay, yes? Come on down. Now's your  
17 moment, are you... oh you're Emily, hi Emily you're  
18 back, alright. Alright.

19 EMILY PARKEY: Thank you so much as the  
20 non-profit partner with this project I just wanted to  
21 be able to express my support. I'm Emily Parkey, I'm  
22 both an East Harlem resident and the Director of  
23 Family and Community Engagement at DREAM who's been  
24 in East Harlem for 26 years. DREAM's mission is to  
25 inspire youth to recognize their potential and

1  
2 realize their dreams and we provide academic  
3 enrichment and sports programming to more than 2,000  
4 East Harlem and South Bronx youth during after school  
5 and summer hours. DREAM works tirelessly to prepare  
6 638 scholars for high performing colleges and beyond  
7 through a rigorous pre-k through 9<sup>th</sup> grade charter  
8 school that develops critical thinkers who  
9 demonstrate a level of learning, strong character and  
10 a commitment to wellness and active citizenship.  
11 Before opening Dream Charter school in 2008 in a  
12 temporary space provided by the DOE, Dream recognized  
13 the need to find a permanent home that welcomed,  
14 celebrated, honored and inspired our community of  
15 scholars and youth. As a result, Dream forged what  
16 has quickly become one of our most valued  
17 partnerships with Jonathon Rose Companies to create  
18 the East Harlem Center for Living and Learning, an  
19 innovative mixed-use community facility that provides  
20 East Harlem families with the educational health and  
21 economic resources to lead empowered lives. The  
22 project includes a beautiful school building that  
23 inspires learning, 89 units of low-income housing, a  
24 public park for community members and community  
25 meeting rooms and facilities that are utilized by our

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local community board and elected officials. Jonathon Rose Companies has proven its commitment to the community landscape of East Harlem as evidence by their significant financial support backing and partnership in negotiating and acquiring the development site of this project which has cemented Dreams ability to solidify 25 years. The children of East Harlem deserve beautiful spaces to play, learn and grow and Dream is excited to partner with Jonathon Rose to bring another such space to East Harlem.

CHAIRPERSON RICHARDS: Thank you for your testimony. Alright, are there any other members of the public who wish to testify? Alright, seeing none we are going to layover all the items on, on the agenda for further consideration and I want to thank the Land Use Staff, I want to thank the Speaker for her leadership and all of her staff and my team as well and we look forward to continuing the work to make this plan a better plan. Thank you, this hearing is now closed.

[gavel]

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

October 23, 2017