

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ZONING AND FRANCHISES

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May 8, 2012  
Start: 9:55 a.m.  
Recess: 10:32 a.m.

HELD AT: 250 Broadway  
Committee Room, 16th Floor

B E F O R E:  
MARK WEPRIN  
Chairperson

COUNCIL MEMBERS:  
Joel Rivera  
Diana Reyna  
Daniel R. Garodnick  
Leroy G. Comrie, Jr.  
Albert Vann  
Robert Jackson  
Lewis A. Fidler  
Vincent M. Ignizio  
Jessica S. Lappin  
Larry B. Seabrook

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

Philip Robertson  
Serafina Meatpacking, LLC

Carolee Fink  
Senior Policy Advisor to Deputy Mayor Robert Steel  
Mayor's Office

Sammy Bical  
Owner  
Kristal Auto Mall

Richard Bearak  
Land Use Director  
Brooklyn Borough President Marty Markowitz

Steve Sinacori  
Attorney  
Akerman Senterfitt  
ADC Builders and Developer

2 CHAIRPERSON WEPRIN: We're in a  
3 holding pattern, ladies and gentlemen. Please  
4 make sure your seats are in an upright position--

5 SERGEANT-AT-ARMS: Yeah, I got it,  
6 all right.

7 CHAIRPERSON WEPRIN: --as we  
8 prepare for takeoff.

9 MALE VOICE: Watch the movie.

10 [Off mic]

11 CHAIRPERSON WEPRIN: Surely, you  
12 must be joking. All right. Thank you. Good  
13 morning, everyone. My name is Mark Weprin, I am  
14 the Chair of the Zoning and Franchises  
15 Subcommittee of the Land Use Committee. I want to  
16 remind everyone that we are on the brand new  
17 Internet service where there are two cameras in  
18 the room, one on the speaker and one somewhere  
19 else, so at any given time, you are on candid  
20 camera. So please, everyone, pay attention and we  
21 ask the audience for some cooperation in keeping  
22 the excitement to a minimum.

23 So joining us today are the  
24 following members of the Committee: Joel Rivera,  
25 Diana Reyna, Dan Garodnick, Leroy Comrie, Al Vann,

1 Robert Jackson was here and stepped out, but he's  
2 in the area, and we're also joined by Lew Fidler,  
3 who is here on an item that's on the agenda.

4 Forget anybody? Vincent Ignizio I saw, is he in  
5 the room?

6 MALE VOICE: Yes, he is here.

7 CHAIRPERSON WEPRIN: Okay. Here is  
8 Mr. Ignizio now.

9 So we are going to start off, we  
10 have two cafes on the agenda, we are going to  
11 start off with the first one on the list, which  
12 works out well. Land Use number 602 is Serafina  
13 Café in Community Board 2. I'd like to call up  
14 Philip Robertson. Mr. Robertson, if you could  
15 please make your way to the table. Speak into the  
16 microphone, make sure to state your name for the  
17 record, and discuss your application for a café.  
18 Thank you.

19 [Pause]

20 SERGEANT-AT-ARMS: Yes.

21 PHILIP ROBERTSON: Good morning,  
22 everyone, my name is Philip Robertson, I'm  
23 representing Serafina Meatpacking, LLC. And I  
24 have a letter, I'm sure you have it in front of  
25

1  
2 you, and it reads: Dear Council Member Quinn,  
3 this letter should serve as an agreement the  
4 Chair, Council Member Mark Weprin, and the  
5 encompassing members of the Subcommittee on Zoning  
6 and Franchises that we will commit to the  
7 following: The size of the sidewalk cafe will be  
8 reduced from 16 tables to 42 chairs to 14 tables  
9 and 36 chairs so as to provide the required 3 foot  
10 clearance in all directions to the fire escape  
11 ladder in accordance with New York City Fire  
12 Department regulations. Specifically, the 2-three  
13 top tables on the North Avenue side of the café  
14 will be removed. These changes will be reflected  
15 in the revised plans submitted to the New York  
16 City Department of Consumers Affair.

17 Install a fly away passage on the  
18 southern end of the existing retractable awning on  
19 Ninth Avenue to allow for the proper deployment of  
20 the fire escape ladder in accordance with New York  
21 City Department of Buildings and Fire Department  
22 regulations.

23 If there are any questions, please  
24 call my office. Thank you.

25 CHAIRPERSON WEPRIN: Thank you very

1  
2 much, and I understand with discussions with  
3 Speaker Quinn's office that they are okay and I  
4 got the head nod from Speaker Quinn's staff, so  
5 we--well, Mr. Robertson, I don't think I'm going  
6 to need you back, but just one second. So with  
7 that, we are looking the panel seeing if anyone  
8 has any questions, I think we're okay, Mr.  
9 Robertson.

10 So with that, we're going to close  
11 this hearing and thank you very much.

12 [Pause]

13 Okay. Okay. The net we're going  
14 to maybe... [Pause] Okay. The next café we're  
15 going to hold off on, they're not here at the  
16 moment, and we're going to move to the first Land  
17 Use item, Land Use numbers 595 through 598,  
18 inclusive, that is the Mill Basin item. I'd like  
19 to call up those people from EDC who are here:  
20 Josh Gelfman, Ernie Padron, and Carolee Fink.  
21 Three of you here?

22 CAROLEE FINK: No, we're going to  
23 do this in--

24 CHAIRPERSON WEPRIN: Just two?

25 CAROLEE FINK: --slightly different

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order.

CHAIRPERSON WEPRIN: Oh.

CAROLEE FINK: EDC folks are here to answer questions, I'm--

CHAIRPERSON WEPRIN: Okay.

CAROLEE FINK: --Carolee Fink, I'm from Deputy Mayor Steel's office and I'll be joined by the representatives from the--Kristal and Toys 'R' Us for testimony.

CHAIRPERSON WEPRIN: Fine, is EDC going to be speaking afterwards, Ms. Fink?

[Crosstalk]

SERGEANT-AT-ARMS: --testimony?

CAROLEE FINK: Yes, oh, it's been handed out. It was handed out earlier.

CHAIRPERSON WEPRIN: Okay.

CAROLEE FINK: They have it.

CHAIRPERSON WEPRIN: Ms. Fink, is EDC going to be speaking separately in another presentation or they're just here in case you need them?

CAROLEE FINK: They're here to answer questions, I'll be testifying--

CHAIRPERSON WEPRIN: Okay.

1  
2 CAROLEE FINK: --on behalf of the  
3 city.

4 CHAIRPERSON WEPRIN: Okay. So  
5 without further ado, then why don't you get us  
6 started? I know you already introduced yourself--

7 CAROLEE FINK: Sure.

8 CHAIRPERSON WEPRIN: --but just do  
9 it again just so they don't confuse you and me.

10 CAROLEE FINK: Happy to do so.

11 Good morning Chairman Weprin and members of the  
12 Subcommittee. My name is Carolee Fink and I am a  
13 Senior Policy advisor to Deputy Mayor Robert Steel  
14 in the Mayor's Office. I am joined by my  
15 colleagues Josh Gelfman and Ernie Padron from the  
16 New York City Economic Development Corporation, as  
17 well as the representatives of the intended users  
18 of the property--Kristal Auto Mall and Toys 'R'  
19 Us. I'm pleased to be here in support of the  
20 application before you regarding a project in the  
21 Mill Basin neighborhood of Brooklyn. I will  
22 briefly describe the project and the land use  
23 actions, as well as answer any questions that you  
24 may have.

25 The site is located at 2875



1 Flatbush Avenue in Mill Basin and is comprised of  
2 approximately 240,000 square feet of City-owned  
3 property. The project involves the sale of  
4 approximately 110,000 square feet of vacant land  
5 to Kristal Auto Mall, where Kristal intends to  
6 build a two-story 114,000 square foot building for  
7 new car sales and a repair center and a one-story  
8 4,000 square foot building for used auto sales.

9 Adjacent to the Kristal site is a 130,000 square  
10 foot parcel improved with a building which will be  
11 sold to Toys 'R' Us. Toys 'R' Us has occupied the  
12 building for over 40 years under leases from the  
13 City and currently occupies the building under an  
14 Occupancy Permit from DCAS. The adjacent 26,000  
15 square foot parcel will be disposed to Toys 'R' Us  
16 for the use of surface parking.

17  
18 No new building program is proposed  
19 for Toys 'R' Us. A diagram of the site with the  
20 respective uses is attached to my testimony as  
21 Exhibit A.

22 The land use application also  
23 involves an amendment to the Zoning Map changing  
24 the site from a C3 District to a C8-1 District.  
25 In addition, the application involves the de-

1 mapping of a portion of Flatbush Avenue between  
2 Avenue U and Pelican Street. I would like to  
3 point out that this de-mapping action will not  
4 affect the current condition of this portion of  
5 Flatbush Avenue.  
6

7 Finally, the application includes a  
8 certification by the Chairperson of the City  
9 Planning Commission for the subdivision of a  
10 waterfront zoning lot and an authorization by the  
11 City Planning Commission to modify certain  
12 waterfront zoning requirements. A diagram of the  
13 zoning lot subdivision and waterfront and zoning  
14 requirement is attached to my testimony as Exhibit  
15 B. Please note that it is on two pages as the  
16 existing zoning lot is over 1,200 feet long.

17 Collectively, these actions will  
18 facilitate the sale of a largely underutilized  
19 site to Kristal Auto Mall, which will generate  
20 approximately 80 construction jobs and 110  
21 permanent jobs and allow Toys to retain from 60 to  
22 170 jobs, depending on the season.

23 I hope you share our excitement  
24 about moving this important economic development  
25 initiative forward and approve the application. I

2 will now ask Sammy Bical, owner of Kristal, to  
3 speak more about his project. At the conclusion  
4 of his testimony and Toys' testimony, we'll be  
5 happy to take any of your questions.

6 CHAIRPERSON WEPRIN: Thank you.

7 Sir, when you're ready.

8 SAMMY BICAL: Hi, good morning, my  
9 name is Sammy Bical, I'm the owner of Kristal Auto  
10 Mall.

11 I am trying to move my dealership  
12 onto Flatbush Avenue. Where we are, I'm on a  
13 month-to-month lease, so we're trying to build a  
14 new dealership and as of today, I employ  
15 approximately 60 people, my moving to Flatbush  
16 Avenue with more space, I would employ about 110  
17 people. We will build a modern showroom, a state  
18 of the art. The showroom I am in, it's  
19 approximately 60 years old and the landlord needs  
20 his property to build storage--he's going to build  
21 a storage facility there.

22 CHAIRPERSON WEPRIN: Thank you very  
23 much. We are lucky enough to be joined by the  
24 Council Member for Mill Basin, who is here today  
25 with us, so I'd like him to--I know he has some

2 things he'd like to add and give us a little local  
3 flavor about this area.

4 COUNCIL MEMBER FIDLER: Don't build  
5 it up too much, Mark.

6 Actually, I'll be very brief and,  
7 first, it's good to see you here, Sammy, and I'm  
8 sure--

9 SAMMY BICAL: Thank you.

10 COUNCIL MEMBER FIDLER: --you  
11 probably can't actually believe you're sitting  
12 here and this might actually happen in your  
13 lifetime.

14 SAMMY BICAL: Yes.

15 COUNCIL MEMBER FIDLER: This  
16 project has gone on for longer than I have been  
17 the Councilman in this district, it's been  
18 complicated by factors that are beyond the control  
19 of anyone in this room. It's been phased up, it's  
20 been phased down, it's been divided, it's been  
21 subdivided, it's been negotiated, and, quite  
22 frankly, in my view, for the better good of the  
23 city.

24 And there are numbers of conditions  
25 that have been placed upon this transaction by the

1  
2 Community Board and the Borough Board and I do  
3 believe that EDC has agreed to meet all of those  
4 that are practical to be met. And I know that Mr.  
5 Bical has been a very community minded business  
6 and we're very, very happy that he's going to be  
7 able to stay in the neighborhood, keep people  
8 employed, the City is going to net a significant  
9 sum of money from this transaction and stabilize  
10 the area. The only thing that remains, as our  
11 friends at EDC know, is confirmations on the  
12 restrictive covenant, and for that reason, we're  
13 going to ask that it be laid over to Thursday,  
14 although I would hope that we can resolve that  
15 issue today.

16 After 11 years of twisting through  
17 this, the one thing that I want to be sure of is  
18 that five years from now or ten years from now,  
19 whoever is at EDC, whoever is at the Council,  
20 whoever is running Toys 'R' Us understands what  
21 the deal is and the deal is that it's going to be  
22 a Toys 'R' Us store and not some big box store or  
23 some other kind or some other use. And so I know  
24 the applicant is in agreement, I know the  
25 representative is here as well, I think we've come

1  
2 a very, very long way to get here, I certainly  
3 don't intend to fumble the ball at the one-yard  
4 line here, so I hope that we will be passing this  
5 on Thursday with the appropriate assurance to the  
6 community in place from EDC through the Borough  
7 Board. Thank you.

8 CHAIRPERSON WEPRIN: Thank you.  
9 Does any other panel have any questions? Well Mr.  
10 Vann first, then followed by Chair Comrie.

11 COUNCIL MEMBER VANN: Yeah, I'm  
12 sorry, I just didn't understand why we're delaying  
13 it, could I--

14 [Crosstalk]

15 CHAIRPERSON WEPRIN: [Interposing]  
16 Mr. Fidler, do you want to just reiterate for Mr.  
17 Vann why we would like it delayed 'til Thursday?

18 COUNCIL MEMBER FIDLER: We are  
19 [pause] we're waiting for a letter from EDC and a  
20 copy of the resolution that confirms the  
21 restrictive covenant. There is a provision in  
22 this deal that would allow Toys 'R' Us to change  
23 the use of the facility after a period of time on  
24 a change of ownership. I want that to have to  
25 come back to the Borough Board before they could

2 be relieved of that restrictive covenant.

3 Apparently, we're all in agreement  
4 on that, we just need a letter confirming it.

5 CHAIRPERSON WEPRIN: And, Mr. Vann,  
6 just for the record, Thursday is the Land Use  
7 meeting, so nothing could have happened before  
8 Thursday anyway so it won't delay the time as far  
9 as the action goes, just delay it on when we  
10 actually vote on it.

11 COUNCIL MEMBER VANN: Thank you for  
12 that information on scheduling, Mr. Chairman, I  
13 probably wouldn't have been on Thursday unless you  
14 told me that, I appreciate that information.

15 [Laughter]

16 COUNCIL MEMBER VANN: Thank you,  
17 Mr. Fidler. I wasn't clear on what he had said  
18 previously. And I'm very much aware of Kristal  
19 Motors, they have a very positive reputation, a  
20 lot of people from my district I know go over  
21 there, that's why my interest perked up on that  
22 point. Thank you, appreciate it.

23 CHAIRPERSON WEPRIN: Thank you, Mr.  
24 Vann. I'd like to call on Chair Comrie.

25 COUNCIL MEMBER COMRIE: Why the de-

1 mapping on Flatbush Avenue, what's the reason for  
2 that?

3  
4 CAROLEE FINK: It's a paper street  
5 and the City cannot sell street, a street bed, so  
6 we're de-mapping that part of Flatbush Avenue,  
7 which will not impact the current traffic pattern  
8 so that we can dispose of it.

9 COUNCIL MEMBER COMRIE: So that  
10 part of Flatbush Avenue is not a pedestrian  
11 walkway now, currently?

12 CAROLEE FINK: No. Right?

13 [Pause]

14 COUNCIL MEMBER COMRIE: And it  
15 doesn't have any traffic impact on the Flatbush  
16 Avenue or if there's a need to widen Flatbush  
17 Avenue at a particular point, it wouldn't impact  
18 on it?

19 CAROLEE FINK: Well it's a six-lane  
20 highway right now--

21 COUNCIL MEMBER COMRIE: Right.

22 CAROLEE FINK: --that will remain a  
23 six-lane highway.

24 COUNCIL MEMBER COMRIE: So this was  
25 just a--you on Flatbush Avenue it was originally



1 mapped, it wasn't mapped beyond the boundaries of  
2 usability actually.

3  
4 CAROLEE FINK: That's correct.

5 COUNCIL MEMBER COMRIE: Okay. Just  
6 wanted to be clear on that.

7 CAROLEE FINK: Sure.

8 COUNCIL MEMBER COMRIE: Thank you.  
9 Thank you, Mr. Chair.

10 CHAIRPERSON WEPRIN: Thank you.  
11 Anybody else on the panel have a question? Okay.  
12 Then I think we're going to close this hearing,  
13 thank you very much. We will probably--oh, you  
14 have to speak? Okay. I'm sorry, okay. We're  
15 going to let this panel go, I'm sorry, we're not  
16 quite closing the hearing 'cause the Brooklyn  
17 Borough President has someone to testify. So  
18 thank you very much, good luck to both of you.

19 And I'd like to now call on Richard  
20 Bearak from the Brooklyn Borough President's  
21 office, speaking on behalf of Borough President  
22 Marty Markowitz. Mr. Bearak, whenever you get  
23 settled, you may start.

24 [Pause]

25 RICHARD BEARAK: My name is Richard

1  
2 Bearak, I am Land Use Director for Brooklyn  
3 Borough President Marty Markowitz, and I'll be  
4 reading his remarks.

5 I want to thank Chairperson Weprin  
6 and members of the City Council Land Use  
7 Subcommittee for Zoning and Franchises for  
8 allowing me to testify today on the Mill Basin  
9 retail land use actions. I support the core  
10 objectives of this proposal as it will permit  
11 investment in the toy store and will allow the  
12 Kristal Auto Mall to relocate to a modern  
13 facility. There also would be opportunity for  
14 realizing access and improvement along the  
15 waterfront--serving as a benefit to the greater  
16 Mill Basin Marine Park communities.

17 There are aspects of this proposal  
18 that fall short of being the best for the  
19 community, therefore, the City Council should  
20 reject the de-mapping of the section of Flatbush  
21 Avenue which fronts the property to remain in City  
22 ownership. In addition, the Council should insist  
23 on receiving a memorandum of understanding from  
24 the City that outlines conditions that must be  
25 contained in eventual land disposition agreement

1 as a means of addressing my recommendations.

2  
3 By retaining the excess right-of-  
4 way of Flatbush Avenue, the City would be in a  
5 better position to adapt to future development.  
6 If more retail was in the community's best  
7 interests and there was a need, the right-of-way  
8 could accommodate a bus pull over lane for the Q-  
9 35 perhaps or a bus turnaround lane if we were  
10 extending another route. If the park were to be  
11 expanded, the right-of-way could be utilized for  
12 school bus pull over parking to assist school  
13 children in gaining access to the adjacent natural  
14 area.

15 Let me make this very clear that  
16 this location is not an appropriate site for big  
17 box type development. Instead, a medium sized,  
18 full-service specialty food market, such as a  
19 Fairway or Trader Joe's, could be a great amenity  
20 as bringing the type of fresh food and low prices  
21 that are available elsewhere in Brooklyn to  
22 complement supermarkets. There really are few  
23 sites in southern Brooklyn to locate these stores,  
24 and again, we're talking about the property to  
25 remain in City ownership.

1  
2 As the Four Sparrow Marsh Holdings  
3 designated as forever wild, lets get a commitment  
4 to map it as a park.

5 Another concern is the lack of  
6 clarity over what might be the future use of Toy  
7 'R' Us intended to be physically upgraded, we know  
8 that, repositioned with expanded merchandising of  
9 clothing products sold at Babies 'R' Us, Kids 'R'  
10 Us. Though the New York Times did report recently  
11 about management defections and underwhelming  
12 sales, so community does deserve confidence that  
13 the site will be occupied by a toy store or other  
14 appropriate use, not merely imposing an  
15 unsatisfactory restriction that simply precludes  
16 reuse as a automotive facility. To have some  
17 flexibility, supporting subdividing the building  
18 to incorporate one or more small-scale youth  
19 clothing or clothing accessory stores, this, for  
20 example, would allow, Babies 'R' Us to be  
21 established separate from the toy store. And also  
22 as a waterfront location, dining also makes sense  
23 as Brooklyn is truly lacking when it comes to  
24 waterfront restaurants and dining enhances public  
25 shorefront access experiences, in this case,

1 entice even more people to enjoy this section of  
2 Mill Basin.  
3

4           Unfortunately, the shoreline will  
5 remain in public ownership, the City is merely  
6 setting aside the land for potential improvement  
7 as a waterfront public access area. Community  
8 deserves better with an improvement envisioned to  
9 essentially link Nick's Lobster House to the Sea  
10 Travelers Marina and forever wild section of the  
11 Four Sparrow Marsh parkland. So we could quality  
12 of life matters addressed now by either the City  
13 from the proceeds of this sale constructing the  
14 waterfront access now or through the purchasers  
15 through a reduction of the sales price.

16           And let's not caught up in the  
17 technicalities that existing automotive use will  
18 not trigger requirements for waterfront public  
19 access now. It is unacceptable to defer  
20 waterfront access improvements to a day  
21 conditioned on the auto mill being converted to  
22 retail. The Council should not settle for  
23 anything less than waterfront access now.

24           In being respectful of the views  
25 from those living across the basin, the agreement

1  
2 should also provide for both buildings to  
3 disappear from view through landscape screening  
4 through some combination of tree plantings that  
5 result in an inner line of evergreens and a line  
6 of leaf trees closer to the shoreline, combined  
7 with wall covering plants that extend down from  
8 the top of the parapet or through other techniques  
9 that can establish a wall of greenery that takes  
10 into account that trees will need time to grow  
11 into sufficient buffer height.

12 Another component of the  
13 disappearing act pertains to the need to be  
14 lighted. Otherwise, light pollution could  
15 potentially disturb the adjacent Mill Basin and  
16 Four Sparrow Marsh wildlife habitat, as well as be  
17 a quality of life impact for those who reside  
18 across Mill Basin. Light shields must be  
19 incorporated into the light fixtures for the  
20 parking lot and driveways and the rooftop auto  
21 storage, low-level lighting should be incorporated  
22 inside of the perimeter parapet wall and  
23 programmed to turn off when the auto mall is  
24 closed to the public.

25 Let's maximize sustainable

1  
2 development, take advantage of innovative storm  
3 water green design solutions, see to it that  
4 curbside frontage be transformed through bio-  
5 swales collecting storm water from Flatbush  
6 Avenue, while adding landscaping aesthetics to  
7 this section of the gateway into southern  
8 Brooklyn. Have the parking area being rented  
9 improved in accordance to the zoning requirements  
10 regarding landscaping and storm water run-off  
11 requirements. And, finally, have Toys 'R' Us  
12 install one or more green building features to its  
13 roof with preference to introducing storm water  
14 retention/detention systems or solar energy  
15 generation.

16 Thank you.

17 CHAIRPERSON WEPRIN: Thank you, Mr.  
18 Bearak. I'd like to call on Council Member  
19 Fidler.

20 COUNCIL MEMBER FIDLER: Yes, Mr.  
21 Bearak, my understanding is many of the issues  
22 that you just referred to are, in fact,  
23 encompassed in the plan, not necessarily in the  
24 land use action, but in the EDC terms and  
25 conditions. And, you know, my office has and I

1  
2 hope that you have had the opportunity to review  
3 those to see that many of those things have, in  
4 fact, been taken care of, which is why we're here  
5 today.

6 We are going to be sitting down  
7 with EDC shortly after this hearing, please don't  
8 leave the room, I'd like to invite you to  
9 participate, and I regret if you haven't been--if  
10 the borough president hasn't been included more  
11 fully, you should have been, and I think we need  
12 to get on the same page today.

13 RICHARD BEARAK: Appreciate the  
14 opportunity very much.

15 COUNCIL MEMBER FIDLER: Thank you.

16 CHAIRPERSON WEPRIN: Any other  
17 members of the panel have a question for the  
18 borough president's office? Seeing none, Mr.  
19 Bearak, thank you very much. Now I'm going to  
20 move to close this particular hearing.

21 I want to acknowledge that we had  
22 been joined, as I mentioned before, by Council  
23 Member Robert Jackson and Council Member Jessica  
24 Lappin.

25 We are now going to move on to the



1  
2 next item on our agenda, which is Land Use number  
3 599 and that's in Queens, 119-03 Springfield  
4 Boulevard. I'd like to call up Steve Sinacori to  
5 please make his way to the table. Thank you.  
6 Sergeant-at-Arms will distribute their testimony.  
7 And Mr. Sinacori, you know the drill, when you get  
8 yourself comfortable there, push the button, and  
9 state your name for the record. Thank you very  
10 much.

11 [Pause]

12 STEVE SINACORI: Good morning. My  
13 name is Steve Sinacori, I'm a partner in the law  
14 firm of Akerman Senterfitt, I'm here today on  
15 behalf of ADC Builders and Developer regarding a  
16 project at 119-03 Springfield Boulevard in Queens.  
17 I'll read a brief statement and answer any  
18 questions that you might have.

19 This is an application for an  
20 amendment to zoning map 19A to establish a C1-3  
21 commercial overlay within an R2-A residential  
22 district which would facilitate the construction  
23 of a two-story medical office building. The  
24 rezoning and development areas in approximately  
25 26,694 square foot irregularly shaped parcel which

1  
2 is bounded by four streets, the site has a  
3 frontage of 140 feet along Springfield Boulevard,  
4 97 feet along 119th Avenue, 123 feet along Francis  
5 Lewis Boulevard, and 89 feet along 217th Street.

6 The site is currently vacant. It  
7 was previously improved with a two-story structure  
8 and garages constructed in the 1920s and  
9 previously used for agricultural use.

10 The existing R2-A district permits  
11 only detached single-family homes with a maximum  
12 floor area ratio of five, a maximum building  
13 height of 35 feet, and a maximum lot coverage of  
14 30%. The proposed C1-3 overlay district would  
15 permit a maximum floor area of one.

16 Due to the inventory of residential  
17 homes in the market, carrying costs, and the  
18 inability to obtain financing for residential  
19 development, a residential development is not  
20 feasible. The proposed medical office building  
21 has been designed to be contextual with the  
22 surrounding area, the proposed two-story building  
23 would rise to a maximum height of 30 feet with a  
24 total zoning floor area of 25,000 square feet, or  
25 .096 FAR. The lot coverage would be approximately

1  
2 47%. Although 64 off-street parking spaces are  
3 required, we are providing 67, which would be  
4 located in the cellar level and at grade, 52  
5 spaces in the cellar level and the remaining  
6 spaces at grade.

7 All lighting for the ground level  
8 retail would be directed down and away from  
9 adjoining residential properties. Additionally,  
10 the proposed development has been designed to  
11 fully comply with the recently adopted landscape  
12 and design standards for commercial parking areas,  
13 this includes a 10-foot landscape buffer along  
14 119th Avenue, a 7-foot landscape buffer along the  
15 perimeter of the parking area, and improvements  
16 such as street trees, bicycle parking, and a new  
17 bench to be placed adjacent to the existing bus  
18 stop.

19 As the Baby Boom generation becomes  
20 older, there is an increase in the need for  
21 medical services. Over the past 25 years, many  
22 medical procedures and treatments have changed,  
23 and many treatments are now conducted in a non-  
24 hospital setting like the one proposed. So there  
25 has been a movement by many health care providers

1  
2 to create such modern facility that meet the  
3 ongoing increased needs. The proposed zoning  
4 would facilitate the construction of much needed  
5 medical office space for the greater Queens  
6 county.

7 And I should add at the end that  
8 we've been in discussions with North Shore Long  
9 Island Jewish, who has an interest in taking the  
10 entire building. They've already said that  
11 they've done a review of the area, they believe  
12 that this area meets their needs, they're just  
13 determining exactly what practices and specialties  
14 will go into the building.

15 That's my statement, I'm happy to  
16 answer any questions.

17 CHAIRPERSON WEPRIN: Thank you, Mr.  
18 Sinacori. I'm going to call on the chair of the  
19 Land Use Committee, Leroy Comrie, whose district  
20 this project is in.

21 COUNCIL MEMBER COMRIE: Thank you,  
22 Chair Weprin. This property has been a vacant  
23 underutilized property for over 20 years in my  
24 district, it's located in one of the most  
25 historical areas of my district in the Camber

1  
2 Heights community where we've had people that have  
3 been living there for over 50 years, since World  
4 War II. It's one of the most beautiful areas in  
5 my district with well-manicured lawns and  
6 homeowners that are very fastidious about--God  
7 bless you, Council Member Lappin--about  
8 maintaining their homes and keeping a high quality  
9 of life.

10 The Camber Heights Civic  
11 Association, Community Board 13, Assembly Member  
12 Barbara Clark have all been working for many years  
13 to try to find the right fit for this property,  
14 working with the now owner, I think this is the  
15 fourth alteration or fourth attempt by the owner  
16 to find the right type of building and project to  
17 put in the location.

18 I want to thank him for continuing  
19 to work with the community. He did come back many  
20 times and over many years, this project has been  
21 trying to get done actually, in fact, before I got  
22 elected, only through many conversations with the  
23 developer and the owner, bringing him face-to-face  
24 with the civic association, Camber Heights Civic  
25 Association's a long-term civic association. In

1 fact, the chancellor used to be the president at  
2 one time, and president chancellor used to be  
3 president of the civic association, is very  
4 active, they normally have over 100 members at  
5 their monthly meeting. By the fact that there are  
6 no members here, they are clearly in favor of this  
7 project. So we've had many discussions and many  
8 opportunities to make the necessary changes.

9  
10 I want to thank, again, all of  
11 those that were involved in it, and to bring it to  
12 this point where we are today, they, in fact,  
13 reached out to Long Island Jewish Hospital because  
14 we are a medically underserved community. As you  
15 know, we've lost many hospitals, we've lost two  
16 hospitals in southeast Queens and also the loss of  
17 Peninsula Hospital, there's a need for full  
18 service or a major medical facility. Just the  
19 opportunity with Long Island Jewish is a great  
20 opportunity for that area.

21 So I want to just thank all of  
22 those that have been involved in the project,  
23 except for Steve Sinacori 'cause he created all  
24 the problems.

25 [Laughter]

1  
2 COUNCIL MEMBER COMRIE: With that,  
3 I'd like ask you to vote aye on the project.

4 CHAIRPERSON WEPRIN: Thank you very  
5 much, Council Member Comrie. And, Mr. Sinacori,  
6 you want to say anything in your defense?

7 STEVE SINACORI: I actually hope  
8 that I actually added something and fixed the  
9 problem since I was the second lawyer on the  
10 project, not the first. But in any case--

11 COUNCIL MEMBER COMRIE: Third,  
12 third.

13 STEVE SINACORI: Third?

14 COUNCIL MEMBER COMRIE: Third.

15 STEVE SINACORI: Okay.

16 CHAIRPERSON WEPRIN: All right, any  
17 other--

18 [Crosstalk]

19 STEVE SINACORI: --case I really  
20 wanted to thank this committee and the work that  
21 it does and I want to thank Council Member Comrie  
22 for all his assistance along the way, his prodding  
23 and all the meetings that we went to. And I think  
24 we even went to a meeting at the local church down  
25 the block and we opened every meeting and closed

1  
2 it with a prayer, so I think that, knock on wood,  
3 I think that helped. So thank you, Council Member  
4 Comrie, thank you all the fine members of this  
5 Committee.

6 CHAIRPERSON WEPRIN: Thank you, Mr.  
7 Sinacori. Prayer never hurts. And anyone else on  
8 the panel have any other comments? Well thank you  
9 very much, we're going to move to close this  
10 hearing. If Council Member Comrie says it's good  
11 and the civic says it's good, it's good enough for  
12 me.

13 So the other café is not going to  
14 be considered today, that was Land Use number 603  
15 Mamajuana Café, and we are going to put that off  
16 'til the next meeting.

17 So what I'd like to do now is  
18 couple the following items for voting: The café,  
19 Land Use number 602, Serafina, that we heard. The  
20 Mill Basin project, we are not considering today,  
21 we're putting that over 'til Thursday before the  
22 Land Use meeting, so members of this Subcommittee,  
23 please be here promptly on Thursday, we will meet  
24 before the Land Use meeting. And we are going to  
25 couple with Serafina the item we just heard, which



1  
2 is Land Use number 599, that is 119-03 Springfield  
3 Boulevard. So those two items--the café and 119-  
4 03 Springfield are coupled. And I'd like to call  
5 on Christian Hylton, the counsel, to please call  
6 the roll.

7 CHRISTIAN HYLTON: Chair Weprin.

8 CHAIRPERSON WEPRIN: Aye.

9 CHRISTIAN HYLTON: Council Member  
10 Rivera.

11 COUNCIL MEMBER RIVERA: I vote aye.

12 CHRISTIAN HYLTON: Council Member  
13 Reyna.

14 COUNCIL MEMBER REYNA: Aye.

15 CHRISTIAN HYLTON: Council Member  
16 Comrie.

17 COUNCIL MEMBER COMRIE: Aye.

18 CHRISTIAN HYLTON: Council Member  
19 Jackson.

20 COUNCIL MEMBER JACKSON: Aye.

21 CHRISTIAN HYLTON: Council Member  
22 Vann.

23 COUNCIL MEMBER VANN: Aye.

24 CHRISTIAN HYLTON: Council Member  
25 Garodnick.

2 COUNCIL MEMBER GARODNICK: Aye.

3 CHRISTIAN HYLTON: Council Member  
4 Lappin.

5 COUNCIL MEMBER LAPPIN: Aye.

6 CHRISTIAN HYLTON: Council Member  
7 Ignizio.

8 COUNCIL MEMBER IGNIZIO: [No  
9 response].

10 [Off mic]

11 [Pause]

12 CHRISTIAN HYLTON: By a vote of  
13 eight in the affirmative, none in the negative, no  
14 abstentions, LU 602 and LU 599 are approved and  
15 referred to the full Land Use Committee.

16 CHAIRPERSON WEPRIN: Thank you, Mr.  
17 Hylton. We are going to hold the rolls open until  
18 we find Mr. Ignizio, who is just down the hall.  
19 And then we will recess the meeting, again, 'til  
20 Thursday morning at 10 a.m. Please be on time  
21 because we will not be able to hold the rolls open  
22 long 'cause the Land Use meeting will follow  
23 promptly, so if you're not here early, you will  
24 not be counted on the vote on the other item.

25 So thank you very much to all, the

1  
2 meeting is now recessed 'til Thursday. Thank you  
3 very much.

4 [Long pause]

5 MALE VOICE: Told you not to work  
6 with her.

7 COUNCIL MEMBER REYNA: Well you're  
8 not--

9 CHRISTIAN HYLTON: [Interposing]  
10 Council Member Ignizio.

11 COUNCIL MEMBER IGNIZIO: I vote  
12 aye.

13 CHRISTIAN HYLTON: Vote now stands  
14 nine in the affirmative, none in the negative, no  
15 abstentions.

C E R T I F I C A T E

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

Signature *Tammy Wittman*

Date May 25, 2012