

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

December 17, 2013
Start: 10:23 a.m.
Recess: 12:19 p.m.

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

B E F O R E: MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:

Leroy G. Comrie
Robert Jackson
Albert Vann
Daniel R. Garodnick
Vincent Ignizio
Domenic M. Recchia, Jr.
Jessica Lappin
Diana Reyna

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

Philip Robertson
Madison Global LLC

Hari Nathan Kalyan
Owner/Operator
The Randolph at Broome

Marty Markowitz
Borough President
Brooklyn, NY

Hardy Adasko
Senior Vice President of Planning
New York City Economic Development
Corporation

Karl Frey
Executive Vice President
iSTAR Financial

Scott Streeb
Senior Associate
Michael Van Valkenburgh Associates
Inc. Landscape Architects

Larry Scott Blackmon
Deputy Commissioner for
Community Outreach
NYC Department of Parks

Nancy Kohn
Director
Green Thumb Program
NYC Department of Parks and Recreation

Karen Becker
Director of Government Relations
NYC Department of Parks and Recreation

Roland Choulaute
Deputy Director
Green Thumb Program
NYC Department of Parks and Recreation

Jennifer Kao
Planning
NYC Department of Parks and Recreation

Howard Weiss
Member of the Firm
Davidoff Hutcher & Citron LLP

David Eisenman
Project Manager
NYC Economic Development Corporation

Charles Krezell
Founder
Loisaida United Neighborhood Gardens

Susan Frazier
Green Acres Community Garden
Bedford-Stuyvesant, Brooklyn, NY

Carolyn McCrory
Garden Member/Employee
Coney Island Amusement Area

Ann M. Valdez
Member/Resident
People's Coalition of Coney Island

Martin Levine
Member
Community Board 13

Dick Zigun
Founder/Artistic Director
Coney Island USA

Johanna Zaki
Director of Operations
The Alliance for Coney Island

Keith Suber
Executive Director
Suber Foundation
Coney Island, Brooklyn, NY

Sheila Smalls
Director
CI Youth Alive

Raymond Figueroa, Jr.
President
NYC Community Garden Coalition

Anthony Butler
Executive Director
St. John's Bread & Life Program

Wycliffe Wilkinson
Associate Director of Development
Futures in Education

Nicole Robinson-Etienne
Assistant Director of Government and
Community Affairs
New York Aquarium

Eddie Mark
Chairman
Community Board 13

Benjamin Hunter
Resident
Coney Island, Brooklyn, NY

Paul Custer
Senior vice President
YMCA of New York City

Anthony Hayes
Representing
911 Homesavers/Suber Foundation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUBCOMMITTEE ON ZONING AND FRANCHISES

CHAIRPERSON WEPRIN: Alright, good morning, everyone. My name is Mark Weprin and I'm chair of the Zoning and Franchises Subcommittee. Wishing everyone a very happy holiday season and we're here today with the following members of the subcommittee: Council Member Leroy Comrie, Council Member Robert Jackson, Council Member Al Vann, Council Member Dan Garodnick, Council Member Vincent Ignizio and myself, Mark Weprin. We have a number of items on today's agenda. Some of the items we have on we are laying over. Lane Use Numbers 961, 62 and 963, which is 77 Commercial Street. We'll have a... we're going to be having a meeting later this week where we hope to take that up. Land Use Number 987, Nello's; we already had the public hearing on this and the committee is recalling the applicant's representative to read the agreement that we have and I'm going to do that right now. Philip Robertson, who is here for Nello. Mr. Robertson, please make your way to the table. You got a nicer backdrop than usual. Usually that backdrop looks like you know, you're in a hostage situation, but with a nice Seaside Park thing it's much nicer so please, if you'll

1
2 read the agreement into the record. State your
3 name for the record again and make sure the mic is
4 on. Thank you.

5 PHILIP ROBERTSON: Good morning,
6 Council Members. My name is Philip Robertson and
7 I'm representing Nello Restaurant. I'll be reading
8 the letter of agreement.

9 Dear Council Member Garodnick, this
10 letter serves as our agreement with the Chair,
11 Council Member Mark Weprin, and the encompassing
12 members of the Subcommittee on Zoning and
13 Franchises that we will commit to the following:
14 1. To the removal of the planters permanently
15 unless a permit is obtained in accordance with
16 regulations for small unenclosed sidewalk cafes.
17 2. The tables will be set according to the approved
18 plans by the Department of Consumer Affairs. 3.
19 The restaurant's doors and windows will be closed
20 every night at 11:30 p.m. 4. A direct phone number
21 for any complaints is 212-980-9099. Thank you.

22 CHAIRPERSON WEPRIN: And I'd like to
23 call on Council Member Garodnick, who represents
24 Nello's.

2 COUNCIL MEMBER GARODNICK: Thank you
3 and briefly we appreciate your willingness to
4 reduce (background static). And we... as you know,
5 there were community issues and community board
6 disapproval of this item, so we look forward to a
7 more productive relationship between the neighbors
8 and Nello's going forward and we are glad to have
9 the ongoing contact to be able to ensure that.
10 Thank you.

11 PHILIP ROBERTSON: Thank you, sir.

12 CHAIRPERSON WEPRIN: We will now move
13 onto our next sidewalk café, which is The Randolph
14 at Broome in Council Member Chin's district. My
15 eyes are not very good here, but I'd like to call
16 up Hari Nathan Khan... what is that, Kaylan,
17 Esquire? You'll... you'll...

18 HARI NATHA KALYAN: [interposing]
19 It's...

20 CHAIRPERSON WEPRIN: [interposing]
21 You'll... you'll say it, but your... you know your
22 handwriting is very small and my eyes are very bad,
23 so anyway, just state your name for the record and
24 you can describe the application and I think we...

2 okay and I know you have an agreement that you want
3 to read into the record also, so please.

4 HARI NATHAN KALYAN: My name's Hari
5 Nathan Kalyan. I am the owner/operator of The
6 Randolph at Broome. I've submitted a... well, good
7 morning, Council Members and thank you for having
8 me. I've submitted a letter with exhibits in
9 response to some of the issues that have arisen
10 regarding the sidewalk café. I've also put in some
11 information about my businesses and our locations
12 and no complaint history and so on. I'm also
13 available for... to answer any questions or resolve
14 any issues. You have my direct contact
15 information, so I'm happy to work with the
16 community on any issues, so I'm going to read an
17 enumerated list of the corrective action taken in
18 response to the issues that have arisen.

19 Issue number 1: The sidewalk café
20 alleged to take up more than 50 percent of the
21 sidewalk. The corrective action taken: The
22 railings have been tethered together and fixed to
23 the storefront. This will ensure that the end of
24 the café provides the correct amount of clearance
25 as per our approved diagrams, in compliance with

1
2 DCA regulations and that's in Exhibit B, which are
3 photos of the tethered sidewalk café railings.

4 Issue number 2: Wait service alleged
5 not to be provided. Corrective action: Our staff
6 provides table service at all times. The café is
7 open and alcohol is served only to seated
8 customers. The only times there would be standing
9 customers would be at times when the café is
10 closed. We have signs posted clearly that informs
11 our customers of our policies regarding table
12 service, no smoking, respecting our neighbors and
13 keeping voices down, and that's in Exhibit C, which
14 is... which are photos of the signs posted and
15 affixed to the storefront.

16 Issue Number 3: Sandwich board being
17 used to advertise. Corrective action: We do not
18 use a sandwich board and will not use one at any
19 point in the future.

20 I've also annexed as Exhibit A a letter
21 from Community Board 2 confirming that we have
22 never had any issues at any of my locations. I
23 also have a third location in Brooklyn Community
24 Board 1 that has not had any issues as well so.

2 CHAIRPERSON WEPRIN: Alright, thank you
3 very much. I know Council Member Chin's office has
4 been negotiating this with you and is comfortable
5 with what you just read into the record. 'Kay, so
6 I'm going to move to close this public hearing
7 because we have no one else to testify on it; on
8 Land Use Number 1002 and we'll close that and we
9 thank you very much for coming. I'm sorry for
10 butchering your name.

11 HARI NATHAN KALYAN: Thank you very
12 much.

13 CHAIRPERSON WEPRIN: You're welcome.

14 [Pause]

15 CHAIRPERSON WEPRIN: Give us just one
16 minute and we... we may vote on these first two
17 items.

18 [Pause]

19 CHAIRPERSON WEPRIN: Okay. We're
20 joined by Coney Island's finest, Domenic M.
21 Recchia, Jr. How are you, sir?

22 COUNCIL MEMBER JACKSON: Domenic!

23 [applause]

24

25

2 CHAIRPERSON WEPRIN: 'Kay, I made
3 the... I got R.J. started again. That was a
4 mistake.

5 COUNCIL MEMBER JACKSON: Domenic, East
6 Side Park, we're going to start there.

7 COUNCIL MEMBER RECCHIA: I know.

8 CHAIRPERSON WEPRIN: We're sort of...
9 we're in a... in a lull at the moment. We're
10 waiting for... [laughter] 'Kay, we're waiting for
11 Domenic to...

12 COUNCIL MEMBER JACKSON: Domenic, you
13 pick up the check. I've heard that before.
14 [laughter] [background voices]

15 CHAIRPERSON WEPRIN: Okay, here we go.
16 We have our six for a quorum in the room. See how
17 that works? So I'm going to couple these two
18 restaurants; these two cafes, Nello's and The
19 Randolph at Broome, which we heard and have closed
20 the hearing on. These cafes have agreements, so we
21 will call Ann McCoy [phonetic] to call the roll and
22 to vote on these two cafes.

23 COMMITTEE CLERK: Chair Weprin.

24 CHAIRPERSON WEPRIN: I vote aye on
25 both.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 13

2 COMMITTEE CLERK: Chair Comrie.

3 COUNCIL MEMBER COMRIE: Aye on both.

4 COMMITTEE CLERK: Council Member

5 Jackson. Council Member Jackson on Land Use...

6 [laughter]

7 COUNCIL MEMBER JACKSON: I vote aye on

8 both.

9 COMMITTEE CLERK: Council Member Vann.

10 COUNCIL MEMBER VANN: Aye.

11 COMMITTEE CLERK: Council Member

12 Garodnick.

13 COUNCIL MEMBER GARODNICK: Aye.

14 COMMITTEE CLERK: Council Member

15 Ignizio.

16 COUNCIL MEMBER IGNIZIO: Aye.

17 COMMITTEE CLERK: By a vote of six in

18 the affirmative, zero abstentions and zero

19 negative, Land Use Items 987 and 1002 are approved

20 and referred to the Full Land Use Committee.

21 CHAIRPERSON WEPRIN: Excellent,

22 alright.

23 [Pause]

24 CHAIRPERSON WEPRIN: Good morning. You

25 can have a seat... have a seat, Mr. Borough

1
2 President, while I introduce you and call up our
3 item here. Alright, ladies and gentlemen, we are
4 now going to hear Land Use Numbers 994, 995, 996,
5 997, 998 and 999, known as the Seaside Park and
6 Community Arts Center in Council Member Domenic M.
7 Rechhia, Jr's district and we are going... with
8 permission of the applicants, we are going to go
9 outside our normal rules and welcome our guest for
10 the last time as Borough President of Brooklyn I
11 believe at this committee for sure. It is an honor
12 and a privilege to welcome the Borough President of
13 Brooklyn, Marty Markowitz.

14 MARTY MARKOWITZ: Thank you, thank you,
15 thank you, Mark. [applause] Thank you and I want
16 to say if I may, apart from this, Domenic, it's
17 really been an honor working with all of you and I
18 especially value my relationship with Domenic
19 Recchia. He is everything you want in a public
20 official and he has truly made historic
21 contributions in so many ways. In many ways,
22 Domenic, I have followed your leadership and I've
23 been proud to do so. And also, to the Brooklynites
24 that may be here and New Yorkers, thank you for
25 letting me be part of your life. My dream in

1
2 public service if elected was only to be Brooklyn
3 Borough President and I'll admit it took me many
4 years to get there, but I thank you for the
5 opportunity. I thank you.

6 Anyway, let me thank Chairman Mark
7 Weprin and all the members of the City Council Land
8 Use Subcommittee for Zoning and Franchises for the
9 opportunity to testify on the proposed Seaside Park
10 and Community Arts Center. With the reopening of
11 Coney Island Library and the grand opening of a
12 brand new YMCA that Dom and I were at at Community
13 Center two weeks ago, it's clear that at every step
14 of the way we've been dedicated to getting Coney
15 Island back on its feet and focused on creating the
16 jobs, improving infrastructure and providing
17 services that will make residents of Coney Island
18 even prouder of their neighborhood, and that's why
19 I'm here today. There is no question that this
20 project, to bring the city's first covered seasonal
21 amphitheatre to Coney Island will be a tremendous
22 benefit to Coney Island and Brooklyn and all of New
23 York City. The Seaside Park and Community Arts
24 Center will add even more energy and excitement to
25 Coney Island. It'll provide a new home for summer

1
2 concerts and events by the boardwalk. It will
3 serve as a catalyst for residential and commercial
4 development and finally bring improvements so
5 desperately needed in the infrastructure of Coney
6 Island, like water and sewer upgrades that reduce
7 flooding, which really impact this neighborhood,
8 and other critical services that Coney Island's
9 West End residents have been seeking and absolutely
10 legitimately for years. Moreover, this project
11 will ensure that Coney Island is one of America's
12 top destinations for family amusement and
13 entertainment, which increases tourism and
14 stimulates the economy, and Coney Island residents
15 are in the best position and location to reap the
16 rewards of this project. This amphitheatre will
17 attract more visitors. That means more retail;
18 that means more restaurants; more businesses that
19 will put Coney Islanders to work and create the
20 maximum number of jobs possible and even bring more
21 housing, including what we desperately need, and
22 that is affordable housing and of course, the
23 amphitheatre will create hundreds of good paying
24 jobs. The developer has committed to prioritizing
25 local residents both for construction jobs and the

1 jobs that are required to run the amphitheatre, and
2 by reusing the historic Childs Restaurant building,
3 which, by the way, has been closed since before I
4 was born, but actually when I was two years old it
5 closed and that's a few years ago, we can breathe
6 new life into this underutilized section of the
7 Riegelmann Boardwalk and by building a lush
8 neighborhood park where none exists now, we can
9 jump start the Coney Island plan to deliver on the
10 city's promise of building green spaces.
11

12 Now, there's no doubt that this will be
13 one of the most popular parks in the city.
14 Residents from across the city, especially those
15 that are within walking distance of Coney Island,
16 will flock to the area to enjoy seasonal
17 entertainment and concerts, year-round seaside
18 dining and during the winter the music and food
19 will continue inside this restored Childs building
20 that's been closed to the public all these years.
21 And in the summer, there'll be plenty of open space
22 where families can picnic, enjoy stunning views of
23 the ocean and it's hard for you to imagine, but
24 when you're there you don't even know there's an
25 ocean on the other side because your view is

1
2 blocked in most of the area, by the way. And kids
3 can run free in play areas that we need for the
4 families there. In addition, when the concert
5 season's over, the developer has pledged to have
6 local residents use the amphitheatre for community
7 events and programs of their choice.

8 For too many years, Coney Island hasn't
9 received the attention that it deserves. Public
10 housing has not been maintained as it should and
11 sadly, we know that's true in the entire NYCHA
12 inventory. And infrastructure is in dire need of
13 improvement and Sandy proved that big time, but
14 that's exactly why we need the amphitheatre. It'll
15 keep the city's focus on Coney Island and its
16 needs.

17 So let me thank Mayor Bloomberg,
18 Speaker Quinn and especially Speaker Quinn to thank
19 her so very, very much and of course, Mr. Coney
20 Island, Domenic Recchia, who I've been thrilled to
21 work with to ensure that Coney Island finally
22 receives their long overdue attention that it
23 deserves and I also want to thank Deputy Mayor
24 Robert Steel; City Planning Commissioner Amanda
25 Burden; Purnama Kapoor, the head of the City

1
2 Planning Department's Brooklyn Office; of course,
3 Haeda Mihaltses, Intergovernmental Affairs; the
4 first Deputy Mayor's Chief of Staff Nanette Smith
5 and EDC President Emeritus Seth Pinsky and
6 Brooklynite I might add, and current President Kyle
7 Kimball along with iSTAR CEO Jay Sugarman;
8 Executive Vice President Karl Frey, and it's been a
9 pleasure to work with Karl. And then I've got to
10 say something about one person that's here and if
11 you ever believe in an angel, and I do believe in
12 angels and I do believe that things happen for a
13 reason, and when Marty Cottingham entered my life;
14 I knew him before a little bit, but when he entered
15 my life this Irishman, a proud Irishman, if there
16 was such a thing as a blessing of an angel
17 visiting, I got to say that Marty Cottingham's as
18 close as you can get to that, of Avison Young, for
19 making this vision come true for the benefit of
20 this and future generations. I thank you for the
21 opportunity. Thank you, by the way, for your
22 service. We all know that as elected officials,
23 it's a unique experience to work on behalf of the
24 public. We know that, but we wouldn't exchange it

1
2 for any other profession. You know that and it's
3 just a great opportunity that we've had for years.

4 CHAIRPERSON WEPRIN: Well, thank you.
5 Borough President Markowitz, you're going to make
6 us cry here. [applause] Thank you very much for
7 your service as well. You have been the model of
8 what a borough president should be and you've done
9 an amazing job for the people of Brooklyn and
10 indeed the entire city of New York. I want to call
11 on... you all... you wanted to speak now? Yeah,
12 okay, I'd like to call Domenic M. Recchia, Jr. who
13 has comments...

14 [crosstalk]

15 COUNCIL MEMBER RECCHIA: Yeah, I just
16 wanted to...

17 [crosstalk]

18 CHAIRPERSON WEPRIN: To make to the
19 borough president.

20 COUNCIL MEMBER RECCHIA: Yes, I want to
21 say a few words. First of all, Marty, it's been a
22 pleasure working with you. The last past 12 years
23 you've been an outstanding borough president and
24 together we really accomplished something that many
25 people thought would not ever happen, and that's

1
2 that revitalization of Coney Island, and not only
3 in Coney Island the amusement area, but for the
4 residents and for the surrounding communities;
5 Brighton Beach and Bensonhurst, Bath Beach,
6 Gravesend and just seeing so many good things
7 happen and I think the last thing to happen is for
8 this amphitheatre to be built and I just want to
9 say that to make it clear to a lot of people that
10 these concerts that you will be running; is that
11 correct?

12 MARTY MARKOWITZ: Well, I don't know,
13 I...

14 [crosstalk]

15 COUNCIL MEMBER RECCHIA: Well...

16 [laughter] The... the...

17 [crosstalk]

18 MARTY MARKOWITZ: Not for...

19 [crosstalk]

20 COUNCIL MEMBER RECCHIA: Not-for-
21 profit...

22 [crosstalk]

23 MARTY MARKOWITZ: 35 years and...

24 COUNCIL MEMBER RECCHIA: Alright, the
25 not-for-profit...

[crosstalk]

MARTY MARKOWITZ: I hope they continue.

[crosstalk]

COUNCIL MEMBER RECCHIA: But we will...

[crosstalk]

MARTY MARKOWITZ: Let me tell you.

COUNCIL MEMBER RECCHIA: There will be free concerts.

MARTY MARKOWITZ: I hope so. Of course.

COUNCIL MEMBER RECCHIA: Absolutely. Absolutely free concerts. I want to make this clear. There will be free concerts just the way... they will continue. In addition to that, the community will be able to also use this amphitheatre. Is that free of charge?

MARTY MARKOWITZ: Listen, I can't speak for... but I would assume there'll be a mix of free and fee...

[crosstalk]

COUNCIL MEMBER RECCHIA: Right.

[crosstalk]

MARTY MARKOWITZ: Concerts and the use... of course it's... it for the... it's good

1
2 for the amphitheatre to be used on the off season
3 by the community. That's who it's meant for.

4 COUNCIL MEMBER RECCHIA: Right.

5 MARTY MARKOWITZ: So of course, it's no
6 one else.

7 COUNCIL MEMBER RECCHIA: Right. No,
8 because several people have asked me and I just
9 want to set the record clear that there will be
10 time set aside for the community...

11 MARTY MARKOWITZ: [interposing]
12 Absolutely.

13 COUNCIL MEMBER RECCHIA: To be used.

14 MARTY MARKOWITZ: And that includes, by
15 the way, graduations...

16 [crosstalk]

17 COUNCIL MEMBER RECCHIA: Right,
18 graduations you know...

19 [crosstalk]

20 MARTY MARKOWITZ: You know for public
21 schools that want to do it outdoors rather than in
22 an auditorium.

23 COUNCIL MEMBER RECCHIA: Sure. A
24 number of schools already contacted me to see if
25

1
2 they'd be able to have their graduations here and I
3 just want to set the record and...

4 [crosstalk]

5 MARTY MARKOWITZ: Well and certainly.

6 COUNCIL MEMBER RECCHIA: So Marty,
7 thank you very much. You know I support this
8 project.

9 MARTY MARKOWITZ: I know.

10 COUNCIL MEMBER RECCHIO: Alright, we're
11 here to hear from other people.

12 MARTY MARKOWITZ: Of course.

13 COUNCIL MEMBER RECCHIO: And I just
14 want to thank you for years...

15 MARTY MARKOWITZ: Thank you.

16 COUNCIL MEMBER RECCHIA: For Brooklyn,
17 for Coney Island and working with me and...

18 MARTY MARKOWITZ: And Buon Natale.

19 COUNCIL MEMBER RECCHIA: Buon Natale.

20 [background voices]

21 MARTY MARKOWITZ: I guess that's it so.

22 CHAIRPERSON WEPRIN: Okay, okay well,
23 thank you very much, Marty.

24 MARTY MARKOWITZ: Thanks everybody.
25 Thank you.

2 CHAIRPERSON WEPRIN: You're on your
3 way. One more round of applause [applause] for
4 Marty Markowitz. Thank you and to you and your
5 family.

6 [Pause]

7 CHAIRPERSON WEPRIN: Okay, now I'd like
8 to call up the presenting panel for this project.
9 Hardy Adasko; Karl Frey; Scott Streeb and Howard
10 Weiss I believe is the group. Gentlemen, do we
11 need extra chairs? Sergeant-at-Arms, could we get
12 one extra chair? We're going to need a fourth
13 chair. Once the applicants will present, there'll
14 be questions I'm sure from the panel, and then we
15 have people in opposition as well as people in
16 favor of the projects. They will be called up
17 all... we're going to start with people in
18 opposition and then people in favor. We're going
19 to have to limit people due to the hour and to the
20 amount of people to around two minutes each, so in
21 your minds if you can try to sort your statement
22 out and limit it to two minutes and I'll try to
23 give you a little leeway on that, but I can't give
24 you like that much more than that, okay? That'll
25 be after this panel and all the questions are done.

1
2 'Kay, gentlemen, whenever you're ready.

3 [background voices]

4 HARDY ADASKO: On? 'Kay, good morning.
5 My name is Hardy Adasko, Senior Vice President of
6 Planning, New York City Economic Development
7 Corporation, here to speak on behalf of the Seaside
8 Park Project.

9 In 2008, the council approved an
10 ambitious vision for Coney Island and memorialized
11 a variety of actions to implement that, and the
12 results have been spectacular since then. At that
13 time, the concerts had existed for several decades
14 in Asser Levy Park and there were plans and funds
15 allocated to build a more permanent facility with a
16 roof, which we assumed would happen. Later, it
17 became obvious that there were problems with that
18 location and at the borough president's request,
19 EDC worked with other community leaders to find
20 alternate locations. We looked at a wide variety
21 of locations, particularly using the ballpark and
22 squeezing concerts in; however, with the very dense
23 schedule of minor league games during the three
24 month period and the need for set up and take down
25 on a grass field, that was not feasible. We also

1 looked at using the very temporary location that
2 they are at today. Doing that would've entailed a
3 delay in the affordable housing that is planned for
4 that site; mixed use housing; of 10 years and that
5 was not an acceptable scenario. And so we settled
6 on what is really I believe was a perfect plan;
7 perfect because it will continue the concerts; will
8 lead to the reactivation of the landmark Childs
9 building as a year-round facility, restaurant,
10 entertainment venue and seasonally part of it being
11 used as a stage for the concert series. In
12 addition, it will provide funds for the creation of
13 the park that was identified in the council's
14 earlier approval that will be built and will
15 survive the concert series and become a public park
16 at the end. In addition, the current users of the
17 site, a relocation site has been found for them on
18 HPD property a couple of blocks away, and they will
19 be able to continue even though that site is not
20 part of... has not been part of the Green Thumb
21 Program for many years. And the venue is designed
22 to meet three standards of noise regulation, both
23 in terms of distance from a sensitive receptor, in
24 terms of noise leaking outside of the facility and
25

1 in terms of the increase in noise in the
2 neighborhood. It will not have adverse impact.
3 With that, I urge you to support the project and I
4 turn it over to the rest of our team. I'm happy to
5 answer questions when the time comes.
6

7 KARL FREY: Good morning, Chair,
8 council persons and intrepid staff. My name is
9 Karl Frey. I'm Executive Vice President of iSTAR
10 Financial, a real estate investment trust trader on
11 the New York Stock Exchange.

12 iSTAR has completed more than \$35
13 billion of commercial real estate investments
14 during its 14-year history. While many financial
15 institutions elected to liquidate investments
16 during the downturn of the real estate markets
17 recently, iSTAR has decided to take a long-term
18 approach with its portfolio and has become one of
19 the largest residential and land developers in the
20 country. Our current portfolio includes properties
21 in the Coney West subdistrict of the special Coney
22 Island district that represent approximately 70
23 percent of Coney West's developable floor area.

24 While we have begun to plan for the
25 development of our Coney West properties involving

1 market rate and affordable housing, current
2 conditions in Coney West hampered our ability to
3 move ahead with the planned construction. We
4 brought our stalled plans to the attention of the
5 Brooklyn borough president and it was suggested
6 that iSTAR work with the city to develop an interim
7 use for Coney West involving a seasonal
8 amphitheatre in tandem with restoring the landmark
9 Childs Restaurant and creating an expansive
10 neighborhood park. After careful study, we
11 concluded that this project could stimulate our
12 residential development, the development intended
13 by the Coney Island rezoning, in the same way the
14 Bank of America Pavilion, the 5,000 seat
15 amphitheatre at Boston's Faneuil, was a catalyst
16 for residential and commercial development in the
17 Boston Harbor area, including a highly successful
18 Park Lane Seaport and \$130 million residential
19 development of 465 units that was completed
20 directly across the street from the Bank of America
21 Pavilion.
22

23 We are pleased to join with Coney
24 Island USA, a community-based non-profit
25 organization that has a 33-year history of

1 sponsoring neighborhood events and advocating for
2 the betterment of Coney Island to develop the
3 project for the city and oversee its operations
4 during the 10 year term of the proposed special
5 permit. There will be a total of 40 to 50 free and
6 paid concerts throughout the season from April
7 through October. 15 of those will be the free
8 Seaside Summer Concert series. We will expect that
9 these will be run by the renowned concert promoter
10 and artist manager, John Scher, with his team at
11 Metropolitan Entertainment and they have been
12 working with us throughout this preapproval
13 process. On non-event days, in season and during
14 the rest of the year, the plaza will be used for
15 community-based cultural, civic, educational and
16 recreational activities. The community-based
17 programming will be organized by Coney Island USA
18 in consultation with the Community Advisory
19 Committee.

21 The Childs building will be restored
22 for restaurant and catering use, including the
23 historic use of its roof for outdoor dining. The
24 restoration and operation of the Childs at the same
25 time that the amphitheatre construction will be

1 completed is a critical component of the project.
2
3 Although the project is being developed with city
4 capital funds, the operation and maintenance of the
5 park and amphitheatre will be supported solely by
6 the income from the Childs operations and the paid
7 concert events.

8 The expansive park component of the
9 project will be accessible to the neighborhood at
10 all times, including when the concert events are
11 taking place in the amphitheatre portion of the
12 project site. At the end of the special permit
13 term, the Parks Department will take over the
14 operation and maintenance of the park. The park
15 has been designed in close collaboration with the
16 Parks Department, and the ground lease for the
17 project details the park condition and amenities
18 that are required at the time the Parks Department
19 assumes jurisdiction over the property at the end
20 of the 10-year special permit.

21 iSTAR is committed to being a partner
22 in the future of Coney Island and believes that the
23 amphitheatre development will both meet the goals
24 established by the Coney Island rezoning and spur
25

1
2 the residential development planned in the Coney
3 Island West subdistrict. Thank you.

4 SCOTT STREEB: Hi. My name is Scott
5 Streeb. I'm with Michael Van Valkenburgh
6 Associates, Landscape Architects and I'd like to
7 begin just by walking you through some existing
8 site photos.

9 Here you see the historic Childs
10 Restaurant in much need of repair. All the
11 architectural detailings are falling apart. We
12 propose to revitalize this building. The site
13 currently has a bus parking lot, which we will
14 relocate and repurpose as park land and as
15 President Markowitz stated earlier, the entire site
16 is much lower than the boardwalk level, so you
17 can't really get a sense of the ocean beyond. We
18 propose to bring the park up to the boardwalk level
19 with handicap accessible grades.

20 Through a lot of coordination with New
21 York City Parks and New York City Planning, we have
22 developed this site plan. It has amenities for all
23 ages, including a playground at the north here; a
24 meandering garden with picnic seating and lush
25 horticultural planting for the elderly group and a

1 large lawn space oriented towards the community for
2 picnics. Lastly, we have the paved area, which can
3 seat 5,000 people and will be a community art space
4 and concert venue for Coney Island. There's three
5 different conditions for the plaza space with
6 regard to its covering. I'll get into that a
7 little more detailed in a second.

9 With regard to parking, this diagram,
10 showing in blue, are the proposed parking areas.
11 We will utilize the existing lot for the baseball
12 stadium and during nights where there are
13 concurrent events, both at the baseball stadium and
14 the project site, we will utilize the parking lot
15 at the aquarium and shuttle visitors to and from
16 that site.

17 Here we're showing you a site section.
18 This is going to highlight the three different
19 conditions of the amphitheatre roof. During the
20 off season in the winter months, the amphitheatre
21 roof is completely removed from the site. During
22 the season, a large portion remains up as a shade
23 structure and semi-permanent covering and on the
24 night of events we deploy an additional fabric
25 region, which provides acoustical insulation.

2 Here's a view looking up the access of
3 22nd Street with the view out to the ocean that we
4 were talking about earlier, the semi-permanent
5 amphitheatre roof and the amphitheatre seating to
6 the right. When an event is in place, that's the
7 additional fabric region that's deployed to create
8 acoustical insulation. Here's an aerial view just
9 giving you a sense of its relationship to the ocean
10 and the boardwalk; a view along the boardwalk with
11 the revitalized Childs building and park space; a
12 view looking east towards the Parachute Jump
13 showing the lawn space and the garden space and
14 lastly, a view of the plaza on a day where the
15 community is using it for either a Farmers Market
16 or a children's performance, whatever the community
17 decides to use it for. Thank you.

18 CHAIRPERSON WEPRIN: Thank you. Before
19 we move on, I just want to acknowledge that Larry
20 Scott Blackmon from the Parks Department, Deputy
21 Commissioner of Parks is here as well and he'll be
22 testifying a little bit as well. Is he testifying
23 as well for... right now or... [background voices]
24 Okay well, you can go ahead, Larry, okay. Sorry we
25 left you out.

2 DEPUTY COMMISSIONER BLACKMON: Oh, no
3 problem. Let me get a little closer. Good
4 morning, Chair Weprin and members of the
5 Subcommittee on Zoning and Franchises. I am Larry
6 Scott Blackmon, Deputy Commissioner for Community
7 Outreach with the New York City Department of
8 Parks. Thank you for allowing me to speak to you
9 this morning on the Coney Island Seaside Park and
10 Community Arts Center project, and before I begin,
11 I'd like to acknowledge several Parks Department
12 staff members that are with me: our Director of
13 Government Affairs, Karen Becker and it pleases me
14 to introduce our new Director of the Green Thumb
15 Community Garden Program, Nancy Kohn; [applause]
16 Roland Chaouloute, the Deputy Director of Green
17 Thumb is with us, as well as Jennifer Kao from
18 Parks Planning.

19 This proposed project involves the
20 development of approximately two and a half acres
21 of publicly accessible open space in Coney Island,
22 Brooklyn, including a 5,100 seat seasonal
23 amphitheatre for concerts and other events. Over
24 the past year, Parks along with City Planning and
25 the Public Design Commission have worked with the

1 applicant to improve upon and influence the design
2 before you today, including incorporating standard
3 parks details and specifications. This open space
4 will extend between West 21st Street and West 23rd
5 Street along Riegelmann Boardwalk, and will include
6 passive and active recreational areas. The design
7 includes landscaping and playground amenities
8 located at the northwestern corner. The defining
9 feature of this open space would be a large
10 landscaped lawn area that would serve as a place
11 for lawn seating and passive recreation. A steeped
12 path extending off of the plaza will lead visitors
13 down to Riegelmann Boardwalk and to new public
14 restroom facilities. The open space will also
15 feature a planted entry garden with native
16 plantings and bench seating at the southwestern
17 portion of the development site. The proposed
18 amphitheatre will operate between May and October.
19 During the concert season, the amphitheatre would
20 be fully accessible to the public, except during
21 ticketed events. Temporary screening around the
22 seating area would allow other areas of the open
23 space to be used while events are taking place.
24 The proposed amphitheatre and other project
25

1
2 elements are expected to be completed by the summer
3 of 2015.

4 As part of the 2009 Coney Island
5 rezoning, the portion of the project area west of
6 22nd Street was designated as an approximately one
7 and a half acre neighborhood park. The tax lots
8 that comprise Highland View Park are privately
9 owned and have not been formally established as
10 public park land. This project will create new
11 open space in that area. The open space will be
12 maintained and managed at the applicant's cost for
13 the next decade. Upon conclusion of the 10-year
14 special permit, the Highland View Park portion of
15 the site will be transferred to Parks for operation
16 as a public park. This park land will include the
17 expansive lawn and playground amenities mentioned
18 earlier and we anticipate that this park land will
19 be well-used addition to the New York City Parks
20 portfolio.

21 I would also like to address the status
22 of Block 7071, Lot 142, the location of a
23 previously decommissioned community garden. Block
24 7071, Lot 142, referred to as Boardwalk Garden, was
25 assigned the Parks of DCAS on July 15th, 1997. A

1 community garden was licensed for the site through
2 Green Thumb until 2004, when it was decommissioned
3 as part of the Coney Island comprehensive rezoning
4 plan that was approved in 2009. On August 20th,
5 2013, the Parks Department surrendered Block 7071,
6 Lot 142 to DCAS as part of the Coney Island
7 rezoning proposed development. It is extremely
8 important to note that this property is not, nor
9 was it ever mapped as park land. In 2002, there
10 was a settlement agreement with the New York State
11 Attorney General's Office over development of
12 community garden sites. The agreement specified
13 that gardens in the Park's jurisdiction would be
14 overseen by the Green Thumb Program unless the city
15 determined that it intended to sell or develop any
16 such garden lot. It was also established by the
17 settlement agreement that development of any
18 licensed garden site was required to undergo review
19 in accordance with the Garden Review Process. The
20 Garden Review Process for this earlier Coney Island
21 ULURP required that the gardener of record be
22 notified and provided a list of available city-
23 owned vacant land if any within a half mile of the
24 existing garden to provide for an alternative
25

1 gardening site. Parks worked with the gardener of
2 record to provide an alternate location. In August
3 of 2004, the gardener of record agreed to relocate
4 to an alternate site in Coney Island on West 28th
5 Street and Surf Avenue and informed the Green Thumb
6 office of this decision in writing. The garden was
7 then relocated to the alternative site. Since the
8 city had reached agreement with the gardener or
9 record to previously surrender and relocate to the
10 new site, under Section 6E3 of the settlement
11 agreement, there was no requirement that the city
12 comply further with the Garden Review Process.
13 Since that time, Block 7071, Lot 142 has not been
14 licensed by the Green Thumb Program and no
15 authorized garden activities have taken place
16 there. Although not a registered Green Thumb
17 garden and not subject to the Garden Review
18 Process, Parks has, as a sign of good faith, worked
19 with the developer, iSTAR, to make improvements;
20 significant improvements at an existing garden to
21 accommodate additional gardeners. Additionally,
22 any member of the community who wishes to garden
23 can avail themselves at any one of the five
24 community gardens in Coney Island, and we are more
25

1
2 than happy to take memberships at those gardens at
3 any time.

4 I thank you for the opportunity to
5 speak before you today and welcome any questions
6 you may have, and I'd like just to close, if I
7 don't have the moment, just to say thank you to
8 Council Member Domenic Recchia. It's been a
9 pleasure and a joy to work with you, not just on
10 this project, but on many Parks projects citywide.
11 You're an ardent supporter of our agency and on
12 behalf of Commissioner White I want to thank you
13 and the same to Council Member Leroy Comrie and
14 Council Member Robert Jackson, as this is probably
15 the last forum I'll have to do so publicly. Thank
16 you. Thank you.

17 CHAIRPERSON WEPRIN: Okay and then
18 Howard, you're going to now testify as well?

19 HOWARD WEISS: [off mic] Yes.

20 CHAIRPERSON WEPRIN: Okay, okay.

21 HOWARD WEISS: [off mic] I'll be brief.
22 Good morning, Mr. Chair, Council Members. Howard
23 Weiss, Davidoff, Hatcher and Citron. We're project
24 counsel. I've submitted statements from several
25 individuals who are in support of the project that

1 could not be here and you, I believe, have copies.
2 One was a statement from Mr. Myron Winiarsky, whose
3 family owns a good part of the properties adjacent
4 to the project site, including a 40 unit
5 residential building that's immediately adjacent to
6 the site, and he explains in his statement the
7 reasons for his strong support; a statement from
8 Charles Denson, Executive Director of the Coney
9 Island History Project and the author of a number
10 of well-known books about the history of Coney
11 Island, again strongly supporting the project. And
12 lastly, a statement from Juan Rivero on behalf of
13 Save Coney Island, a community advocacy group
14 that's been active in Coney Island over the years
15 advocating for the betterment of Coney Island.
16

17 During the Public Review Process there
18 were a number of issues that arose and I'd just
19 like to very briefly tell you how they've been
20 addressed and they have been addressed. One, there
21 had been a concern about noise impacts, and as the
22 FEIS and the other ULURP documents that you've seen
23 reveals, this project will be entirely compliant
24 with the city's Noise Control Code and it's been
25 designed in a way so that the activities that will

1 be undertaken on site will have no impacts based
2 upon the standards in the CEQR manual, and Scott
3 briefly described and showed you the base design of
4 the project that's going to provide for the sound
5 attenuation that assures that there will be no
6 impacts. There were concerns about traffic
7 impacts. There's a Memorandum of Understanding
8 that's been entered into between the project
9 developer and the police department to provide
10 traffic enforcement agents, the cost of which will
11 be paid for by the project to the extent that when
12 there are activities at MCU Park and there are
13 concerts at the same time, if there would be any
14 potential impacts, those would be mitigated by the
15 use of the TAs. There was also concern about the
16 community garden and I think Commissioner Blackmon
17 has adequately and very forcefully explained the
18 status and what the project team has done to
19 accommodate those who are the gardeners and you can
20 see on the site plan the relocated community
21 garden, which is only five blocks west of the
22 boardwalk garden. It's in green on the map up on
23 the wall and you should know that in fact, the
24 planting beds have been installed, fresh topsoil

2 has been delivered and there are persons who have
3 already laid claim to some of the plots at the
4 relocated garden site who are active at the
5 boardwalk garden.

6 We think that this project, based upon
7 everything that's been revealed in the FEIS and
8 ULURP documents, shows in many different ways how
9 it will, in fact, be a positive influence on the
10 community and will, in fact, at the end of the day
11 achieve the objectives of the Coney Island plan and
12 ultimately not only provide real life and activity
13 at this west end of the boardwalk, but will, in
14 fact, give a jump start to the development of the
15 housing that was critical to the Coney West
16 subdistrict, in which the project site is located,
17 and with that, I thank you for your attention.

18 Okay, we can go back. So the actions
19 that were approved by the Planning Commission that
20 are before you now is a modification of the
21 approved city map change. At the time of the Coney
22 Island rezoning, there was a mapping action to
23 establish Highland View Park that was described by
24 Commissioner Blackmon and by Scott Streeb and also
25 the demapping of West 22nd Street that runs through

1 the project site. To facilitate the amphitheatre
2 we're administratively separating the mapping of
3 Highland View Park from the demapping action and
4 that's the first action that's before you for
5 approval; a zoning map change that will extend the
6 Coney Island West subdistrict of the Special
7 District to include fully the project site. Right
8 now the Highland View Park portion does not lie
9 within the subdistrict. The acquisition of
10 property by the city, as was mentioned, other than
11 Lot 142, the former community garden site, the
12 balance of the project site is privately owned and
13 you will be approving the acquisition of those
14 private properties, most of which, except for the
15 Childs building, would needed to have been acquired
16 to realize the development of Highland View Park,
17 so this project accelerates the acquisition of the
18 properties for the development of the community-
19 based park that was approved by part of the Coney
20 Island rezoning. Then there'll be a disposition of
21 city-owned property, but once the land is acquired
22 it will be disposed to EDC's Local Development
23 Corporation through a lease agreement between the
24 city and the Local Development Corporation and then
25

1 subleased to the entity that will be operating the
2 project. And I should emphasize and it needs to be
3 understood that the project site when the project
4 goes forward will be entirely owned by the city and
5 the project is being developed entirely with city
6 capital funds and in fact, this project is a
7 municipal facility. That for the 10-year special
8 permit term will be operated by a partnership
9 between Coney Island USA, the community-based not-
10 for-profit and an iSTAR entity as it will be
11 developed by that partnership, but it is all being
12 done on behalf of the city for a municipal project.
13 There's a zoning text change that establishes a
14 special permit that allows the amphitheatre use.
15 Right now the special use provisions of the Coney
16 Island Special District allows for an amphitheatre
17 of 2,000 seats and this increases the capacity to
18 5,100 seats and then the special permit itself, the
19 proposed special permit, which would allow the
20 amphitheatre use of the project site. Thank you
21 very much.

22
23 CHAIRPERSON WEPRIN: Thank you. I'd
24 like to call on Council Member Recchia, who has
25 some questions. [background static] We also...

1
2 Domenic, one second. We've been joined by Council
3 Member Jessica Lappin as well.

4 COUNCIL MEMBER JACKSON: And Diana
5 Reyna.

6 CHAIRPERSON WEPRIN: Oh, and Diana
7 Reyna. I didn't see you there, Diana. Council
8 Member Diana Reyna.

9 COUNCIL MEMBER RECCHIA: 'Kay, thank
10 you, Mr. Chairman and thank you for this hearing
11 today. Good morning, gentlemen. I just have a few
12 quick questions. As far as hiring is concerned,
13 are you... what's the issue with that on hiring
14 local from the Coney Island community?

15 HOWARD WEISS: There's been an absolute
16 commitment, Mr. Council Member, to hire locally and
17 in fact, there's already been an outreach to the
18 community. You're going to hear testimony from
19 Keith Suber of the Suber Foundation, who, as you
20 know is very proactive in the community in terms of
21 fostering local employment and there is an absolute
22 commitment in writing to foster that local hiring
23 with respect to both the development of the
24 project, construction jobs and operations once the
25 project is built.

2 COUNCIL MEMBER RECCHIA: Okay and are
3 you building this prevailing wage?

4 HOWARD WEISS: Prevailing wage and
5 prevailing wage benefits, yes and that's, in fact,
6 memorialized in the funding agreement between the
7 city and the project partnership.

8 COUNCIL MEMBER RECCHIA: Okay and the
9 community use of the facility; could we just talk
10 about that a little bit?

11 HOWARD WEISS: Yes, there will be 15
12 free concerts and up to 25 paid concerts during the
13 concert season. All other times; all other times
14 this project site will be available for community-
15 based use. It was no coincidence that this project
16 is called the Seaside Arts Community Center because
17 the vision is that it's a community-based facility.
18 To facilitate and ensure transparency and
19 inclusiveness, there will be a Community Advisory
20 Committee established and we will work with the
21 council member and the community board and
22 stakeholders in the community to form that
23 Community Advisory Committee and they will work
24 with iSTAR and Coney Island USA in setting up
25 protocols and determining the appropriate uses and

1
2 we envision the way the project site's been
3 designed; anything from concerts; community-based
4 concerts; dance recitals; graduations; educational
5 events, flea markets. The potential for community-
6 based use is as expansive as one's imagination
7 would take us.

8 COUNCIL MEMBER RECCHIA: Okay, I just
9 want to make sure that schools will be able to have
10 their graduations there.

11 HOWARD WEISS: And we actually... and I
12 believe you will be hearing from the Coney Island Y
13 this morning and we've been engaged with them and
14 working with them to help begin the process of
15 thinking about how we program this, but at the end
16 of the day, it will be totally inclusive in terms
17 of the broad community interest.

18 COUNCIL MEMBER RECCHIA: Okay and the
19 schools to have their graduations. This was very
20 clear. They'll be able to have their
21 graduations...

22 HOWARD WEISS: Yes.

23 COUNCIL MEMBER RECCHIA: There? Okay.

24 HOWARD WEISS: Yes.
25

2 COUNCIL MEMBER RECCHIA: In addition to
3 that, those documents where you said this is in
4 writing, we would like copies of those. Is that
5 possible?

6 HOWARD WEISS: Yes, I think the Land
7 Use staff has, but I will review after today's
8 proceedings...

9 [crosstalk]

10 COUNCIL MEMBER RECCHIA: Yeah, if we
11 could just see...

12 [crosstalk]

13 HOWARD WEISS: What you have and make
14 sure that you have everything.

15 COUNCIL MEMBER RECCHIA: Okay, alright,
16 you could work with...

17 [crosstalk]

18 HOWARD WEISS: Absolutely.

19 [crosstalk]

20 COUNCIL MEMBER RECCHIA: Our staff,
21 Alonzo, absolutely. Alright, I have no further
22 questions. Thank you very much.

23 HOWARD WEISS: Thank you, sir.

24 CHAIRPERSON WEPRIN: I'd like to call
25 on Council Member Comrie for a question.

2 COUNCIL MEMBER COMRIE: Alright, you
3 alluded that there were gardeners. How many
4 gardeners that were there and have they all
5 transferred?

6 HOWARD WEISS: They all have not
7 transferred and I'm not sure how many individuals
8 really are there. Some who were there have, in
9 fact, laid claim to plots on the West 29th Street
10 site, others have not and that's an open process
11 and they've been invited to transfer to that site.
12 And let me just say, we spent a year trying to
13 identify appropriate locations because we
14 recognized that although this was not a sanctioned
15 community garden, the gardeners who have been there
16 they've developed a sense of community and it was
17 very important to try to find an appropriate site
18 within the community where they could all be
19 relocated together so they could stay together as a
20 gardening community.

21 COUNCIL MEMBER COMRIE: Mm-hm.

22 HOWARD WEISS: And fortunately, the
23 West 29th Street site was underutilized and it will
24 accommodate everyone who's at the former boardwalk
25 garden site and we worked very closely with New

2 York City Parks Green Thumb to ensure that would
3 happen.

4 COUNCIL MEMBER COMRIE: Okay. Yes,
5 Commissioner.

6 CHAIRPERSON WEPRIN: Mr. Blackmon, make
7 sure to state your name.

8 DEPUTY COMMISSIONER BLACKMON: Sure,
9 Larry Scott Blackmon, Deputy Commissioner of Parks.
10 Since 2004, there was no license agreement with
11 anyone at the site because at that time the
12 gardener of record, who was recognized by the city,
13 had agreed to move to a different site under...

14 [crosstalk]

15 COUNCIL MEMBER COMRIE: Right.

16 [crosstalk]

17 DEPUTY COMMISSIONER BLACKMON: A
18 previously agreed upon...

19 COUNCIL MEMBER COMRIE: Right, I read
20 that. I'm clear that...

21 [crosstalk]

22 DEPUTY COMMISSIONER BLACKMON: So...

23 [crosstalk]

24 COUNCIL MEMBER COMRIE: The people that
25 were there were there without...

[crosstalk]

DEPUTY COMMISSIONER BLACKMON: Park
license.

[crosstalk]

COUNCIL MEMBER COMRIE: Without a
permit, but they were there.

DEPUTY COMMISSIONER BLACKMON: Right
and so we've been working with them nonetheless.

COUNCIL MEMBER COMRIE: Right.

DEPUTY COMMISSIONER BLACKMON: And I
would say that we've had several meetings with them
and I would say that there were maybe 15 to 20.

COUNCIL MEMBER COMRIE: And you said
there are other gardens in the area also that...

[crosstalk]

DEPUTY COMMISSIONER BLACKMON: Yes.

[crosstalk]

COUNCIL MEMBER COMRIE: People can
utilize?

DEPUTY COMMISSIONER BLACKMON: Yes.

COUNCIL MEMBER COMRIE: Okay, alright.
Well, I'm good. I just wanted...

[crosstalk]

DEPUTY COMMISSIONER BLACKMON: Thank you.

[crosstalk]

COUNCIL MEMBER COMRIE: To know that they're having an opportunity to utilize a new space.

DEPUTY COMMISSIONER BLACKMON: We're trying our best.

COUNCIL MEMBER COMRIE: Alright, thank you.

DEPUTY COMMISSIONER BLACKMON: Thank you.

COUNCIL MEMBER COMRIE: Just one other question. You talked about the graduations. Can any school in Brooklyn now utilize the site or will this just be for Coney Island schools?

HOWARD WEISS: No, the... [laughter] Coney Island schools have priority.

COUNCIL MEMBER COMRIE: Alright.

HOWARD WEISS: It's a Coney Island based facility, but it's there for the borough and it's there for the city, so again, it will be programmed and made available to appropriate

1
2 community-based uses, whether it's Coney Island or
3 whether it's Kings County.

4 COUNCIL MEMBER COMRIE: Okay and will
5 this be free to them or will there be a...

6 [crosstalk]

7 HOWARD WEISS: We'll work... we'll have
8 to work that out and the... there is going to be
9 during the 10 years of the operation of this
10 facility no city funds used to support it.

11 COUNCIL MEMBER COMRIE: Okay.

12 HOWARD WEISS: So what we expect is
13 that the paid concerts and excess revenues that
14 will be realized through the operation of the
15 Childs building, that will be sufficient to support
16 the maintenance and operation of the facility. To
17 the extent that's possible, then yes, it would be
18 free to the extent that there may be a shortfall,
19 so there may be some minimal costs, but the
20 objective is for it to be free. And let me just
21 say also, with respect to the paid concerts,
22 there's a commitment to provide to community
23 residents a number of subsidized lower rate concert
24 tickets recognizing that we want to optimize the
25 community's use of this facility, not only for the

1
2 free concerts, but also at the times when there are
3 paid concerts.

4 COUNCIL MEMBER COMRIE: And will you
5 also be teaching children music since you're
6 focusing on concerts? Is there a component in
7 there that will be giving people an opportunity to
8 enjoy music at some point or learn music or
9 understand music?

10 HOWARD WEISS: As part of the program
11 in the facility, Coney Island USA and iSTAR will
12 work with community groups, and one of the visions
13 was that the educational aspect of this facility
14 and that it could be used for that purpose, so we
15 will look to work with community-based groups that
16 engage in that sort of activity to provide that
17 kind of opportunities for local children.

18 COUNCIL MEMBER COMRIE: Right and the
19 amphitheatre, all of those pieces will be stored
20 within this site and who's...

21 [crosstalk]

22 HOWARD WEISS: Yes.

23 COUNCIL MEMBER COMRIE: Going... and is
24 there going to be a separate entity that will be
25

1
2 doing the lighting and the sound or is that all
3 part of the same entity?

4 HOWARD WEISS: It's all part of...
5 Metropolitan Entertainment would oversee that and
6 what happens is acts come in with their lighting
7 and with their equipment and then there'll be
8 permanent lighting that's on the site and that'll
9 all be organized by the concert operator.

10 COUNCIL MEMBER COMRIE: And will there
11 be opportunities for training and teaching for
12 people to be light and sound and stage technicians
13 as well since that's going to be a major component?

14 HOWARD WEISS: We haven't thought about
15 that, but that's an interesting idea, Council
16 Member, and I think it's something that we can
17 seriously consider and discuss with Coney Island
18 USA and the community groups that will be
19 participating in programming the site.

20 COUNCIL MEMBER COMRIE: I would
21 strongly suggest that as well and that could go to
22 all Brooklyn residents as well, not just Coney
23 Island residents that may want to learn that since
24 that is a big part of New York now. I would
25

1
2 strongly suggest that be added. That's it. Thank
3 you.

4 HOWARD WEISS: Thank you, Council
5 Member.

6 CHAIRPERSON WEPRIN: Thank you.
7 Council Member Diana Reyna has some questions.

8 COUNCIL MEMBER REYNA: Thank you, Mr.
9 Chair. I apologize for coming in late. There's an
10 opportunity here. I wanted to just commend the
11 work of Council Member Recchia, who for the last 12
12 years, we've heard nothing but Coney Island, and
13 especially this particular site where the building
14 is being restored as far as the landmark building
15 is concerned and it's very exciting to see that
16 there is this history; rich history that Brooklyn
17 can continue to preserve and see for generations to
18 come and so I wanted to thank you for that vision.
19 I've heard and caught up with a lot of what has
20 already been mentioned, but I wanted to confirm I
21 didn't hear what would be your procurement policy
22 in relationship to this project for MWBEs and LBES,
23 the Local Business Enterprise communities, so I
24 just wanted to get some elaboration on your policy
25 as a holding company; any provisions in the

1
2 contract with EDC that will acknowledge what would
3 be procurement opportunity for the MWBE community
4 and LBE.

5 KARL FREY: I might ask for a little
6 help from someone from EDC who's here because I
7 know I've reviewed the provisions in the contract.
8 I know there is a specific addendum to the contract
9 that requires procurement and although I've gone
10 through it, I am not familiar with the details of
11 it.

12 COUNCIL MEMBER REYNA: Absolutely.
13 EDU...

14 [crosstalk]

15 KARL FREY: So...

16 [crosstalk]

17 COUNCIL MEMBER REYNA: Is welcome to
18 come and join us.

19 DAVID EISENMAN: Hi. My name's David
20 Eisenman. In the contract between iSTAR and New
21 York City Land Development Corporation there are
22 MWBE provisions. At the closing, iSTAR will submit
23 an MWBE program and anticipates supporting a goal
24 of 15 percent MWBE participation in the
25 construction of the project.

2 COUNCIL MEMBER REYNA: 15 percent. Why
3 not 20 as per what would be the goal that projects
4 at the minimum have been based on as well as just
5 government procurement overall in the city of New
6 York supporting what would be Local Law 1 to be
7 able to spill over into what would be the private
8 sector? Is there any reason why EDC would have
9 agreed to 15?

10 DAVID EISENMAN: This was the
11 proposal we received from iSTAR and we'd be open to
12 continuing those discussions.

13 COUNCIL MEMBER REYNA: I'd like to see
14 that; those discussions continue as chair of the
15 Small Business Committee and working with our chair
16 or rather our local council member, Council Member
17 Recchia, understanding the background of trying to
18 reach what would be goals procured for MWBEs for
19 opportunity. It's very important that we start
20 recognizing that, especially when there's
21 opportunities when it's city-owned land that is
22 being issued to a private entity, so a minimum of
23 20 percent is what we would seek. As far as this
24 particular application is concerned; correct me if
25 I'm wrong, Chair, all the work that the city

1 council has been gearing towards to see headway
2 within the MWBE community. As far as this
3 particular percentage is there going to be a
4 monitoring agent on the MWBEs?
5

6 DAVID EISENMAN: Can you elaborate on
7 that?

8 COUNCIL MEMBER REYNA: A monitoring
9 agent to reach outcomes of the goal.

10 DAVID EISENMAN: EDC monitors all of
11 our MWBE requirements through our Contracts
12 Department.

13 COUNCIL MEMBER REYNA: So EDC is
14 expected to oversee what would be the monitoring of
15 the 15 percent MWBE on the holding company for...

16 {crosstalk}

17 DAVID EISENMAN: Correct.

18 COUNCIL MEMBER REYNA: For this
19 project?

20 DAVID EISENMAN: Correct.

21 COUNCIL MEMBER REYNA: And the LBE was
22 the second part of the procurement question. Is
23 there any mention of the Local Business Enterprise?
24
25

2 DAVID EISENMAN: Not in our documents.
3 I know iSTAR has committed to working with local
4 businesses.

5 COUNCIL MEMBER REYNA: Can we see that
6 committed into language within the contract?
7 [background static] I'm going to share my mic.

8 DAVID EISENMAN: We can discuss that
9 with iSTAR in our internal pane.

10 COUNCIL MEMBER REYNA: How soon will
11 that conversation continue?

12 DAVID EISENMAN: As soon as possible.

13 COUNCIL MEMBER REYNA: And this vote is
14 scheduled for when?

15 DAVID EISENMAN: Tomorrow.

16 COUNCIL MEMBER REYNA: So you have less
17 than 24 hours I would say. Correct?

18 DAVID EISENMAN: Correct.

19 COUNCIL MEMBER REYNA: Okay.

20 COUNCIL MEMBER RECCHIA: I would just
21 like to... Mr. Chair, could I just say one thing?
22 I would just like...

23 [crosstalk]

24 CHAIRPERSON WEPRIN: Yes, Mr. Recchia.

25 [crosstalk]

2 COUNCIL MEMBER RECCHIA: To say that
3 iSTAR has been phenomenal in local hiring. There
4 is no other company out there who has done what
5 iSTAR has done in hiring local, alright, the Suber
6 Foundation is the lead over here and we have Mr.
7 Suber, who'll be testifying shortly, in hiring
8 local. They have done an outstanding job in hiring
9 local and in working in part of the property in
10 getting the new garden ready and they hired the
11 Suber Foundation who have been out there made up of
12 local hiring; Coney Island residents who've been
13 there and so I just want everyone to know that they
14 are keeping their word and they did this before
15 anyone requiring them to do it. So and they've
16 been always there to work with us in hiring local
17 and after Superstorm Sandy iSTAR was out there
18 hiring local and putting people to work, so they've
19 been doing this for years and I you know trust them
20 and know them; that they will you know keep on
21 doing this because it's to their benefit to hire
22 local. Thank you.

23 CHAIRPERSON WEPRIN: Do you have more
24 questions, Council Member Reyna?

2 COUNCIL MEMBER REYNA: I just want to
3 make sure that the MWBE and LBE portion is met in
4 the contract and I want to commend the work of
5 iSTAR and obviously Council Member Recchia knows
6 better than anyone the local hiring piece, but that
7 is something that we should not just stop as far as
8 local hiring is concerned and this council has made
9 great strides in making sure that the MWBE
10 community and Local Business Enterprises take part
11 in a lot of the economic development that has
12 happened in the city of New York and I only look
13 forward to iSTAR's continued success because when
14 we have MWBE contracting and LBE contracting, we
15 see greater growth in the job market and so it's a
16 benefit to our communities and Brooklyn as a whole,
17 which contributes to the economy of our city. So I
18 look forward to hearing from EDC as to their
19 achieving what would be greater goal on the MWBE
20 and I'd imagine that there is concession rights to
21 this project. Is that not true?

22 KARL FREY: The concession rights are a
23 part of the 10-year special permit and the lease
24 and the sublease that iSTAR will be a part of with
25 EDC.

2 COUNCIL MEMBER REYNA: Mm-hm. Yes.

3 KARL FREY: There's tremendous risk
4 involved in the project for...

5 [crosstalk]

6 COUNCIL MEMBER REYNA: Mm-hm.

7 KARL FREY: For a private investor.

8 COUNCIL MEMBER REYNA: Yes.

9 KARL FREY: The imposition of a
10 regulation that the government can work with at the
11 20 percent level versus a 15 percent level that
12 might be more common in private industry...

13 COUNCIL MEMBER REYNA: Mm-hm.

14 KARL FREY: Is a strong ask, but we
15 have 24 hours to work on that and I'm sure we'll be
16 back with you.

17 COUNCIL MEMBER REYNA: I appreciate
18 that and is there any reason... would you be able
19 to elaborate on the risk?

20 KARL FREY: Certainly. Over the course
21 of the 10-year special permit, iSTAR is obligated
22 to run and operate the facility and it's specified
23 in the contract what that means at a minimum the 15
24 free summer concerts have to be produced and...

25 [crosstalk]

2 COUNCIL MEMBER REYNA: Mm-hm.

3 KARL FREY: Operated as well as
4 operating agreements for the Childs Restaurant
5 facility.

6 COUNCIL MEMBER REYNA: Mm-hm.

7 KARL FREY: None of which is guaranteed
8 to produce any revenue so...

9 [crosstalk]

10 COUNCIL MEMBER REYNA: Right.

11 KARL FREY: So iSTAR is on the hook for
12 the costs...

13 COUNCIL MEMBER REYNA: [interposing]

14 Sure.

15 KARL FREY: Of operating and
16 maintaining the park and the restaurant and the
17 amphitheatre for 10 years.

18 COUNCIL MEMBER REYNA: And the project
19 is coming with what would be IDA Tax Abatement?

20 KARL FREY: No.

21 COUNCIL MEMBER REYNA: No... no
22 particular programs that are...

23 KARL FREY: As a matter of fact, we
24 were pretty surprised that as city-owned land we'll
25 still be paying taxes.

2 COUNCIL MEMBER REYNA: Okay.

3 HOWARD WEISS: Council Member, if I may
4 I think the genesis of this project is very
5 important for everyone to understand. iSTAR
6 controls property that constitutes a good part of
7 the project site. When they went to the borough
8 president to say it's our intent to develop this
9 with the market rate and affordable housing that
10 was envisioned, but we have concerns because Coney
11 West is desolate and we control 70 percent of the
12 developable floor area in the area, but right now
13 we don't see it moving forward, the borough
14 president suggested perhaps you would consider as
15 an interim temporary use the amphitheatre facility
16 that could then perhaps spur on economic interest
17 in developing the housing, force the development of
18 the park that was envisioned and also reactivate
19 the Childs building.

20 COUNCIL MEMBER REYNA: Mm-hm.

21 HOWARD WEISS: iSTAR agreed to then
22 settle into the city. Along the way in discussions
23 with EDC iSTAR then was asked to stay in the mix
24 and then to work with the community-based not-for-
25 profit to develop this project for the city. It's

1
2 being developed solely with city capital funds on
3 land entirely owned by the city. This entire
4 project is to be owned by the city and it's simply
5 going to be subleased to this partnership for the
6 10-year special permit term. So the reality is
7 that this is really not a private development by a
8 private developer. This is a private developer who
9 has agreed with the city to aid in the development
10 and operation of this project for 10 years.

11 COUNCIL MEMBER REYNA: And the sublease
12 is for?

13 HOWARD WEISS: A 10-year term.

14 KARL FREY: I think it would be
15 appropriate at this time just to mention as city
16 councilmen and council persons, you should take
17 great pride in the staffs that work for your
18 various organizations. EDC was exceedingly tough
19 on iSTAR throughout these negotiations. This has
20 not been an easy project to get to the goal line.

21 COUNCIL MEMBER REYNA: Mm-hm.

22 KARL FREY: And we have been asked to
23 and agreed to do extraordinary things as a private
24 developer that we would normally not undertake. If
25 you... if the question pops in your mind then why

1
2 would you do this, we do have an additional site
3 that's slated for residential development and we
4 see no reason for any market or affordable housing
5 to be built on Coney Island. There's no economic
6 reason to do that absent the amphitheatre project,
7 so there was a great deal of give and take and hard
8 fought negotiations on both sides to bring this
9 project to where it is, and we see this project as
10 the catalyst that allows us to make further
11 investments in Coney Island and develop our
12 residential project, which is now bookended on one
13 end by the amphitheatre and on the other end by the
14 newly renovated New York Aquarium.

15 COUNCIL MEMBER REYNA: Mm-hm. Well, I
16 look forward to monitoring this project beyond what
17 would be today's and tomorrow's meeting. I just
18 want to make sure that we get to a point of making
19 sure that the city as a whole is investing in
20 partners that will commit to the work that we
21 have... the foundation that we have laid as far as
22 economic development spurring throughout all five
23 boroughs and this particular project has been in
24 the pipeline for quite some time. To see it come
25 to fruition is of most interest, but that doesn't

1
2 mean that we can't do better and consistently
3 challenge ourselves to do better. So thank you
4 very much.

5 KARL FREY: Thank you and we respect
6 your advocacy.

7 CHAIRPERSON WEPRIN: Okay well,
8 gentlemen, thank you very much. We are going to
9 move onto our panels in opposition to start and
10 then in favor until everyone is heard. Yes, there
11 are. So we're going to call up four people in
12 opposition. I remind you that we're going to put
13 the clock on for two minutes for each person. I'd
14 like to call up Charles Krezell; Suzanne Frazier;
15 Carolyn McCrory and Ann Valdez. Are all four of
16 you here?

17 [Pause]

18 CHAIRPERSON WEPRIN: While we're
19 setting up, we are going to call on Council Members
20 Reyna and Lappin to vote on the two sidewalk cafes
21 that we heard earlier today that are in full
22 agreement with the council members.

23 COMMITTEE CLERK: Land Use Items 987
24 and 1002. Council Member Reyna.

25 COUNCIL MEMBER REYNA: I vote aye.

2 COMMITTEE CLERK: Council Member
3 Lappin.

4 COUNCIL MEMBER LAPPIN: Aye.

5 COMMITTEE CLERK: Vote now stands eight
6 in the affirmative, zero abstentions, zero
7 negatives.

8 CHAIRPERSON WEPRIN: Thank you. Okay,
9 ladies and gentleman, if you could just remember
10 when you speak to please state your name and you
11 can decide who wants to go first and again, we'll
12 have a two minute clock and it makes a really
13 annoying noise when it's done, just to warn you.
14 So who wants to go first? Gentleman first.

15 CHARLES KREZELL: Hi. My name is
16 Charles Krezell. I'm with Loisaida United
17 Neighborhood Gardens, "LUNGS." We're a group of 40
18 gardens on the Lower East Side. Last year... can
19 my time... can my time stop?

20 CHAIRPERSON WEPRIN: I think it already
21 started. [background voices] Yeah, let's change
22 mics. We'll restart the clock. We'll do a do-
23 over.

24 CHARLES KREZELL: Thank you. Hey,
25 hello, hello?

CHAIRPERSON WEPRIN: Yeah, okay, speak up and we should be starting now. Okay, go ahead.

CHARLES KREZELL: Okay, my name is Charles Krezell. I'm with the Loisiada United Neighborhood Gardens. We represent 40 gardens on the Lower East Side. Last year, we had a call out from Coney Island. The garden had been flooded during Hurricane Sandy. There were three feet of sand there. People from my neighborhood and around the city went out and helped them remove the sand. There were 50 gardeners that were working in the garden. It's still an active garden and I've been out there four times in the last year. It's a community of immigrants, but it's very much an active garden. It may have been decommissioned as far as Green Thumb is concerned, but it's been active ever since and has never shut down and the people that I have talked to are not happy at all about going out there. The thing is, you guys are building a sand castle. This is on sand. This is a flood zone. This is not a place that you should be putting city money into building... this is... it's not right. This is... you're going to have to... Sandy flooded the entire area and you're

1 building right on the boardwalk, so I don't see how
2 the city can justify putting public money into
3 something like that. I don't think the... it just
4 doesn't make any sense; it's a flood zone. So
5 that's basically what... my take on it. Thank you.

6 CHAIRPERSON WEPRIN: Thank you, Mr.
7 Krezell and thank you for your help on the garden.
8 Okay, ma'am. Whenever you're ready.

9 [crosstalk]

10 SUSAN FRAZIER: My name... okay, my
11 name is Susan Frazier and I'm with Green Acres
12 Community Garden in Bed-Stuy, and I've come to
13 voice my opposition to the Coney Island
14 Amphitheatre. The boardwalk garden is a large
15 space, like ours is. Ours is in Bed-Stuy, they're
16 in Coney Island and these spaces were considered
17 virtually worthless 10 or 15 years ago and during
18 the intervening years, these gardens have
19 exemplified the devotion of caring volunteers, who
20 faithfully tended this land due through the crack
21 epidemic; the real estate crash; the homicide
22 epidemic. These volunteers demonstrated that
23 people in these communities care about their
24 neighborhoods; they care about beautiful things;
25

1
2 they care about environmentalism. Now these green
3 spaces are threatened by the very prosperity that
4 they helped to prosper. We can't let big money
5 interests one by one take the city's remaining
6 green spaces away and turn them into fancy real
7 estate projects. If we do, all the caring; all the
8 history; all the culture; all the beauty; all the
9 health benefits; all the environmental benefits
10 that these community gardens bring to the city will
11 be gone for good. Our city will be more flood-
12 prone and these waters that come in with the
13 hurricanes will just stand and continue to wreak
14 their devastation while it is the soul of the city
15 that will drain away. Thank you.

16 CHAIRPERSON WEPRIN: Okay, thank you.

17 Next, please.

18 CAROLYN MCCRORY: Hello. Hi,
19 everybody. I'm wondering if I can change the slide
20 to the map and just show something with my pointer.

21 CHAIRPERSON WEPRIN: Would you mind
22 doing that for us? Why don't we hold off the clock
23 for a second? What the heck. That's what you
24 wanted? This is what you want? Okay. Oh, wow,
25 nice. [background voice] Are you going to swallow

1
2 that after like swallowing the sword... [laughter]
3 and okay.

4 CAROLYN MCCRORY: Actually I just
5 wanted to show my cat toy, but I'm a garden member.
6 I'm also a member of the Coney Island Amusement
7 Family. My name's Carolyn McCrory. I've marched
8 in and love Coney Island USA; marched in that
9 parade since probably 1987 on and off. One year, I
10 won Judge's Choice. I gave a lot of bribes that
11 year. Anyway... that's a part of the parade for
12 people that don't know. Anyway, I just want to
13 make a couple factual points about the Coney Island
14 community in general and also the community gardens
15 in Coney Island and maybe a little bit about the
16 Amusement area as well. First of all, my
17 testimony; my written testimony for the City
18 Planning Commission, for some reason, is not in the
19 FEIS, so I do have copies of that. I don't know
20 why it was excluded. My comments were accepted.
21 They were call distributing. In fact, the lawyer
22 very eloquently addressed a couple of my points
23 that I made in my written testimony, which were
24 alternates to this plan because I feel like this
25 plan has a lot of heart. It has a lot of great

1
2 elements, but the plan could be made way, way
3 better and there's this push, this rush; it's okay,
4 this is how the city does things. Maybe it's
5 imperfect; maybe it's flawed, but we have to get it
6 in. We have to get that money, but I do believe
7 that there can be a dedication for that \$51 million
8 capital funds committed to this project, but also a
9 commitment to make the plan better because I do
10 believe it could be made better. I feel like the
11 garden site on the boardwalk is an absolute
12 treasure. It's maybe not being used completely to
13 its full potential, but for some reason City
14 Planning and developers do not look at a community
15 garden and say, "Oh my God, we have to work around
16 this! It's so amazing! This land belongs to the
17 people; this land belongs to the people." And I
18 feel like continually that's pushed aside and oh,
19 we'll relocate them. Well, five blocks... maybe
20 it's only five blocks and a half away, [chime] but
21 that five and a half blocks is a world of dreams.
22 It's not on the boardwalk. It's in a different
23 part. We've created a safe zone right now and to
24 move us to a piece of HPD land, which is
25 unprotected; which has been discussed being a

1 school over the years. HPD is not... this piece of
2 land was a relocation site and 12 different gardens
3 in Coney Island have already been destroyed. It
4 was supposed to be permanent, it was part of the
5 Parks Department and if it's so easy to just be
6 well, you were permanent, but actually we want to
7 use the land, then what's even the point of saying
8 that a garden is permanent? I'm just asking for
9 the city and developers to open their mind a little
10 and see the potential of our garden there and also
11 community gardens in general. And I love Coney
12 Island. Yesterday, I went to the library. I tried
13 to swim at the new Y. Apparently the pool is
14 opening today. I love the Amusement area; I work
15 in the Amusement area. I totally want what's best
16 for Coney Island and I just think if we put the
17 brakes on this a little bit and get more people at
18 the table; at the real table where the decisions
19 are being made... there should be a community
20 benefits agreement on paper in writing that the
21 community... beforehand that the community feels
22 good about and the developer and the city all feel
23 good about, I think it's a possibility and I don't
24
25

1
2 see that there's any reason why this can't happen,
3 even if it has to happen quickly. Thank you.

4 CHAIRPERSON WEPRIN: Okay, I was
5 waiting for you to take a breath just to stop...

6 [crosstalk]

7 CAROLYN MCCRORY: Okay.

8 [crosstalk]

9 CHAIRPERSON WEPRIN: You, but I finally
10 got one. So I appreciate you bringing the issue
11 about your comments to FEIS. Do you have a copy of
12 those with you?

13 CAROLYN MCCRORY: I have two copies on
14 my iPad that are...

15 [crosstalk]

16 CHAIRPERSON WEPRIN: okay.

17 [crosstalk]

18 CAROLYN MCCRORY: Somehow linked, but I
19 can forward those to you.

20 CHAIRPERSON WEPRIN: Yeah, if you can
21 get them to us, and someone will give her the
22 information on how to get them to us, and we will
23 raise it with City Planning and find out exactly
24 what happened and...

25 [crosstalk]

2 CAROLYN MCCRORY: Yeah, I...

3 [crosstalk]

4 CHAIRPERSON WEPRIN: Make sure they're
5 aware of them.

6 CAROLYN MCCRORY: I also want to say as
7 far as that goes, one of the things I mentioned was
8 alternatives the lawyer did address. That's the
9 first time I ever heard that. You know, iSTAR, God
10 bless them, I think that they're a great company.
11 They own the parcel on the other side of the Childs
12 building as well, and also I do believe that
13 something could be worked out with the ballpark.
14 They said... I'm not really sure if there were ever
15 those discussions, but I feel like there is
16 potential there to put... sink some money into that
17 ball stadium and make it accessible and a permanent
18 amphitheatre, not just one for 10 years because
19 Coney Island; the Coney Island community deserves a
20 permanent amphitheatre, not one for just 10 years.

21 CHAIRPERSON WEPRIN: Got it. Alright,
22 thank you very much. The last member of the panel,
23 please. Careful. Yeah, don't grab it by the mic.

24 ANN VALDEZ: Good morning, everyone.
25 My name is Ann Michelle Valdez. I am born and

1 raised in Coney Island. When all these different
2 things are being discussed, it's really difficult
3 to... I didn't write anything down ahead of time
4 and when I speak, I speak directly from my heart.
5 I don't need to have a piece of paper to tell me
6 what I should be saying. A lot of different things
7 have been mentioned. We talked about like for
8 instance, the hiring process. Yes, Mr. Keith Suber
9 was mentioned several times. I know Mr. Keith
10 Suber personally; we were raised together, but Mr.
11 Keith Suber will not be the only person employing
12 people and he works in a position... his area is
13 more in the construction decisions. Okay, I'm not
14 planning to be a construction worker, so when we
15 talk about what the wages are going to be, words
16 are used, but not figures, okay? We all have...
17 I'm also with Community Voices Heard as well as the
18 People's Coalition of Coney Island, as well as many
19 other organizations. I have spent my life fighting
20 for justice. Anywhere I need to go, I speak. My
21 issue here is that I think there's too many issues
22 coming up that haven't been answered. Okay, it was
23 brought up about where they're going to place it
24 and we don't believe that this is a good location
25

1 and the... for instance, the back-up of sewage; the
2 draining process has always been a problem in Coney
3 Island. It is still a problem in Coney Island. I
4 cannot see why so much money would go into
5 rebuilding this area and building this amphitheatre
6 knowing that yes, it is a flood zone and there's
7 constant sewage problems. I appreciate our City
8 Councilman Domenic Recchia trying to do his hardest
9 to get things moving, [chime] but I don't believe
10 that this is really beneficial to the community and
11 the community didn't really have a say in it. It
12 was never actually discussed in full and I believe
13 there's too many unanswered questions [background
14 voice] for this project to move forward and no
15 questions asked.
16

17 CHAIRPERSON WEPRIN: Okay, thank you,
18 Miss Valdez. Council Member Recchia has a question
19 or a comment.

20 COUNCIL MEMBER RECCHIA: No, no, not a
21 question. I'd like to comment about the sewer
22 issue. Okay, in the rezoning of Coney Island,
23 alright, there is an agreement between... in the
24 agreements that \$300 million will be spent to
25 upgrade the sewers in Coney Island. The first

1
2 phase, there's \$135 million in the budget for the
3 sewer to be upgraded; for all the infrastructure to
4 start. It's in the planning stages now, but I
5 believe the contract is going out to bid and the
6 project is supposed to start the end of... sometime
7 during 2015, so the money is... the sewer problem
8 is being addressed and it's addressed in the
9 rezoning and there's \$135 million in the budget
10 right now, okay, and as we go ahead, they will have
11 a better idea of how much more it's going to cost
12 and the city has agreed to put that money in, so
13 the sewers will be addressed, so just so the Coney
14 Island community knows that.

15 ANN VALDEZ: When was this agreement
16 made?

17 COUNCIL MEMBER RECCHIA: When the
18 rezoning of Coney Island.

19 ANN VALDEZ: 2004?

20 COUNCIL MEMBER RECCHIA: Yes.

21 ANN VALDEZ: That's almost 10 years
22 ago.

23 COUNCIL MEMBER RECCHIA: No, no, it
24 was... but when we passed it and I believe we
25 passed it in 2008... nine... 2009 it was passed at

1
2 that time. At that time the city put in \$135
3 million, the money is still there and the money
4 will stay there and the project is going to begin
5 and the DEP had to do a major plan that is being...

6 [crosstalk]

7 ANN VALDEZ: And it took them to make
8 that plan?

9 COUNCIL MEMBER RECCHIA: Yes, the
10 sewer...

11 [crosstalk]

12 ANN VALDEZ: Because the sewer's been a
13 problem for many years.

14 COUNCIL MEMBER RECCHIA: I know. It's
15 been very well...

16 [crosstalk]

17 ANN VALDEZ: And I don't think it
18 should be everything... everyone to be rushing now
19 to get everything to look pretty for the
20 amphitheatre. I believe that the residents of
21 Coney Island have been left out and not cared for
22 for too many years. We've had a sewer problem. I
23 have raised three children, alright? Two of my
24 children are adults. I have grandchildren. This
25 is ridiculous. I have taken my son to school in PS

1
2 188, which is one of your favorite schools there,
3 and I have taken my children to school in water
4 that was knee-high. I had to pick them up from
5 school at that time. So with the sewer problem and
6 now we had Hurricane Sandy, all that sewage backed
7 up. All the ocean water; the bay water all backed
8 up. It was horrible, the smell. God knows how
9 toxic the water is; how toxic the land is. I don't
10 think that waiting four years we should sit here
11 and pat anyone on the back for making an effort.
12 An effort should've been made years ago. This is
13 all being done to push through this amphitheatre,
14 which once again, I say is being a rushed job and
15 not enough questions are being answered ahead of
16 time to make sure everything and everyone is going
17 to be taken care of.

18 CHAIRPERSON WEPRIN: Thank you, Miss
19 Valdez.

20 ANN VALDEZ: Thank you.

21 CHAIRPERSON WEPRIN: We appreciate it.
22 Thank you very much, panel. I'd now like to call
23 up a panel in favor. Again, we're going to limit
24 people to two minutes. Martin Levine, Dick Zigun,
25 Johanna Zaki and Keith Suber. I am going to step

1 out for a minute. Council Member Comrie, the chair
2 of the Land Use Committee, is going to supervise
3 and chair for a minute. I just have to address one
4 issue, so I'll be back.

5 [Pause]

6
7 MARTIN LEVINE: Okay, thank you. Thank
8 you, council members. I support the proposal as
9 passed by the... Martin Levine is my name. I'm a
10 member of Community Board 13 and Land Use Committee
11 Chairman of Community Board 13 from '96 to 2000,
12 and I spent 10 years as the Director of Coney
13 Island Development Corporation. I support the
14 proposal as passed by the Community Board 13 joint
15 Economic Development Land Use Committees with the
16 following comments: due to the hard work of the
17 Friends of Terra Cotta and other community groups
18 in February 2003, the Childs building on the
19 Rigelmann Boardwalk and West 21st Street was
20 declared a landmark. The landmarking, although a
21 public relations high point, is a community and
22 development nightmare. The hazardous materials on
23 the site preclude the use of the building by
24 residents or groups for amusement or entertainment
25 of any sort. We have that in Addendum A. The

1
2 stringent landmarking requirements, under which
3 construction and remediation would take place, make
4 the rehabilitation of the building unaffordable.

5 That's why Taconic Investment Partners could not
6 pursue its modernization. That's why New York City
7 had to step in to transfer ownership. The building

8 continues to lie empty decades after it has gone
9 out of use. The exterior may be pleasing to the

10 eye, but the building itself poses an environmental
11 hazard, what with the interior rotting, decaying

12 and filled with the hazardous substances such as
13 asbestos containing material, PCBs and fuel oil

14 residue. Damage from Hurricane Sandy leaves in
15 question whether or not mold abatement was or may

16 have successfully been performed on a vacant

17 building, and even though boarded up, how long will

18 it take to become a refuge for the homeless, for

19 drug use and a haven for those who have no desire

20 to see a revitalization in the West End of Coney

21 Island? One of the mandates of the redevelopment

22 plan for Coney West is to stimulate increased use

23 of that area on a 12-month a year basis. This is

24 beneficial to not only encourage growth in the

25 local economy, but to reduce crime. The perfect

1
2 example of this is the eastern end of the
3 Riegelmann Boardwalk where restaurants and
4 pedestrians traffic [chime] flourish and where a
5 12-month a year sustainable economy local... well
6 okay, if you want me to stop, I'll stop, but...
7 anyway...

8 COUNCIL MEMBER COMRIE: [interposing]
9 I'm sorry.

10 MARTIN LEVINE: The bottom line is that
11 one of the major problems is the... you know, the
12 Childs building that has to be remediated and it
13 will be remediated as part of the amphitheatre plan
14 and the other two points I had, which were in the
15 addendum, were addressing the community gardens
16 issue and the community benefits agreement.

17 COUNCIL MEMBER COMRIE: Thank you.

18 MARTIN LEVINE: Okay.

19 DICK ZIGUN: I'm Dick Zigun, founder
20 and Artistic Director of Coney Island USA. We are
21 the not-for-profit in the joint venture with iSTAR
22 for this wonderful project. I've personally been
23 invested in this site for over a decade. It was
24 Coney Island USA with Friends of Terra Cotta that
25 got the landmark status for Childs Restaurant at a

1
2 time when 21st Street was basically a location for
3 crime, drug use and prostitution solicitation. The
4 adjacent property I helped advocate to bring the
5 circus in for Marty Markowitz to do his concerts
6 there in an unimproved lot, which to this day has
7 broken sidewalks. We are building a park where
8 there were only empty lots and buses. We are
9 taking a landmark building, the best quality
10 building in Coney Island, revitalizing it and
11 restoring it. We are bringing jobs and I would
12 like to point out that when the rezoning happened
13 several years back, I wasn't happy, but thanks to
14 hard working politicians, Domenic Recchia and Marty
15 Markowitz, who, even when the rezoning was done,
16 listened to dissent from people like me in their
17 community and fixed the plan and made the plan
18 better. To the opposition, I want to point out
19 that unity is a two-way street. If you destroy
20 this project you don't get \$53 million to do other
21 things in Coney Island. We are in this together.
22 Please support us; we will support you. Of course
23 your concerns are legitimate that Coney Island the
24 West End has gotten a rotten deal, but learn the
25 political process. Form alliances with the

1
2 amusement park. Don't be a hater of our project
3 solving our decades long problems when you want us
4 [chime] involved working with you in the future,
5 which we are anxious to do. Thank you.

6 COUNCIL MEMBER COMRIE: Thank you. The
7 next person.

8 JOHANNA ZAKI: Good morning. My name
9 is Johanna Zaki. I'm the Director of Operations
10 for the Alliance for Coney Island and I'm speaking
11 on behalf of the Alliance here today. The Alliance
12 for Coney Island is dedicated to the continuing
13 transformation of Coney Island into a year-round
14 world-class recreational oceanfront destination.
15 Our founding members represent Coney Island's major
16 business and non-profit stakeholders, whose
17 institutions collectively have over 330 years of
18 history in Coney Island. The Alliance brings
19 together local businesses, community organizations
20 and residents to work together on initiatives that
21 foster further development, promote increased
22 visitorship and support Coney Island's vibrant,
23 substantial community of over 50,000 residents.
24 The Alliance for Coney Island is in favor of the
25 proposed Seaside Park and Community Arts Center.

1
2 As outlined, the project complements the Alliance's
3 work and mission by accomplishing multiple
4 objectives. Advancing Coney Island's upward moving
5 progress, as outlined by the published rezoning
6 plank, provides increased programming opportunities
7 for the area, including free entertainment options
8 for the benefit of local residents, attracts new
9 audiences and draws increased vistorship year-
10 round. It stimulates economic activity with an
11 increased demand for goods and services that
12 support other businesses and generate new business
13 opportunities and support local workforce
14 development by making new job placement
15 opportunities available for local residents. Thank
16 you.

17 KEITH SUBER: Good morning, everyone.
18 My name is... you guys should know. I want to
19 thank Ann Valdez for giving me that great
20 introduction. My name is Keith Suber. I'm the
21 Executive Director of the Suber Foundation in Coney
22 Island, Brooklyn, and I'm also a principal with a
23 construction company called 911 Homesavers, and
24 iSTAR has been working extremely closely with us to
25 make sure that people from the community are hired.

1 I know for sure that councilmen along with other
2 elected officials gave us funding to make sure that
3 people had their OSHA cards, scaffolding training,
4 flagging and we wanted to make sure that those
5 certificated go to work. I wasn't expecting for my
6 name to be called that much, but you know, I really
7 appreciate it and I just want to let my fellow
8 community people know; other organizations, that I
9 don't want to be looked at as the lead person on
10 this project in helping this project move forward,
11 but the thing is that there has been opportunity
12 granted through this. We all know certain
13 individuals that represent iSTAR came out and met
14 with us, and the purpose of that meeting was for us
15 to forward our concerns in writing, so this way we
16 can have a voice. The opportunity is there, but
17 what we have to do is put it in writing and demand
18 what you want. I'm not in the position because I
19 have my lips puffed up. I'm in the position because
20 I got on the phone every morning; I beat Domenic
21 Recchia's phone up; I beat iSTAR's phone up and I
22 spoke up about jobs in other communities and that's
23 what I do and I heard Karen behind me say, "That's
24 true," 'cause I call her all the time as well.
25

1 [laughter] Okay, so it's definitely not about what
2 the Suber Foundation is doing alone. It's just
3 that I'm taking the initiative to be persistent
4 because persistence overcomes resistance and if
5 that \$51 or \$53 million is not used for that
6 proposed project, it's not guaranteed [chime] to go
7 back into that project... I mean to go back into
8 the infrastructure work, so we might just lose that
9 capital in all and if iSTAR pulls out, then that
10 property will be dormant for the next 10 years and
11 is that what we really want for our community?
12

13 COUNCIL MEMBER COMRIE: Thank you.

14 Thank you for coming down and testifying today and
15 also for your participation and community service
16 in the Coney Island area. Our next panel is Ray
17 Figueroa, President of New York City Community
18 Garden Coalition and Sheila Smalls from CI People's
19 Coalition. Is anyone else here that wanted to
20 testify either in opposition or for? [background
21 voice] Somebody else might've come in. I'm just
22 asking. Can I ask a question? Thank you. Is
23 there anybody else that wanted to... [background
24 voice] I know. I'm just asking. Well, we're going
25 to... this is not the last panel of the day. We're

1 just checking if anybody else didn't sign up,
2 right, in opposition. Okay, Miss Smalls, can you
3 use that far mic over there, not the other one.
4 Yes. Thank you. You can put that on the floor so
5 they don't use it anymore. Thank you.

7 SHEILA SMALLS: 'Kay.

8 COUNCIL MEMBER COMRIE: Yes, whenever
9 you're ready.

10 SHEILA SMALLS: Okay, good... good
11 after... well, I don't know if it's afternoon or
12 morning. What time is it? Well, whatever. good
13 morning, Council, everyone here. My name is Sheila
14 Smalls. I am the Executive Director of CI Youth
15 Alive. I am also on the Black National Network.
16 I'm an outstanding member and also a member of the
17 People's Coalition of Coney Island. I am here to
18 say that I'm really not really opposed, but that's
19 the only thing that they give you 'cause you're
20 either for it or you're against it. The way it is
21 right now, I'm against it. Okay, I'm not a hater,
22 okay, but the point is first of all, they did not
23 meet with the community as a whole to say, "Well,
24 is this what you want?" I went door-to-door to
25 2007, which is directly across the street from the

1 proposed amphitheatre, and knocked on doors; talked
2 to people in English, in Spanish; broken, of
3 course, and asked them did they know about this
4 monstrosity that they was going to put there and
5 were they in favor of it or did they want it or did
6 they not want it. A lot of people are not even
7 aware of it, so I'd say that they really... the
8 community really needs to be involved. If you want
9 to do something involve the community. We have
10 input; we have feelings. You can't walk in
11 somebody's house and just say, "Here, take this."
12 No, that's not the way it's done. It's not the way
13 it's done. And you talk about we can work
14 together. Well, sure, let's sit down. Let's make
15 a talk. The iSTAR people asked us to come and
16 speak with them; the Coalition came and spoke with
17 them and what they did was go back to the next
18 council meeting and say, "Yeah, we met with the
19 people, but nothing was... you know, nothing was
20 ever settled. We just had a talk and that was it."
21 Okay, so there should be some community-based
22 agreement. There should be you know, a lot of
23 conversation before this is rushed through because
24 it is a good idea and perhaps it will help a lot of
25

1 people. Okay, Dick Zigun, nobody on the West End
2 knows who you are. I know who you are because I go
3 down to the amusements, so to say that you're the
4 Mayor of Coney Island, that's something that I
5 guess the borough president just thought of because
6 there are CBOs in Coney Island that could have
7 surely wanted to be on that process to be picked to
8 see if they could work along with iSTAR. They did
9 not even consult the other CBOs. Okay, so being a
10 person from Coney Island, born and raised out
11 there... Karen, I love you, but guess what? All of
12 ya'll owe Domenic something. I don't owe him
13 anything. Okay, I don't owe him anything. Okay,
14 you work for him and everybody that's coming to...

15 [crosstalk]

16 COUNCIL MEMBER COMRIE: You're...

17 [crosstalk]

18 SHEILA SMALLS: Talk owes him
19 something.

20 COUNCIL MEMBER COMRIE: You're over two
21 minutes.

22 SHEILA SMALLS: Oh, I'm sorry.

23 COUNCIL MEMBER COMRIE: That's okay.

24 SHEILA SMALLS: Okay.
25

COUNCIL MEMBER COMRIE: Thank you.

SHEILA SMALLS: Alright.

COUNCIL MEMBER COMRIE: Thanks for coming in.

SHEILA SMALLS: Thank you.

COUNCIL MEMBER COMRIE: Mm-hm.

SHEILA SMALLS: Okay, so we just need to have a conversation.

RAYMOND FIGUEROA: Yes...

[crosstalk]

COUNCIL MEMBER COMRIE: Go ahead.

RAYMOND FIGUEROA: Thank you for this opportunity. My name is Raymond Figueroa, Jr. I am President of the New York City Community Garden Coalition and I just want to thank the distinguished, honorable members of this subcommittee for this opportunity. I'm just going to cut to it because of the time. The Final Environmental Impact Statement that ran through in conjunction with the ULURP process is extremely flawed. The Final Environmental Impact based improperly cited Section 6E3 of the 2002 Garden Agreement between the State of New York and the City of New York, according to that Final

1 Environmental Impact Statement, the Boardwalk
2 Community Garden, located on Block 771, Lot 142,
3 was decommissioned by the city in 2004. The FEIS
4 claimed that the city followed a process for
5 decommissioning gardens that was authorized under
6 that Section 6E3 of the 2002 agreement between the
7 City and the State of New York Attorney General's
8 Office, but the Final Environmental Impact
9 Statement overlooked a key piece of information.
10 The 2002 agreement created two lists of community
11 gardens: 1. Gardens that were owned under the
12 jurisdiction of Parks were listed as Parks Open
13 Space. 2. Second list, gardens that were under the
14 jurisdiction of various city agencies and were
15 listed under the title Subject to Development.
16 Boardwalk Garden was under Parks Open Space Parks
17 Department, as part of Parks Open Space list. We
18 will submit a copy of this list. It will be
19 forthcoming, which we obtained from the city, as
20 per that agreement. The Section E3 only applies to
21 gardens that were Subject to Development list, so
22 the city was never authorized to use Section E3 of
23 the 2002 agreement to decommission the Boardwalk
24 Community Garden. Several part of that FEIS were
25

1 based on the assumption that the Boardwalk
2 Community Garden was properly decommissioned using
3 that section process. [chime] As such, it is
4 necessary according to relevant governing rules and
5 regulations to prepare the new Environmental
6 Impact, which accounts for the fact that the garden
7 was not properly decommissioned. Furthermore, the
8 garden is not park land, and as such, it is subject
9 to public trust park land procedures for park land
10 alienation and there are three things, and I'll
11 just finish. This map represents the city's clear,
12 unequivocal manifestation of attempt to dedicate
13 this particular garden as park land. This park
14 land has been accepted for park land purposes and
15 this park land has been used park land purposes as
16 a community garden. Therefore, taken together,
17 this is an irrevocable dedication of Boardwalk
18 Community Garden as park land and it represents an
19 erroneous attempt on the city's part to
20 decommission this community...

22 [crosstalk]

23 COUNCIL MEMBER COMRIE: Thank you.

24 [crosstalk]

25 RAYMOND FIGUEROA: Garden and it's...

[crosstalk]

COUNCIL MEMBER COMRIE: Thank you.

RAYMOND FIGUEROA: Completely without a legal basis.

COUNCIL MEMBER COMRIE: Okay, we have your...

[crosstalk]

RAYMOND FIGUEROA: Thank you.

COUNCIL MEMBER COMRIE: We have your entire testimony and...

[crosstalk]

RAYMOND FIGUEROA: Yes.

[crosstalk]

COUNCIL MEMBER COMRIE: We can take a look at it. Thank you for coming...

[crosstalk]

RAYMOND FIGUEROA: Thank you very much.

[crosstalk]

COUNCIL MEMBER COMRIE: Down and testifying. Thank you. We have the next panel: Anthony Butler from St. John's Bread and Life; Wycliffe Wilkinson from Futures in Education; Nicole Robinson from the New York Aquarium and Eddie Mark from Community Board 13.

2 ANTHONY BUTLER: 'Kay, want me to go
3 ahead?

4 COUNCIL MEMBER COMRIE: Yes, whenever
5 you're ready.

6 ANTHONY BUTLER: Well, good afternoon.
7 I'm Anthony Butler from St. John's Bread and Life.
8 St. John's Bread and Life is the largest emergency
9 food provider in Brooklyn, providing over a million
10 meals; emergency meals to folks last year through
11 our soup kitchen, our food pantry and our mobile
12 soup kitchen. One of our outreaches is that we
13 provided over 120,000 meals to the Coney Island
14 community, and I'm here speaking in support of this
15 because the hunger problem in New York City, where
16 one in five New Yorkers uses emergency food, is not
17 a problem of food access. It's a problem of
18 poverty. And with the caveat that this development
19 hires folks, brings prevailing wage jobs to the
20 community, provides this cash coming in; this \$52
21 million coming into the community, that's how
22 hunger is addressed. And as it works towards that,
23 I support that project. I also support it on its
24 other kind of venue is that it's supporting the
25 non-profit and the community-based groups,

1 primarily through Coney Island USA, but other
2 groups because those kinds of resources are very
3 necessary for the non-profit community. I'm
4 usually here asking for money from the City
5 Council, who are generous, but still, all my
6 government funding is only seven percent of my
7 entire budget. I have to raise \$4 million a year
8 to feed hungry New Yorkers and that comes from the
9 community. It comes from the business community
10 and it comes from investors. It comes from
11 fundraisers and all of that. So I support this
12 project on both levels that it provides prevailing
13 wage jobs and good jobs and investment in the
14 community to address the issues of poverty and that
15 it partner with the community to provide
16 opportunities. Thank you.

18 COUNCIL MEMBER COMRIE: Thank you for
19 being succinct. Next person?

20 WYCLIFFE WILKINSON: Good afternoon,
21 committee members and thanks for the opportunity to
22 speak. My name is Wycliffe Wilkinson and I am the
23 Associate Director of Development for Futures in
24 Education. We are a non-profit foundation, which
25 provides needs-based tuition assistance

1 scholarships to families making less than \$28,000 a
2 year and last year, our foundation provided \$7
3 million in aid to families seeking a grammar school
4 education of their choice in Brooklyn and Queens in
5 the best interests of their children. We believe
6 that the only way to truly combat poverty is
7 through education with results, and each year among
8 the many events that we hold to reach our goal is
9 through the Great Irish Fair, which is held at
10 Coney Island. Currently, the proceeds from the
11 Great Irish Fair help Coney Island directly affect
12 and assist families in providing their children
13 with the education that they need and there is no
14 venue for the fair. The Great Irish Fair in Coney
15 Island, because there's no venue, we must pay for
16 stages, restrooms and other essentials to operate
17 the event safely. This takes money out of the
18 pockets of the needy families that we serve and
19 with the construction of the amphitheatre, we will
20 be able to have a venue for the Great Irish Fair
21 and lower our costs and allow us to get closer to
22 our \$11 million goal, of which we currently fall
23 short of. The building of this amphitheatre will
24 be beneficial to our families making less than the
25

1
2 \$28,000 a year and provide a real chance for those
3 children looking to break the cycle of poverty.

4 Thank you.

5 NICOLE ROBINSON-ETIENNE: Good

6 afternoon. My name is Nicole Robinson-Etienne. I
7 am the Assistant Director of Government and
8 Community Affairs for the New York Aquarium. I am
9 here today to express support for the Seaside Park
10 and Community Arts Center. The project, as you've
11 already heard, includes the construction of the
12 amphitheatre and a public park. It will further
13 the goals of Coney Island being a year-round world-
14 class recreational oceanfront destination. This
15 proposal, of course, will enliven the western end
16 of the Coney Island Boardwalk and create new
17 facilities for passive and active recreation,
18 outdoor and indoor entertainment, dining and
19 catering and employment opportunities for Coney
20 Island residents. In addition, the project will
21 finally restore the historic Childs Restaurant
22 building, giving new life to a beautiful, but
23 neglected landmark, becoming an active venue for
24 catered events and year-round indoor entertainment.
25 Just as the aquarium provides a year-round anchor

1
2 to Coney Island community on the eastern end of the
3 amusement district, this project will do the same
4 to the western end. The Seaside Park and Community
5 Arts Center will become an economic catalyst for
6 the community by diversifying and expanding
7 permanent employment opportunities to neighborhood
8 residents, providing public amenities to residents
9 and tourists and spur the city's investment into
10 addressing the community's infrastructure needs.
11 The amphitheatre is a critical part of the
12 continued health of Coney Island and further
13 bolsters Brooklyn's reputation as a cultural hot
14 spot for New York City. Thank you very much.

15 COUNCIL MEMBER COMRIE: Thank you.

16 EDDIE MARK: Good morning, council
17 members, community members and guests. My name is
18 Eddie Mark and I am the Chairman of the Community
19 Board 13. I am in support of this project for our
20 neighborhood. As we see the big picture; that
21 there have been things happening in Coney Island.
22 We have new attractions, from the baseball stadium
23 to the Luna Park to the B&B Carousell and the
24 Parachute Jump. This is only going to add to the
25 neighborhood. We had the YMCA that opened two

1 weeks ago and we were very, very happy with what
2 Domenic has done with Marty and it's a big plus to
3 the area. Since the zoning, a lot has changed. We
4 have done... Alliance for Coney Island, which has
5 helped with the job training with the amusement and
6 the people in the neighborhood to get permanent
7 jobs and to work with job fairs. We also see that
8 this can work as a year-round destination by having
9 this theatre here. Our board and the subcommittee
10 has voted 10 to one for this project. The full
11 committee did not... the General Board did not vote
12 for it, due to some of the outcries in the
13 community seats, but we do support this, as myself
14 for the community at large. Thank you.

16 COUNCIL MEMBER COMRIE: Thank you all
17 for coming. Now just a question. You said Irish
18 Festival?

19 WYCLIFFE WILKINSON: The Great Irish
20 Fair, yes.

21 COUNCIL MEMBER COMRIE: The Great Irish
22 Fair.

23 WYCLIFFE WILKINSON: Yes, sir.

24 COUNCIL MEMBER COMRIE: Okay and you
25 have an Irish derivative?

1
2 WYCLIFFE WILKINSON: Myself? Yeah,
3 I'm... [laughter] luckily... actually especially at
4 the festival.

5 COUNCIL MEMBER COMRIE: Right, right.
6 Well, my last name actually is from Scotland.

7 WYCLIFFE WILKINSON: Oh, wow.

8 COUNCIL MEMBER COMRIE: Right, so. I
9 was just asking.

10 WYCLIFFE WILKINSON: Oh, well, some of
11 the... many of the children that we serve come from
12 various backgrounds so...

13 COUNCIL MEMBER COMRIE: Alright.

14 WYCLIFFE WILKERSON: It helps us get to
15 the constituents in between so...

16 COUNCIL MEMBER COMRIE: I got it. I'm
17 just having a little fun, but Comrie, there is a
18 town in Scotland called Comrie actually. I haven't
19 been there yet. Last panel? Oh, God, the
20 Chairperson is back.

21 CHAIRPERSON WEPRIN: [off mic] Yeah,
22 I'm sorry.

23 COUNCIL MEMBER COMRIE: See, I was
24 starting to act like him making jokes and
25 everything. [laughter]

2 CHAIRPERSON WEPRIN: Thank you, Council
3 Member Comrie, for your help. I apologize that I
4 had to step out for a while.

5 [Pause]

6 CHAIRPERSON WEPRIN: Alright, so I'd
7 like to call up the following people in favor of
8 the project: Paul Custer, Benjamin Hunter and
9 Anthony Hayes. Is there anyone else here who is
10 here to testify whose name I haven't called yet?
11 Good, good. That's good I didn't miss anybody.
12 So, gentlemen, are we missing... we're... alright,
13 we may be missing someone and I understand it's a
14 late... if the hour's late we sometimes lose
15 people, but these are the three who had testified
16 in favor, so gentlemen, whenever you're ready,
17 please state your name for the record.

18 BENJAMIN HUNTER: Yes, good morning,
19 ladies and gentlemen in attendance and honorable
20 council members. My name is Benjamin Hunter. I've
21 been a resident of Coney Island for the past 30
22 years, probably longer on and off. I was raised by
23 my aunt out there. I work closely with Keith Suber
24 from the Suber Foundation and I just briefly want
25 to express my support from I shall say from a

1 laborer's point of view; like I just worked in
2 construction throughout the years; my father worked
3 there. In fact, he helped build houses from when
4 they were bungalows to a lot of the high-rise
5 development projects that currently exist out
6 there. In short, I think everything that really
7 needs to be said in favor has been mentioned.

8 However, it should also be pointed out from a
9 grassroots level, iSTAR has intensely attempted to
10 contact our community representatives, as well as
11 community activists through various means. They
12 have been extremely successful through the Suber
13 Foundation, who, as we are speaking now, we're
14 currently trying to develop other ways to inform
15 and enlighten other community members and other
16 community groups so that they can become proactive
17 in the process and in the development of this
18 project, which is desperately needed out there, not
19 only for the infrastructure; for the sewer, et
20 cetera, et cetera, but also for the enhancement and
21 the training of a lot of the individuals that come
22 from Coney Island, which this will provide an
23 opportunity for them to learn skills, become a
24 little bit more responsible as individuals and take
25

1
2 advantage of a lot of the programs that's going to
3 be offered as a result of the project moving
4 forward and being completed. With that, I'm clear.
5 Thank you.

6 CHAIRPERSON WEPRIN: That's great. Can
7 we see where you live on this map or no? We may
8 get... do you want a cat toy to point it out?

9 BENJAMIN HUNTER: 2749.

10 CHAIRPERSON WEPRIN: Okay, alright.

11 BENJAMIN HUNTER: A little farther
12 down.

13 CHAIRPERSON WEPRIN: A little further
14 down, okay. Thank you.

15 BENJAMIN HUNTER: Mm-hm. You're
16 welcome.

17 CHAIRPERSON WEPRIN: Gentlemen, put the
18 cat play away, okay.

19 PAUL CUSTER: My name is Paul Custer
20 and the Senior Vice President of the YMCA of New
21 York city. On December 6th, about 10 days ago, we
22 had the great opportunity and great honor of being
23 able to cut the ribbon at the Coney Island YMCA and
24 many folks here were in attendance, and obviously,
25 Council Member Recchia certainly presided at the

1 event, along with the borough president. We are
2 proud to be able to add our 24th YMCA to the
3 neighborhoods in New York City and we feel a
4 special responsibility to make sure that we make
5 this an extraordinarily accessible community
6 center. We also have learned from experience that
7 when we open new YMCAs, there is an awful lot of
8 interest in participating in activities and often
9 our programs get filled and having access to other
10 similar types of spaces for certain types of events
11 is always very good, and so we very much support
12 the project and see that the Y Programs will
13 certainly have ample use of the space. We also
14 expect that we will work cooperatively with other
15 community youth organizations to be able to make
16 sure that programs are going to be available that
17 can use the space. Thank you.

19 CHAIRPERSON WEPRIN: Thank you. I'm
20 sorry. Sir, you're testifying as well, yes? Okay,
21 thank you. Just tell us your name.

22 ANTHONY HAYES: Okay, my name is
23 Anthony Hayes. I'm representing the 911 Homesavers
24 and the Suber Foundation. iSTAR and Avison Young
25 have been very instrumental in helping us hire

1
2 local community residents doing any construction
3 work; teaching people different trades; teaching
4 people different skills; being able to utilize
5 them; getting people off the street and actually
6 doing something productive with their lives. So
7 I'm in favor of this project and hopefully with the
8 commitment from iSTAR and Avison Young to actually
9 hire community residents, I'm definitely in favor
10 for this project.

11 CHAIRPERSON WEPRIN: Thank you,
12 Anthony. Thank you very much. Let me see if Marty
13 left, okay. Gentlemen, thank you very much. We
14 appreciate it. I want to thank everyone for their
15 time and patience today. We're going to close this
16 hearing. We will not be voting today. So I'm
17 going to close the hearing on this one, Land Use
18 Numbers 994 through 999 inclusive. The next Zoning
19 Subcommittee will actually be tomorrow morning at
20 the City Hall Committee Room, 9:15 in the morning,
21 followed by the Land Use Committee at 9:30. And
22 with that in mind, the meeting is now adjourned.
23 Thank you.

24 [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. 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.



Date: 01/15/2014