

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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April 12, 2022  
Start: 10:10 a.m.  
Recess: 12:41 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 1

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

COUNCIL MEMBERS: Shaun Abreu  
Erik D. Bottcher  
David M. Carr  
Kamillah Hanks  
Farah N. Louis  
Francisco P. Moya  
Lynn C. Schulman

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

Eric Vath  
Goldman and Harris

Nicole Vlado  
Principal of Shakespeare Gordon Vlado Architects

Susan Albrecht  
Executive Director of Catholic Homes New York

Drew Kiriazides  
Associate Director of Catholic Homes New York

Caroline Harris  
Partner at Goldman Harris

Richard Lobel  
Sheldon Lobel, P.C.

Kevin Williams  
Equity Environmental

Mark Spitzer  
Applicant

Chesky Weiss  
Member of public

David Niederman  
Member of public

Dharminder Singh  
Applicant

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

Manish Savani  
Project architect

Barbara Brown  
Member of public

Lonnie Glover  
Member of public

William Perkins  
Member of public

Felipe Ruiz  
Member of public

2 SERGEANT KOTOWSKI: Your recordings.

3 SERGEANT BRADLEY: PC recording is up.

4 SERGEANT KOTOWSKI: Cloud has started.

5 Good morning and welcome to today's  
6 remote New York City Council hearing of the  
7 Subcommittee on Zoning and Franchises. At this time  
8 would Council staff please turn on their video?  
9 Please place electronic devices on vibrate or silent.

10 If you wish to submit testimony you may  
11 do so at [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). That is  
12 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Thank you.

13 Chair, we are ready to being.

14 CHAIRPERSON RILEY: Good morning and  
15 welcome to a meeting of the Subcommittee of Zoning  
16 and Franchises. I am Council Member Kevin Riley,  
17 Chair of the Subcommittee. This morning I am joined  
18 remotely by Council Members Schulman, Nurse, Barron,  
19 Moya, Bottcher, Vernikov, Abreu, Carr, Louis,  
20 Restler, Hanks, Majority Whip Brooks-Powers.

21 Today we will vote on the four rezoning  
22 proposals in Brooklyn for 1034-1042 Atlantic Avenue,  
23 870-888 Atlantic Avenue, 1377 Sutter Avenue and 3285  
24 Fulton Street that we... that we heard by the  
25 Subcommittee on March 8th and March 21st and to hold

2 public hearings on the rezoning proposals for 20...  
3 excuse me, 1220 Avenue P and 103 Lee Avenue in  
4 Brooklyn. Our Lady of...

5 COMMITTEE COUNSEL: Chair, can I just  
6 interrupt you for just one second just to let you all  
7 know that we're not voting on the Atlantic Avenue  
8 projects, we're laying them over, but it's later on  
9 in your remarks too.

10 CHAIRPERSON RILEY: Thank you, Counsel.  
11 Our Lady of Pity at 272 East 151st Street in the  
12 Bronx and 146-93 Guy R. Brewer Boulevard in Queens.

13 Before we begin I recognize the  
14 Subcommittee Counsel to review the hearing  
15 procedures.

16 SUBCOMMITTEE COUNSEL: Thank you Chair  
17 Riley and sorry about the confusion earlier.

18 I am Angelia Martinez-Rubio, Counsel to  
19 the Subcommittee. Members of the public wishing to  
20 testify were asked to register for today's hearings.

21 If you wish to testify and have not  
22 already registered please do so now by visiting the  
23 New York Council website at  
24 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse) to sign up. Members of  
25 the public may also view a live stream broadcast of

2 this meeting at the Council's website. If you need an  
3 accessible version of any of the presentations shown  
4 today please send an e-mail request to  
5 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

6 When called to testify individuals  
7 appearing before the Subcommittee will remain muted  
8 until recognized by the Chair to speak. Applicant  
9 teams will be recognized as a group when called first  
10 followed by members of the public. When the Chair  
11 recognized you, your microphone will be unmuted.  
12 Please take a moment to check your device and confirm  
13 that your mic is on before you begin speaking.

14 Public testimony will be limited to two  
15 minutes per witness. If you have additional testimony  
16 you would like the Subcommittee to consider if you  
17 have written testimony you would like to submit  
18 instead of appearing here before the Subcommittee you  
19 may e-mail it to again,

20 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Please indicate the  
21 LU number and or project name in the subject line of  
22 your e-mail.

23 During the hearing Council Members with  
24 questions should use the Zoom raise hand function,  
25 which appears at the bottom of your participant panel

2 of the primary viewing window. Council Members with  
3 questions will be announced in the order as they  
4 raise their hands and Chair Riley will then recognize  
5 members to speak. Witnesses are requested to remain  
6 in the meeting until excused by the Chair as Council  
7 Members may have questions.

8 Finally, there may be pauses over the  
9 course of this meeting for various technical reasons  
10 and we ask that you please be patient as we work through  
11 any issues and just a quick reminder for the Council  
12 Members, we're gonna be controlling your mics.

13 And now Chair Riley will now continue  
14 with today's agenda items.

15 CHAIRPERSON RILEY: Thank you Council.  
16 Before I talk about what we are voting on today I  
17 just wanna note that we will... we will be laying over  
18 LU's 20, 21, and 22 related to the 1034-1042 Atlantic  
19 Avenue rezoning proposal and LU's 23, 24, and 25  
20 relating to the 80's... 870-888 Atlantic Avenue  
21 rezoning proposal, both in Council Member Hudson's  
22 district in Brooklyn.

23 Now for our votes today, today we will  
24 vote to approve with modifications preconsider's LU's  
25

2 29 and 30 relating to the 1377 Sutter Avenue rezoning  
3 in Council Member Barron's district in Brooklyn.

4 The proposal will rezone an R5 District  
5 to an R6A/C2-4 District and establish and MIH program  
6 area utilizing, excuse me, utilizing option one and  
7 two. Our modification will reduce the proposal  
8 rezoning area by excluding portions of the Sutter  
9 Avenue frontage and making a corresponding reduction  
10 to the proposed MIH area while also striking the MIH  
11 option two and adding the deep affordability option  
12 while retaining option one.

13 These modifications would allow the  
14 creation of a new 100% affordable housing development  
15 through MIH that otherwise would not be able to be  
16 developed on this site and balance new growth with  
17 protecting existing residents from displacement.

18 Land use patterns in the immediate  
19 surrounding areas are reflected by lower scale  
20 attached and semi... semi-detached residential  
21 buildings generally with two or three stories. On the  
22 other hand, R6A districts, which allow development up  
23 to 85 feet in height and up to a maximum FAR of 3.6  
24 are significantly higher in density and up zoning to  
25 this degree could result in displacement of existing

2 residents without the protection of rent regulation.

3 Reducing the rezoning area with our modification is an

4 attempt to balance... balance encouraging new

5 residential development with MIH while address the

6 citywide need for additional affordable housing and

7 preserving the established character of this area.

8 Council Member Barron is in support of

9 this proposed as modify and I would like to recognize

10 Council Member Barron to give any remarks regarding

11 this project. Council Member Barron, good morning.

12 COUNCIL MEMBER BARRON: Thank you very

13 much. You read it well, you said a lot that I'm gonna

14 say, but I just wanted to encourage my colleagues

15 that when they say no you say no until you get a yes

16 on what affordability is for your area. This is 100%

17 affordable and we made sure also when you're doing

18 this zoning stuff, it's just for that project, not

19 for the whole block or blocks after that, so I wanna

20 make sure when you're doing your projects don't let

21 them add on anything, but that particular project.

22 So we went from 70% of the AMI, which you

23 know the AMI now is \$104,000.00 for a family of three

24 and then sometimes it's 107 and so on and so forth,

25 but so 70 and 80% of that is like \$80,000.00. Our

1 neighborhood, AMI if any developer doesn't know your  
2 neighborhood AMI and they just give you HUD's  
3 affordability, cancel the meeting, tell them the  
4 meeting is terminated until they come back and  
5 respect you and tell you what your neighborhood AMI  
6 is. Our neighborhood AMI is 36,000, 37,000 for a  
7 family of three. We were able to get these 28 units  
8 that would've been not affordable to us to  
9 affordability as we define affordability and that is  
10 30 to 60% of the AMI. So three of the apartments will  
11 be for the homeless, another three will be for the  
12 extremely low income, so that's six, then we got 14  
13 of the 28, so with that six it'll be 20, 20 of the 28  
14 apartments are 60% and low, down to 30% and with  
15 homeless and that is our range of affordability. And  
16 then we know we do have some of our people that are..  
17 are.. are teachers or sanitation workers that do make  
18 60 and \$70,000.00, so we left eight units for those  
19 in our community that do make 60, 70 and 80,000,  
20 'cause sometimes those are the people that are hit  
21 hardest, 'cause they're not making enough not to get  
22 these breaks and they can't get the breaks, so this  
23 is 100% affordable according to the income ban of our  
24 neighborhood and we're not.. they're not displacing  
25

2 the commercial businesses below it on the ground  
3 level, they're negotiating with them. Most of them  
4 will come back, there's one project that they're  
5 negotiating with to see how that could happen, but  
6 this is 100% affordable and they was only gonna do it  
7 for like 30 years. You should always try to get  
8 perpetuity, affordability forever, but if you can't  
9 get at least 60 years. So this project will be 60  
10 years in affordability and then we're puttin' some  
11 clause in there where it'll be in their benefit to  
12 re-up for another 60 after the 60 years is gone, so  
13 if they think, because I'm 70 years old that I'll be  
14 gone by then, I plan on living to at least 200, so  
15 when I... 60 plus 70 is 150, I'll still be 150 years  
16 old and on their case.

17 I thank my colleagues. I support this  
18 project 100%.

19 CHAIRPERSON RILEY: Thank you so much  
20 Council Member Barron.

21 We will also vote to approve with  
22 modification preconsidered LU's 32 and 33 for the  
23 3285 Fulton Street rezoning proposal relating to  
24 property in Council Member Nurse district. The  
25 proposal will reduce an existing commercial overlay

district boundary rezoning R5/C2-3 District to an R7A/C2-4 District and establish an MIH program area utilizing option one and two.

Our modification will be decrease, excuse me, will be to decrease the proposed rezoning area by excluding portions of the Fulton Street frontage. Accordingly, we will also modify the proposal.. the proposing zoning tax amendment, so that the proposed MIH area is consistent with our modified rezoning area.

We will also modify the MIH options by striking option two and adding the deep affordability option while retaining option one. In addition, we will remove the proposed special enhanced commercial district. With the modifications we are allowing the creation of a new 100% affordable housing development through MIH that otherwise would not be able to be developed on these blocks and balance new growth with protecting existing residents from displacement.

Land use patterns in the immediate surrounding areas are reflected by primarily lower scale two story townhouses on the north south side streets and mix use three story row houses with ground floor commercial along Fulton Street. In

2 contrast, R7A Districts allow development up to 95  
3 feet in height and up to a maximum residential FAR of  
4 4.6. These bulk rules are significantly more  
5 permissive and higher in density than the prevailing  
6 built character, thus, while not the intent this  
7 upcoming result in displacement of existing res...  
8 residents without the protection of rent regulations  
9 by modifying to limit the boundaries of the rezoning  
10 area we aim to strike a balance between encouraging  
11 new residential development with MIH to address the  
12 citywide need for affordable housing and preserving  
13 the established character of this area.

14 Council Member Nurse is in support of  
15 this proposed as modify. I would like to allow  
16 Council Member Nurse to give any remarks regarding  
17 this project. Good morning, Council Member Nurse.

18 COUNCIL MEMBER NURSE: Good morning, thank  
19 you, Chair.

20 Also just wanted to acknowledge the  
21 tragic events that are happening this morning, been a  
22 really rough morning for our Council Member Alexa  
23 Avilés, who is out in the streets right now  
24 supporting her community, so I just hope we're  
25 thinking about her today.

2           But thank you, Chair. A few weeks ago I  
3 attended this Subcommittee meeting and I have  
4 expressed support for the child care and senior  
5 housing space, but I was really concerned about the  
6 unit sizes for the senior and the much greater  
7 rezoning footprint, which has seemed unnecessarily to  
8 up-zone the entire... the entire rest of the block and  
9 would not include Mandatory Inclusionary Housing and  
10 likely increase speculative pressure on the block and  
11 surrounding area, which is quite frankly already been  
12 fully up-zoned from the East New York rezoning, so  
13 therefore in my mind there really was no rational...  
14 rational for rezoning this entire block.

15           I do wanna thank Brooklyn Borough  
16 President Antonio Reynoso and the land use office for  
17 working with us over the last few weeks to come up  
18 with a good solution and also with the applicants,  
19 many in Cypress Hills, LDC, we really wanted to make  
20 this work. We knew... we know that it would result in  
21 much needed senior housing and much needed affordable  
22 child care, but we didn't agree with having the  
23 entire block moved up to R7A particularly, because  
24 almost all of those ten... tenants and apartments were  
25 unregulated apartments.

2           So just wanna thank those offices for  
3 being... we're partners in this process and especially  
4 for me doing a first time land use rezoning it was  
5 really, really heartening to see that we could  
6 actually significantly reduce that footprint, so I... I  
7 really believe that with these amendments we're in a  
8 good place and we're able to protect those tenants  
9 that are unregulated and so I just wanna really  
10 express my full support for this project with these  
11 amendments and thank you Chair for the opportunity.

12           CHAIRPERSON RILEY: Thank you Council  
13 Member Nurse and just wanna echo your sentiment of  
14 the tragic events that happened this morning in  
15 Sunset Park and wanna send our prayers to our  
16 colleague Council Member Avilés and the community in  
17 that area. Thank you.

18           Members of the Subcommittee who have  
19 questions or remarks today or excuse me, or remarks  
20 about today's items should use the raise hand button  
21 now. Counsel will announce members in that order that  
22 hands are raised.

23           Counsel, are there any Council Member  
24 with questions or remarks at this time?

2 COMMITTEE COUNSEL: Council Member Barron  
3 has his hand up at this time.

4 CHAIRPERSON RILEY: Council Member Barron?

5 COUNCIL MEMBER BARRON: Yeah, I just  
6 wanted to also express my concerns about the shooting  
7 as well. It's really something that we as a Council  
8 have to address beyond a policing and this is a  
9 problem when you focus on policing and not on other  
10 issues. And then secondly, I don't want y'all... I  
11 think I'm getting so old that I forgot how to do  
12 math, 70 plus 60 is not 150, it's 130, so I'll be  
13 living... living to 130 and then I'll check them back  
14 then, so I just wanted to make that mathematical  
15 correction. Thank you.

16 CHAIRPERSON RILEY: Thank you, Council  
17 Member Barron.

18 Counsel, are there anymore Council  
19 Members with questions at this time?

20 COMMITTEE COUNSEL: Not at this time.

21 CHAIRPERSON RILEY: Thank you, Counsel.

22 I know call for a vote to approve with  
23 modifications as I have described, preconsiders LU's  
24 29 and 30 relating to the 1377 Sutter Avenue rezoning  
25

2 proposal and preconsiders LU, LU's 32 and 33 relating  
3 to the 3285 Fulton Avenue rezoning proposal.

4 Counsel, please call the roll.

5 COMMITTEE COUNSEL: Chair Riley?

6 CHAIRPERSON RILEY: Aye on all.

7 COMMITTEE COUNSEL: Council Member Moya?

8 COUNCIL MEMBER MOYA: I vote aye.

9 COMMITTEE COUNSEL: Council Member Louis?

10 COUNCIL MEMBER LOUIS: Permission to  
11 explain my vote?

12 CHAIRPERSON RILEY: Permission granted.

13 COUNCIL MEMBER LOUIS: Thank you Chair  
14 Riley.

15 I also wanna express my sympathy, my  
16 prayers with Council Member Avilés and her community  
17 today, I know that we'll all be in touch with her.

18 I did have concerns about Fulton Street,  
19 but I wanna thank Council Member Nurse for her  
20 staunch advocacy and for fighting hard as well as  
21 Council Member Barron for always leading the way in  
22 housing justice, so I look forward to these long term  
23 efforts for housing justice for our New Yorker's and  
24 with that I vote aye on all. Thank you.

2 COMMITTEE COUNSEL: Thank you Chair Louis.  
3 Council Member Abreu? Sorry, Council Member, you  
4 didn't come through, can you... can you tell me your  
5 vote again?

6 COUNCIL MEMBER ABREU: Aye on all.

7 COMMITTEE COUNSEL: Thank you. Council  
8 Member Bottcher?

9 COUNCIL MEMBER BOTTCHEER: Aye on all.

10 COMMITTEE COUNSEL: Council Member Hanks?

11 COUNCIL MEMBER HANKS: Aye on all.

12 COMMITTEE COUNSEL: Council Member  
13 Schulman?

14 COUNCIL MEMBER SCHULMAN: Aye on all.

15 COMMITTEE COUNSEL: And Council Member  
16 Carr?

17 COUNCIL MEMBER CARR: Aye on all.

18 COMMITTEE COUNSEL: Thank you. By a vote  
19 of eight in the affirmative, no negatives, no  
20 abstentions the items are approved and referred to  
21 the Full Land Use Committee.

22 CHAIRPERSON RILEY: Thank you, Counsel. To  
23 continue with today's meeting I will now open the  
24 public hearing on preconsiders LU's related to the  
25 ULURP number C210321ZMX and N21322ZRX relating to the

2 Our Lady of Pity, 272 East 151st Street rezoning  
3 proposal in Chair Salamanca's district in the Bronx.

4 This application seeks a zoning map  
5 amendment to rezone an existing R6 to a R7A and the  
6 relating zoning tax amendment to establish an MIH  
7 program area.

8 For anyone wishing to testify on this  
9 item if you have not already done so you must  
10 register and you may do that now by visiting the  
11 Council's website at [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

12 Counsel, is Chair Salamanca available for  
13 his remarks?

14 COMMITTEE COUNSEL: Chair Salamanca could  
15 not make it this morning, so we can just proceed with  
16 calling the applicant.

17 CHAIRPERSON RILEY: Thank you, Counsel.

18 Counsel, please call the first panel for  
19 this item.

20 COMMITTEE COUNSEL: The applicant panel  
21 for this item includes, and I apologize if I  
22 mispronounce your names, Nicole Vlado, Susan  
23 Albrecht, Drew Kiriazides and Eric Vath.

24 CHAIRPERSON RILEY: Counsel, please  
25 administer the affirmation.

2 COMMITTEE COUNSEL: I will call on each on  
3 you individually. Do you affirm to tell the truth,  
4 the whole truth and nothing but the truth in your  
5 testimony before the Subcommittee and in your answer  
6 to all Council Member questions?

7 Nicole Vlado? Eric Vath?

8 ERIC VATH: I do.

9 COMMITTEE COUNSEL: Drew Kiriazides?

10 DREW KIRIAZIDES: I do.

11 COMMITTEE COUNSEL: And Susan Albrecht?

12 SUSAN ALBRECHT: I do.

13 COMMITTEE COUNSEL: Thank you.

14 CHAIRPERSON RILEY: Thank you. For the  
15 benefit of the viewing public if you need an  
16 accessible version of this presentation please send  
17 an e-mail request to  
18 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Once again, that's  
19 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

20 And now the applicant team may begin.  
21 Panelists, as you begin I'll just ask that you please  
22 reinstate your name and organization for the record.  
23 You may begin.

24 ERIC VATH: Good morning Council Members,  
25 staff, my name is Eric Vath of Goldman and Harris. I

2 represent Catholic Homes New York, they're an  
3 affiliate of the applicant and developer of the  
4 proposed project. I'm joined by fellow presenter's  
5 Nicole Vlado, she's the principal of Shakespeare  
6 Gordon Vlado Architects and I'm also joined by Susan  
7 Albrecht, Executive Director of Catholic Homes New  
8 York and Drew Kiriazides, Associate Director of  
9 Catholic Homes New York.

10 Before you this morning is an application  
11 for the rezoning in connection with the development  
12 of 100% affordable Our Lady of Pity apartments and  
13 this is at the site of the former Our Lady of Pity  
14 Parish in the Melrose neighborhood of the Bronx.

15 The church was deconsecrated in 2017 and  
16 fully demolished as of 2021. Next slide please.

17 I'd like to introduce Susan Albrecht,  
18 Executive Director of Catholic Homes in New York to  
19 talk about her organization.

20 SUSAN ALBRECHT: Thank you, Eric. As... as  
21 we mentioned I and my colleague Drew Kiriazides will  
22 be overseeing the development of this project.

23 Catholic Homes New York is the housing  
24 affiliate for Catholic Charities and the Archdiocese.  
25 Our... our mission is to develop and provide safe

2 affordable housing for families and seniors and  
3 people with special needs based on our belief that  
4 having a home is a sacred human right.

5           Our housing portfolio currently includes  
6 14 projects with over 2,900 units of affordable  
7 housing for families and seniors. This is an  
8 illustration of three recently completed projects in  
9 the Bronx. The one on the left is located at West  
10 Farms, 319 units of affordable housing, the one in  
11 the middle is located on the site of the former Saint  
12 Augustine Church in Morrisania with 112 units and the  
13 one on the right is the Saint Vincent de Paul Senior  
14 Housing with 89 units. Eric.

15           ERIC VATH: Next. But thank you. I'd like  
16 to walk through the proposed rezoning. On the left is  
17 the existing zoning map. You'll note in the shade of  
18 red the existing R6 zoning within 100 feet of Morris  
19 Avenue there is a C1-4 commercial overlay. On the  
20 right is the proposed zoning district, an R7A, which  
21 will maintain the C1-4 overlay within 100 feet of  
22 Morris Avenue. The R7A is consistent with the  
23 surrounding R7-1, R7-2 and C4-4, which is a R7-2  
24 equivalent zoning district. Next slide please.

2 And with this slide I'd like to segue  
3 over to the...

4 DREW KIRIAZIDES: They jumped ahead a  
5 bunch of slides.

6 ERIC VATH: Yeah, yeah, it looks like we  
7 might've jumped ahead.

8 DREW KIRIAZIDES: Go to slide three.

9 ERIC VATH: Apologies for that. Okay,  
10 great. Yeah, if we can go back to the transit map,  
11 that would be terrific. One more slide. Perfect,  
12 thank you. This site is located in a transit zone, a...  
13 a transit rich area, which is approximate to bus,  
14 subway and commuter rail lines. The 245 subway runs  
15 along 40... 149th Street. The BX32 bus runs along  
16 Morris Avenue and the BX29 and 19 are on 149th  
17 street. There was also a Metro North Station  
18 approximately four blocks north of this site. Next  
19 slide please.

20 And with this I'd like to introduce  
21 Nicole Vlado with Shakespeare Gordon Vlado Architects  
22 to discuss the design of the buildings.

23 NICOLE VLADO: Thanks Eric and good  
24 morning. Again, Shakespeare Gordon Vlado is a woman  
25 owned architecture firm, we're based in Brooklyn and

2 we have a practice that's rooted in providing you  
3 know and sustaining affordable housing in this city  
4 and we're very grateful to be a part of this project  
5 and for your time this morning.

6 I'll briefly describe the architectural  
7 design of the project. The two interior lots sit back  
8 to back with a shared yard, on each site we propose a  
9 new as of right nine story building that's compliant  
10 with the proposed R7A zoning. The two buildings are  
11 designed with strong architectural relationship to  
12 one another using the same materials colors and  
13 features. The north building, which is located at  
14 East 151st Street uses a light colored brick at the  
15 front and dark at the set back and rear while the  
16 south building inverts this palette to bring the dark  
17 brick to the front and light colored brick to the  
18 back and set back. You'll be able to see this more  
19 clearly on the next slide. Next.

20 Great, thank you. The use of contrasting  
21 brick serves to minimize the appearance of the bulk  
22 of these two buildings, which we also achieve by  
23 stepping down the front volumes and breaking the  
24 building into bays to respect the neighbors to the  
25 east and west. We also use dormers to minimize their

2 bulk and individually punched windows to reference  
3 our historic neighbors.

4           The buildings will conform to the latest  
5 energy and Enterprise Green Communities criteria and  
6 will be strong candidates for solar design and in  
7 support of the city's mission towards carbon  
8 neutrality. The owner has expressed an interest in  
9 all electric approach for both buildings.

10           Combined the two buildings will introduce  
11 188 to 202 new affordable apartments including a  
12 range of studios, one, two and three bedrooms. Next  
13 slide please.

14           In addition to their shared palette as I  
15 mentioned earlier the rear yards of the north and  
16 south buildings connect. This unique condition of our  
17 site allows these yards to be combined and create a  
18 very special and large outdoor space that is a strong  
19 focal point for our project. The space, outdoor  
20 space, will include a shared yard for tenants old and  
21 young and include dedicated areas for group  
22 activities, gatherings, quiet contemplation and of  
23 course areas for children's play.

24           As per the community and Council Member's  
25 feedback we have also integrated 14 at gray parking

2 spaces on a portion of the yard, which you can see in  
3 gray on this plan. This lot is accessible via an  
4 existing curb cut at East 150th Street and through  
5 the south building as you can see with the dashes  
6 indicated on the lower right. Next slide.

7           As was requested during certification  
8 we've included illustrative floor plans as part of  
9 our presentation. Here we see typical residential  
10 floor plans showing the proposed mixed again of  
11 studios, one, two and three bedrooms. The units are  
12 designed for families and will have state of art  
13 security, ample storage and closet space, large  
14 windows to bring in views, light and air.

15           Again, the goal of the project is not  
16 only to provide much needed affordable housing for  
17 families to the community, but also to create a  
18 welcoming and safe space encouraging the health and  
19 wellness of its tenants and the neighborhood at  
20 large. So if we go to the next slide I'll pass the  
21 presentation onto Susan, who will speak more about  
22 the services that will be provided.

23           SUSAN ALBRECHT: Thanks Nicole. As... as the  
24 team mentioned our goal is to provide the highest  
25 quality affording housing in a welcoming environment.

2 Again, units are designed for families with state of  
3 the art security, ample storage and closets, light  
4 filled apartments with large windows and actually  
5 the... the two photographs on the left are from our  
6 other development at Saint Augustus that gives you an  
7 illustration of kind of work that we do together with  
8 open space for recreation and multi-purpose community  
9 rooms. Next slide.

10 As a mission driven affordable housing  
11 developer and provider essential component of all our  
12 housing is its connection to services and the  
13 services of Catholic Charities. The Catholic  
14 Charities Housing Support Services Program provides  
15 on-site support services and community engagement  
16 activities to the individuals and families who live  
17 in our buildings who help them thrive in their  
18 apartments.

19 In addition to on-site case management  
20 services the program includes a wide range of  
21 programs to assist with employment and job training,  
22 emergency food distribution, financial literacy and  
23 health programs including on-site vaccination  
24 programs.

2 We look forward to continuing this  
3 program at the new Our Lady of Pity apartments on  
4 behalf of Catholic Charities and Catholic Homes I'd  
5 like to thank the Committee for your consideration  
6 and ask for your support for our plans to rezone this  
7 site for 100% affordable housing. Thank you.

8 CHAIRPERSON RILEY: Thank you so much.

9 SUSAN ALBRECHT: Next. I think we just had  
10 one more slide.

11 CHAIRPERSON RILEY: Oh, I'm s... I'm so  
12 sorry.

13 SUSAN ALBRECHT: Yeah, it's okay. No, it's  
14 just that... that's it, thank you.

15 CHAIRPERSON RILEY: Thank you so much for  
16 the presentation. I just have a couple of questions  
17 and give me just... okay, I just have a couple of  
18 questions, I'm gonna see if my colleagues have any  
19 questions.

20 Giving community boards, community board  
21 one's concerns regarding overdevelopment in the  
22 surrounding South Bronx area, can you provide some  
23 additional insight into the wrap around services you  
24 hope to provide to tenants at this building as well

2 as the common indoor and outdoor spaces that are  
3 being created with this development?

4           SUSAN ALBRECHT: Sure. If you go back, oh,  
5 yeah, I don't know if we need to go back to the  
6 slides, but as mentioned in the... in the final slide  
7 we will have on site services that's part of all of  
8 the housing that we provide that has the housing  
9 support services and again you know as I mentioned it  
10 was case management and so forth. When it comes to  
11 the public spaces, I don't know, Nicole, you wanna  
12 talk a little bit about that, we know that one of the  
13 concerns with the community board was parking, which  
14 is what we added to this proposal, although, it's in  
15 the... in a transit rich zone and no parking is  
16 required, we did accommodate those spaces as  
17 illustrated in the slide earlier.

18           NICOLE VLADO: And just to elaborate on  
19 that again, the exterior recreation space will  
20 provide a series of different types of outdoor spaces  
21 for the tenants to use, in addition to that the  
22 ground floor of the south building will also include  
23 amenities for the tenants, which will include offices  
24 for services that will be provided as well as areas  
25

2 for tenants to congregate indoors as well as  
3 outdoors.

4 CHAIRPERSON RILEY: Thank you. My last  
5 question is with the solution you've presented do you  
6 feel your team has adequately addressed the concerns  
7 regarding traffic and parking availability that  
8 community board once highlighted in their  
9 recommendations?

10 SUSAN ALBRECHT: Uhm...

11 ERIC VATH: I'll speak to that.

12 SUSAN ALBRECHT: Yeah.

13 ERIC VATH: Yeah, you know as Susan  
14 mentioned even though it's not required for 100%  
15 affordable project we... we met with Council Member  
16 Salamanca and... and worked through several design  
17 solutions that would offer parking to alleviate the  
18 concerns of the community board and I... I think we're  
19 all please with the result. I also wanna that Manana  
20 Construction who's handling the project, they're a  
21 known developer of affordable housing and... and they  
22 have spoken to the other concerns of the community  
23 board including traffic during construction, they  
24 also perform outreach to local community groups, they  
25 provide walk in candidate applications for community

2 board for local workers for the site, so we feel as  
3 if we've addressed many of the concerns voiced by the  
4 community board.

5 CHAIRPERSON RILEY: Thank you Eric. I now  
6 invite my colleagues to ask questions if you have  
7 questions for the applicant panel please use the  
8 raise hand button on the participant panel.

9 Counsel, are there any Council Members  
10 with questions?

11 COMMITTEE COUNSEL: Chair, I don't see any  
12 Council Members with questions at this time.

13 CHAIRPERSON RILEY: There being no further  
14 questions the applicant panel is excused. Counsel,  
15 are there any members of the public who wish to  
16 testify on Our Lady of Pity proposal?

17 COMMITTEE COUNSEL: Chair, let me verify,  
18 but it looks like no members, oh, actually yes, we do  
19 have one member of the public who signed up to  
20 testify for this item. Caroline Harris, can we admit  
21 her, so she can testify? It looks like we're trying  
22 to promote her, oh, there she is. I see her now.

23 CHAIRPERSON RILEY: Members of the public  
24 will be given two minutes to speak. Please do not  
25

2 begin until the Sergeant at Arms has started the  
3 clock.

4 SERGEANT AT ARMS: Your time will begin.

5 CHAIRPERSON RILEY: You may begin.

6 CAROLINE HARRIS: Good morning, I'm  
7 Caroline Harris, I'm partner at Goldman Harris and  
8 represent the application. I want only to thank the  
9 Council and Council Member Riley for his questions  
10 and for listening to the presentation. I do hope you  
11 support this excellent project and look forward to  
12 the next stage of the proceeding.

13 CHAIRPERSON RILEY: Thank you so much.  
14 Thank you for your testimony. Are there any... are  
15 there any questions for this panel from Council  
16 Members Counsel?

17 COMMITTEE COUNSEL: I don't see any  
18 Council Members with Council for this panelist.

19 CHAIRPERSON RILEY: Are there anymore  
20 members of the public that wish to testify on this  
21 item?

22 COMMITTEE COUNSEL: Not at this time,  
23 Chair Riley, we can go ahead and close it.

24 CHAIRPERSON RILEY: Thank you. There being  
25 no other members of the public who wish to testify on

2 preconsidered LU's related to ULURP'S number  
3 C210321ZMX and N210322ZRX relating to the Our Lady of  
4 Pity 272 East 151st Street rezoning proposal. The  
5 public hearing is now closed and items are laid over.

6 I will now open the public hearing on the  
7 preconsidered LU's relating to the ULURP'S numbers  
8 C21... 210312ZMK and N210313ZRK relating to the 103 Lee  
9 Avenue proposal in Council Member Restler's district  
10 in Brooklyn.

11 This application seeking a zoning  
12 amendment to rezone an existent R6 and R6/C1-3 to an  
13 R7X/C2-4 and the relating zone and tax amendment to  
14 establish an MIH program area.

15 For anyone wishing to testify on this  
16 item if you have not already done so you must  
17 register online and you may not... you may do that now  
18 by visiting the Council's website at  
19 [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

20 I will now like to give Council Member  
21 Restler the floor to give any remarks regarding this  
22 project. Good morning Council Member Restler.

23 COUNCIL MEMBER RESTLER: Good morning,  
24 thank you so much Chair Riley. It is great always to  
25 be with you, you do a great job leading this

2 Committee and I really am fortunate to have you as a  
3 colleague here on the Council.

4 Now before the applicant begins I just  
5 wanna say we've struggled on communication with this  
6 applicant. It's been... it took our office reaching out  
7 to get them to engage with us and I've been  
8 disappointed by the engagement with the surrounding  
9 community as well. We're trying our best to improve  
10 the communication and address the concerns.

11 Fundamentally our primary is... my primary  
12 issue and concern with this project is that the... the  
13 unit sizes that are planned simply do not reflect the  
14 needs of the surrounding community and... and the  
15 average family sizes in this area of South  
16 Williamsburg are you six to eight children per family  
17 and when this appli... when this application went... was  
18 certified it was all one bedrooms and two bedrooms  
19 and one three bedroom unit, so it just simply has...  
20 they've been working toward making some slight  
21 modifications, but there is significant work still to  
22 be done before this is a project that effectively  
23 meets the needs of the community in South  
24 Williamsburg, so look forward to hearing from the

2 applicant today and.. and having the opportunity to..  
3 to ask some questions. Thank you so much.

4 CHAIRPERSON RILEY: Thank you Council  
5 Member Restler.

6 Counsel, please call the first panel for  
7 this item.

8 COMMITTEE COUNCIL: The applicants panel  
9 for this item is Richard Lobel, Mark Spitzer, Fyanne  
10 Betan and Kevin Williams.

11 CHAIRPERSON RILEY: Counsel, please  
12 administer the affirmation.

13 COMMITTEE COUNSEL: Applicants, I'll call  
14 on each of you individually to answer the following  
15 question. Do you affirm to tell the truth, the whole  
16 truth and nothing but the truth in your testimony  
17 before the Subcommittee and in your answers to all  
18 Council Member questions. Richard Lobel?

19 RICHARD LOBEL: I do.

20 COMMITTEE COUNSEL: Fyanne Betan?

21 FAYANNE BETAN: I do.

22 COMMITTEE COUNSEL: Kevin Williams?

23 KEVIN WILLIAMS: I do.

24

25

2 COMMITTEE COUNSEL: Mark Spitzer? Mark?  
3 Mr. Lobel, we can't unmute Mr. Spitzer, is he in the  
4 meeting that you're aware of?

5 MARK SPITZER: Here I am.

6 COMMITTEE COUNSEL: Okay. Okay.

7 MARK SPITZER: Hello? Okay, sorry about  
8 that.

9 COMMITTEE COUNSEL: No problem, thank you.

10 MARK SPITZER: I'm not as proficient with  
11 computers, bricks and mortar...

12 COMMITTEE COUNSEL: No problem.

13 MARK SPITZER: Is more my style.

14 COMMITTEE COUNSEL: No problem, you're...  
15 you're all sworn in. Thank you.

16 CHAIRPERSON RILEY: Thank you. For the  
17 benefit of the viewing public if you need an  
18 accessible version of this presentation please send  
19 an e-mail request to  
20 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

21 And now the applicant team may begin.  
22 Panelists, as you begin I'll just ask you to  
23 reinstate your name and organization for the record.  
24 You may begin.

2 RICHARD LOBEL: Good morning Council  
3 Members, Richard Lobel of Sheldon Lobel, P.C. for the  
4 applicant Mark Spitzer. It's a pleasure to be in  
5 front of you this morning on an application for 103  
6 Lee Avenue that enjoyed the near unanimous support of  
7 Brooklyn Community Board 1, the support of the  
8 Brooklyn Borough President and the support of the  
9 City Planning Commission. We hope Council Members  
10 that you will find it meritorious as well and support  
11 this project. Next slide or if you can load the  
12 slides that'd be great.

13 So the 103 Lee Avenue rezoning, next  
14 slide. What are we seeking to do here? This  
15 application is for zoning amendment to rezone  
16 Brooklyn Block 2200, Lot 6 and Block 2199, Lot 22 as  
17 well as part... parts of several other lots, which  
18 would not be infected by the rezoning from an  
19 existing R6 to a proposed R7X.

20 It's worth noting that the existing R6  
21 has an underlying floor area ratio of 4.8 in a mixed  
22 use building. The R7X that is sought here would  
23 produce a 5.95 FAR.

24 As with other rezoning's of this type we  
25 would also seek to amend the text of the zoning

2 resolution to provide for mandatory inclusionary  
3 housing options one and two and result of the  
4 eventual approval would be for a new eight story  
5 development at again roughly 5.95 FAR. This would  
6 produce roughly 52 dwelling units of which 15 would  
7 be affordable pursuant option two. There would also  
8 be parking spaces provided at the development site.  
9 Next slide.

10           The next slide has the numbers behind the  
11 proposal. Again, this is for an eight story building  
12 in area where there are a number of larger buildings  
13 including six to seven story buildings on the same  
14 lot and adjacent blocks. The floor area again would  
15 be roughly 52,925 square feet with 45,000 such square  
16 feet being residential and importantly 7,700 square  
17 feet being commercial. This is important, because Lee  
18 Avenue in this area operates as a commercial  
19 thoroughfare and despite much commercial activity in  
20 the area this block is... does not contain a commercial  
21 overlay, so in addition the residential benefits here  
22 you'd have the benefit of allowing for additional  
23 commercial on this frontage.

24           Total height of the building would be 84  
25 feet set back at the 8th story at 15 feet, there

2 would be 15 vehicular parking spaces and 52 dwelling  
3 units, again, breaking down to 13 units affordable  
4 under option one and 16 units affordable under option  
5 two. Next slide.

6           The next slide demonstrates the zoning  
7 map and what can be seen here is that you've got an  
8 existing R6 as was... was discussed before. This is not  
9 an isolated area of R6, it's a rather large expansive  
10 R6 area permitting again, densities up to 2.43 and 3  
11 for residential to 4.3 for mixed use community  
12 facility as well as existing R7-1's in the southwest  
13 of the site, so this is not an area in which density  
14 is unknown and the R7X here importantly and unlike  
15 many of these other districts would result in the  
16 production of affordable housing, which is much  
17 needed in the area. Next slide, which has the flip  
18 side of the zoning map again showing the easterly  
19 portion of the area. Again, notice the R6 prevalent  
20 in much of the area as well as selected R7-1 and R7A  
21 Districts to the southeast. Next slide.

22           The next slide, actually next two slides  
23 demonstrates on the tax map where exactly the zoning  
24 would be applied. Again, you see that the primary  
25 thrust of the zoning would be at 103 Lee Avenue and

1 at 100 Lee Avenue across the street, these are the  
2 only two lots which would be wholly encompassed by  
3 the rezoning to allow for potential redevelopment.  
4 You also notice that is not merely for R7X, but that  
5 there is also a commercial overlay proposed at this  
6 site and if you can skip two slides you will see why  
7 that is important and merited here. As you look to  
8 the surrounding area the 13 surrounding blocks on the  
9 north and south side of Lee Avenue here are all  
10 overlaid with commercial zoning. This is the only  
11 really half block that is not and so proposing a  
12 commercial overlay here without the added benefit of  
13 evening out the zoning map allowing for this  
14 continuous commercial thoroughfare and commercial use  
15 on the ground floor of this building.  
16

17 The next several slides demonstrate the  
18 pictures of the surrounding site. To note, the BQE is  
19 located within 200 feet of the site, so again, a  
20 major thoroughfare in the area. Other photos are  
21 included, including the building which itself is  
22 partially under construction.

23 The slide after the photographs shows the  
24 zoning change map, which merely demonstrates what the  
25

2 map would like after proposed rezoning. Next slide.  
3 One more. Yeah, there we go.

4           So the zoning map here would show an R7X  
5 District overlaid over both the east and west portion  
6 of Lee... of Lee Avenue. Again, a few things to note,  
7 the first being that this half block is the only half  
8 block in the immediate area you can see without a  
9 commercial overlay, so this would correct that  
10 condition and in addition you've got you know the  
11 existing R6, which is prevalent in the area, the R7-1  
12 in the southeast as well as the street system here,  
13 which allows for a variety of transit options and  
14 good access to the site, so all of these things would  
15 merit for the additional density of the site, which  
16 again, would produce affordability.

17           The next slide shows a rendering of the  
18 property and after that we show a site plan and  
19 various floors plans, the site plan demonstrating the  
20 7,700 square feet of commercial use on the ground  
21 floor. Next slide.

22           And then various sections in elevation,  
23 the elevation showing the... I'm sorry, the section  
24 showing the 15 foot setback at the 8th story, beyond  
25 that, next slide, we've got the ground floor or

2 actually cellar parking and then in the slides beyond  
3 those I think you can page through, show potential  
4 room and unit layouts, so I think there's really only  
5 two other things to note with regards to the proposal  
6 as we page through quickly the remainder of the  
7 slides, photos and renderings of the site that have  
8 been previously produced. You can go to the last  
9 slide I believe, or the second to last slide, we've  
10 got a breakdown of the units. Again, we add various  
11 slides, which demonstrate the views eastward and  
12 west... westward of the site including six and seven  
13 story to 21 story building.

14 I will just summarize the... the unit  
15 counts, so the next slide shows the unit count, which  
16 includes as was stated by Council Member Restler, 21  
17 bedroom units, two... 31 two bedroom units and one  
18 three bedroom unit, so the... the... this is a building  
19 which is heavily favored over one bedroom, the  
20 average is greater than one bedroom with two bedrooms  
21 and three bedrooms, you know and understanding the  
22 comments with regards to the area and what's required  
23 the applicant here is making efforts to increase the  
24 size of the units. We have engaged a separate  
25 consulting architect who has does much work in the

1 area and he's currently looking at the opportunity  
2 to... to enlarge some of the units by reducing some of  
3 the unit counts.  
4

5 The next slide also the mandatory  
6 inclusionary housing at this site, which demonstrates  
7 under each option the different AMI's that would be  
8 afforded again, option one and option two were  
9 offered at this site with option one resulting in  
10 approximately 13 affordable units and option two  
11 resulting in appro... approximately 16 units.

12 We were... we were very happy to... to have  
13 worked with the community board on this to achieve an  
14 approval. There was potentially as a right  
15 development at this site, which would produce limited  
16 affordability as there's no MIH at the site  
17 currently, so the proposal does allow for a modest  
18 increase in density, but more importantly it creates  
19 you know an additional roughly 19 units of  
20 affordability along with the additional units that  
21 are created or... or the building generally, so again,  
22 given the street access to the site, other buildings  
23 in the area and the... and the commercial overlay we  
24 think that this application is merit and with that  
25 the applicant team is happy to answer any questions.

2 CHAIRPERSON RILEY: Thank you so much. I  
3 have a few questions and I'll pass it over to Council  
4 Member Restler to see if he has any questions.

5 The proposed development site is already  
6 under construction with the as of right R6 zoning,  
7 how many units and story's will be building... will the  
8 building be under R6? Why did you deci... decide to  
9 apply for rezoning if there... there is a viable as of  
10 right development and will the current partially  
11 constructed building be adapted to fit the proposed  
12 R7X zoning?

13 RICHARD LOBEL: Sure, thank you Chair  
14 Riley. So the building was under construction at a  
15 time when construction prices were rising and the  
16 applicant importantly conceived of this as a rezone  
17 property, so the building started and as it was...  
18 became apparent that financially there was gonna be  
19 stress on the building and on the applicant that's  
20 when they essentially came into City Planning and  
21 with the concurrence of City Planning applied for  
22 this rezoning, so the existing four and a half story  
23 building to be... which would be able to be built as a  
24 right would contain roughly 29 units of which six  
25 units would be affordable under existing

1 affordability. The opportunity here to add units to  
2 the site allows for an additional 23 units with a  
3 total of 16 units of affordability, so... so although  
4 there is an increase in units it's a greater  
5 proportion of increased and affordable units, so with  
6 that with the fact that the building had proven  
7 financially to be challenging with the addition of  
8 the affordability and with the density in the area  
9 generally the applicant with City Planning made the  
10 addition to come in and to build this. They have  
11 already consulted with you know... there's a private  
12 architect, there's... now there's a consulting  
13 architect, they've already talked to DOB, the  
14 existing structure was built with the understanding  
15 and the ability to engineer such that they could add  
16 the additional three and a half story's, so yes, they  
17 would be utilizing the existing structure and be able  
18 to build above that to complete the building.

20 CHAIRPERSON RILEY: The proposed R7X  
21 zoning allows up to 14 story's, but the proposed  
22 building is only eight story's, this is an unusual  
23 large gap between the potential allowable height and  
24 what is being presented, can you explain why your  
25 building's proposed at only eight story's?

2 RICHARD LOBEL: Sure, Chair, so the corner  
3 nature of the building allows the building to take  
4 advantage of... of... of lack of rear yard requirements  
5 to build on a prior floor plan and the building has  
6 been engineered as I said for a... for an eight story  
7 building, actually for nine story building, which is  
8 now an eight story building.

9 The applicant as we went through the  
10 public review process, it became clear that despite  
11 the fact that City Planning approved this at an R7X  
12 and saw the merit to having an opportunity to do a 14  
13 story building here, the applicant has no... no  
14 financial reason or otherwise to do a 14 story  
15 building, so both the community board the Brooklyn  
16 Borough President made recommendations that in the  
17 event that the application was finally approved that  
18 the applicant enter into a voluntarily restrictive  
19 declaration to tie the application to eight story's.  
20 This has... this had been totally acceptable to the  
21 applicant and judging... after the conversation with...  
22 with Council Member Restler, assuming that the  
23 application did go forward, we would record such a  
24 declaration on the site, so as to provide for a cap.

1                   Again, from a land use standpoint the..  
2  
3                   the City Planning Commission was clear that R7X was  
4                   appropriate and the area would merit that building.  
5                   Having said that the applicant has no desire nor any  
6                   need or you know or physical reason to go that high  
7                   and so we would cap the building at eight.

8                   CHAIRPERSON RILEY: The South Williamsburg  
9                   community is known for large family sizes and high  
10                  demand for large apartments, three bedrooms, have you  
11                  considered the proposed unit size mixed with this in  
12                  mind and have you discussed this issue with Council  
13                  Member Restler and the local community?

14                  RICHARD LOBEL: Yeah, so I'll start on  
15                  that and... and leave it open to other members of the  
16                  applicant team to talk. The... the community board here  
17                  had a... an additional condition, which was that they  
18                  understood the... the need for additional housing and  
19                  for affordability, but they weren't interested in  
20                  smaller units, so as it stands right now, again, as  
21                  part and parcel of the decision to cap the building  
22                  at eight story's there was a... the building at 52  
23                  units, so that you wouldn't be able to in essence  
24                  create additional... additional units and... and raise  
25                  the numbers in the bill.

2           There... you know the applicant here who's  
3 a long standing member of the Williamsburg community  
4 has had many conversations with people in the area. I  
5 think you know in essence the discussions that have  
6 taken place primarily over the last few days in good  
7 faith are that we do have consulting architects now  
8 who have discussed the opportunity here for combining  
9 units and for reducing unit counts. But I think that  
10 one of the things we're looking at of course in  
11 addition to the Williamsburg community is the  
12 community in general and I know that Kevin Williams  
13 who's on the... has looked at as part of the  
14 environmental review demographics of the area. Kevin,  
15 do you wanna just speak briefly to... to what those are  
16 and how they apply to the larger community?

17           KEVIN WILLIAMS: Sure, so one of the  
18 things I wanted to... to state about the Chair's last  
19 question, the FAR is actually maxed out at eight  
20 story's you know so that's... that's one of the... you  
21 know you... you reach the full allowed under... under the  
22 proposed rezoning, so going up higher also is sort of  
23 obviated by... by that.

24           In terms of the demographics, so as Mr.  
25 Lobel indicated we... we're in discussions and... and we

2 intend to do everything we can to... to come to an  
3 agreement that matches his understanding and... and our  
4 understanding in the most favorable mix possible.

5 There are some structural components that... that we  
6 have to work through, but I want you to know that...

7 that the applicant team is committed to working

8 forward to a resolution that better matches what he

9 and... and... and interests in this area. There are very

10 familiar community leaders in this area, very

11 familiar with their needs, so one thing that we did

12 look at in terms of trying to find the proper

13 matches, we looked at some of the demographic

14 characteristics from 2006 to... to 2019 with the

15 American Community Survey and if I may share my

16 screen for a moment or provide this post testimony I

17 pulled up New York City population fact finder data

18 on this and one of the interesting things that you

19 can see in this area and one of the primary reasons

20 that Mr. Spitzer is positioning the building with two

21 buildings is you know over one bedrooms or even what

22 you commonly see in a rezoning, which is just a bunch

23 of one bedrooms and studios, very few twos, you know

24 this is actually, granted we have special

25 circumstances in this neighborhood that dictate the

1 need for larger units from a market perspective and  
2 from a future need, but what is clear is you... you  
3 have, so in 2006 to 2010 25% of the population was  
4 under five years, that's declined to 17.6% as you  
5 know those children have aged and then when you look  
6 to similar age cohorts from five to nine and 10 to 14  
7 you know, but represent each one of those classes  
8 represented about 9% of the population and in 2015 to  
9 2019 those increased to 13% and to 10%, but what's  
10 also reciprocally interesting is from age 20 to 29  
11 you actually have a significant reduction, almost a  
12 50% reduction, in both of those age groups and the..  
13 the indication or the way that I'm interpreting the  
14 data and obviously statistics are open to  
15 interpretation, is that you have young families that  
16 lived in a communal setting in this area with their  
17 larger families as Council Member Restler noted you  
18 know you have families with five, six and seven  
19 people in a household and that is for now actually  
20 the average household size in this area for the 2020  
21 census is 3.9 persons per quarter... per dwelling unit  
22 and so you do have a considerable family size there,  
23 but what's clear from the statistics is that you know  
24 young adults are leaving this area and not... not  
25

1 staying you know close to their... their... their family  
2 and I think the primary reason is the lack of  
3 available and affordable housing and I... and I think  
4 that that is where Spit... Mr. Spitzer's mind was is  
5 supplying you know one and two bedroom units that...  
6 that would accommodate small families as they move  
7 out and they try to establish a work life in the area  
8 and... and so given those statistics you know and also  
9 the need to provide broader affordability, because  
10 you know three bedroom units are quite expensive  
11 whether affordable or... or market rate you know that...  
12 that's something that you know families having a... a...  
13 a range of choices to accommodate their financial  
14 needs and their family size is something that we're  
15 trying to... to balance out. So I just wanted to kind  
16 of summarize those... those characteristics and anybody  
17 can pull that up on New York Population fact finder,  
18 a service provided by New York City Department of  
19 City Planning to kind of get that interesting shift  
20 over the past 10 years in... in demographics towards  
21 basically the movement of young adults out of the  
22 neighborhood.  
23

24 CHAIRPERSON RILEY: Thank you Kevin. And  
25 my last question before I turn it to Council Member

2 Restler to see if he has any questions, the  
3 application also includes 100 Lee Avenue across the  
4 street as a... as a projected development site, have  
5 there been any conversation's with this property  
6 owner?

7 RICHARD LOBEL: Yeah, so thank you Chair.

8 So there have been as with other rezoning  
9 applications when... when creating a land use rational  
10 the applicant looks to other properties in the area,  
11 so as to include other properties that are affected  
12 by the same condition, so we included 100 Lee Avenue,  
13 that... that was a land use rational that was developed  
14 in conjunction with City Planning. We have reached  
15 out to that applicant who despite the fact that they  
16 also currently benefit from an R6 zoning district  
17 with a commercial overlay, have only built to roughly  
18 a one FAR, so as... as our current conversations have  
19 gone not only have they not redeveloped in the last  
20 40 years, but their intention right now as they  
21 stated to us would be not to redevelop, so again,  
22 obviously a conversation, which many Council Members  
23 engage in, but they are currently including the  
24 rezoning, but as per our conversation with them they  
25 have no present intention of redevelop.

2 CHAIRPERSON RILEY: Thank you. I would now  
3 like to turn it over to Council Member Restler to see  
4 if he has any questions. Council Member Restler?

5 COUNCIL MEMBER RESTLER: Thank you again  
6 Chair Riley. I should've begun my remarks earlier  
7 with just expressing my thoughts and prayers with  
8 everyone in Sunset Park. This a very... this is a scary  
9 morning for Brooklyn and for New York City and... and  
10 beyond and hoping that... that everybody... all 13 folks  
11 who have been taken to the hospital are okay and that  
12 there's no further carnage and bloodshed in our  
13 borough.

14 I would also like to express my warmest  
15 wishes to Mr. Spitzer who has... who has had some  
16 health challenges and hoping for a full a swift  
17 recovery for him and appreciate you taking the time  
18 to... to speak with us last week and... and again to join  
19 us today as you're in recovery, so thank you for  
20 that.

21 I really wanna thank you Chair Riley for  
22 your questions that really get I think at... at the  
23 heart of... of many of... of my concerns as well. You  
24 know I think that plainly it's disingenuous for the  
25 applicant team to claim that their proposal of one

2 and two bedrooms when... when this proposal reached the  
3 community board and the Borough President it was  
4 entirely one and two bedrooms with one three bedroom  
5 that this is to serve the needs of the community when  
6 the average family size is five, six, seven, eight  
7 people and to claim that this... that providing one  
8 bedroom units is going to address the displacement of  
9 young families from this community who have no place  
10 to live is infuriating. It is not true and what this  
11 community desperately needs is more three and four  
12 family... three and four bedroom units and if this  
13 developer was focused on meeting the needs of the  
14 community rather than just making as much money as  
15 absolutely possible, that's exactly what they  
16 would've proposed and they would... and they would be  
17 building here, but it's not. So I... I just wanna ask  
18 plainly, you have upped your proposal now to four  
19 additional three bedroom units, is the development  
20 team prepared to continue to revisit the  
21 architectural plans to add additional three bedroom  
22 units to this proposal?

23 RICHARD LOBEL: We... we benefit from having  
24 Mr. Spitzer here from us today. Mark, are able to  
25 confirm what the Council Member just said?

2 MARK SPITZER: Good morning gentlemen. I  
3 don't know if you can hear me. Am I... can you hear me?

4 RICHARD LOBEL: Yes.

5 MARK SPITZER: Sorry about that. Good  
6 morning esteemed Council Members. My name is Mark  
7 Spitzer and of those are wondering I am not related  
8 to the previous Governor. I have no connection in any  
9 which way and not monetarily, I'm not inheriting  
10 anything and I'm not in there.

11 We're a small town developer, we actually  
12 bought... my father-in-law who passed away about two  
13 years ago had bought this property for the purpose of  
14 developing, unfortunously... unfortunately he's not  
15 gonna see the light of the... of the... the end game  
16 about what we anticipated here. I grew up in Leesburg  
17 all the way 'til my father passed away. I have  
18 currently multiple family members, I have lots of  
19 friends, close family, extended family, I know the  
20 area extremely well and as Councilman Restler probly  
21 knows and we had this discussion before, there are  
22 multiple weddings and engagements on a daily basis  
23 where they're splitting at the seams. People are  
24 living in homeless shelters, they're living in their  
25 parents basements, they're living in backyards,

2 they're live... living with multiple extended family  
3 members just to get a roof on their heads, yes,  
4 everybody needs three bedroom or four bedroom or five  
5 bedroom, but I have a little stupid little piece of  
6 property and I'm trying to maximize of who I can get  
7 in there that makes sense. The more larger apartments  
8 we build the less we can accommodate. It's a simple  
9 calculation and this isn't a huge money making b...  
10 business, I... my costs today, estimated costs of when  
11 we started is six fold of when we started. It's  
12 almost not worth to go down this route. The cost of  
13 financing is through the roof, utilities is through  
14 the roof, water is through the roof, you have to make  
15 a calculation of how you're gonna make this thing  
16 work, so we came up with a formula that would help  
17 the most amount of people. Yes, it is not the three  
18 or four bedroom, but I don't have this kind of land  
19 to do this. If God gave me more land I would consider  
20 indefinitely, it's a no brainer. I can only do work  
21 with what I have. There's a limited amount of what I  
22 have and what I can work with, so yes, it has to work  
23 structurally, financially, feasibly, there's a lot of  
24 factors that go into this and it's not a one minute  
25 answer. We've hired an outside consultant, an outside

2 architect who would not look at this project before  
3 just to get a clear view and an outside opinion of  
4 what we can make work. Yes, if you can make it work  
5 I'm all for it. It comes down to dollars and cents,  
6 it comes back to feasibility, it comes back to  
7 accessibility and what is required to accommodate. My  
8 goal here was to give the young couples who are  
9 getting married a roof over their head to start their  
10 life for a couple years. I gave them a recreation  
11 area away from the hustle and bustle, a nice quiet  
12 rec... refute where they can have their life start out  
13 at least the first few years of their married life  
14 they can enjoy in peace without having the hustle and  
15 bustle and happy to be able to live in a home that  
16 they can call home giving them full living room,  
17 dining room, giving them full bedroom, multiple  
18 closets, washer and dryers, recreation area,  
19 everything that you can think of that you would be  
20 proud of to call home. That was my goal. Yes, there  
21 is people who need large apartments, I can't please  
22 everybody. As Mayor Adams recently said in a city  
23 like this everybody's got an opinion, you're never  
24 gonna please everybody. I've love to, but I'm not a  
25 magician and I don't have the... (inaudible) to do it

2 and I don't have the resources to do it. I would... I  
3 just don't understand where I'm coming from and this  
4 is where I stand and I'd love to help everybody if I  
5 can and this is where I'm at.

6 COUNCIL MEMBER SPITZER: Mr. Spitzer, I  
7 appreciate your effort and your desire to please  
8 everybody, I'm looking for you to please somebody, so  
9 you know in... over the course of this project nobody,  
10 neither you nor anyone from your applicant team ever  
11 contacted our office or engaged us, we had to pin you  
12 again and again to get your attention to engage on  
13 this project. Community leaders, key community  
14 leaders that have been representing the South  
15 Williamsburg community for decades never heard from  
16 you, did not get responses from you and your team, so  
17 to act like you're trying to please everybody is  
18 inaccurate. I'm not... from my vantage point you have  
19 an existing building that is financially viable and  
20 workable, you're asking us to hand you over a pile of  
21 cash, so that you can build more by up-zoning the  
22 development. In return, we're asking you to meet the  
23 needs of the community, that that is the deal and  
24 that is the expectation of going through this process  
25 is that you aren't making... you aren't investing to

2 address the needs of our community and I have not  
3 asked for the sun, the moon and the stars here, I  
4 have not asked for how we revitalize Lee Avenue and  
5 invest in our... and... and... and improve the conditions  
6 on Lee, I have not asked for you to... to take a look  
7 at the... the schoolyard at PS 716 down the block  
8 that's in terrible condition. I've just asked for you  
9 to build housing that actually meets the needs of the  
10 community, simple as that. That is our goal. I'm not  
11 saying this is some person who had some narrow  
12 interests here, I say this as the representative of  
13 our community that we need family units that actually  
14 accommodate the needs of families and you have  
15 refused and resisted and only made the most minor  
16 modifications and so I wanna be very clear, if you...  
17 if you would like my support in up-zoning this  
18 development it's critical to me that we actually  
19 build to meet the needs of the community, so I really  
20 do hope that you will work with us in the weeks ahead  
21 to address the needs of the community, which require  
22 larger unit sizes. It's as simple as that. One more  
23 question and then I'll... I'll defer back to the Chair.  
24 You all referenced a plan for restrictive deck for  
25 this site to limit the... the... the building to eight

2 story's and I believe Mr. Williams indicated his  
3 indication that this fully built out the FAR  
4 obviating any opportunity for additional height on  
5 the building, just wanted to affirm on the record  
6 that our desire for community benefits agreement is  
7 something that you all will work with us on if we're  
8 able to meet an acceptable mixture of unit ca... of  
9 unit sizes to moralize our agreement in tangible and  
10 enforceable... in an... in an enforceable document.

11 RICHARD LOBEL: Sure, so thank you Council  
12 Member. So we... we have engaged in some more community  
13 benefits agreements most recently in the Pacific and  
14 Grand rezoning in Brooklyn Community Board 8, which  
15 had been vetted by the... by the Council and, yes, I  
16 can confirm that we would be happy to work with your  
17 office going forward to have an appropriate co-party  
18 and to engage in such an agreement.

19 COUNCIL MEMBER RESTLER: Okay, and then  
20 actually just one final question, regarding the  
21 affordable housing administering agent for the new  
22 development is there any plan for the marketing of  
23 the new units or the selection of that administering  
24 agent?

2 RICHARD LOBEL: So I know Mr. Spitzer has  
3 had serious conversations with... with a local  
4 administering agent. I know that there is a limited  
5 universe of such agents basically based upon HPD's  
6 approved list, so I know that... I'm not sure whether  
7 he has come to final terms, but it is one that he's  
8 met with within the local Williamsburg community.

9 COUNCIL MEMBER RESTLER: Okay, cultural  
10 competency here makes a great deal of difference and...

11 SERGEANT AT ARMS: Time has expired.

12 COUNCIL MEMBER RESTLER: Okay, Mr. Chair.

13 CHAIRPERSON RILEY: You could go ahead  
14 Council Member Restler.

15 COUNCIL MEMBER RESTLER: Oh, I just...  
16 cultural competency here makes a great deal of  
17 difference and we very much hope that in... from  
18 everything from the design of the units you know to  
19 accommodate holidays like Pesach and Sukko... and  
20 Sukkot to the marketing of the affordable units that  
21 they'll be thoughtful... they'll be a thoughtful  
22 approach to really effective meets the needs of the  
23 local community, so I really appreciate the  
24 opportunity for... for some questions. We clearly have  
25 quite a bit of work to do before I'm prepared to

2 support this development, so I look forward to... to  
3 working closely with the applicant team in the days  
4 and weeks ahead to try to get us to a... to a better  
5 place.

6 CHAIRPERSON RILEY: Thank you Council  
7 Member Restler. I know invite my colleagues to ask  
8 questions. If you have any questions for this  
9 applicant panel please use the raise hand button on  
10 the participant panel.

11 Counsel, are there any Council Members  
12 with questions?

13 COMMITTEE COUNSEL: No, I don't see any  
14 Council Members with questions at this time.

15 CHAIRPERSON RILEY: There being no further  
16 questions this applicant panel is excused.

17 Counsel, are there any members of the  
18 public who wish to testify on 103 Lee Avenue  
19 proposal?

20 COMMITTEE COUNSEL: Yes, Chair, we have at  
21 least two members of the public who are ready to  
22 testify. We have Chesky Weiss and David Niederman and  
23 if the unknown caller from... with whose number ends in  
24 0743 is here to testify on Lee Avenue please press

2 star nine, so our staff can identify you and promote  
3 you, but for now we'll start with Chesky Weiss.

4 CHAIRPERSON RILEY: Members of the public  
5 will be given two minutes to speak. Please do not  
6 begin until the Sergeant at Arms has started the  
7 clock.

8 SERGEANT AT ARMS: Your time will begin.

9 CHAIRPERSON RILEY: You may begin.

10 CHESKY WEISS: Hello.

11 CHAIRPERSON RILEY: Yes, we can hear you.  
12 You may begin.

13 CHESKY WEISS: Okay, so I was just... I just  
14 wanted to say and to put for Mark Spitzer. Basically  
15 this... this guy, I know him as I have stated before, I  
16 know him the last few years. He is here to help the  
17 community and as... as he said as you heard before he's  
18 trying to maximize, so with putting in more three  
19 room apartments, three bedroom apartments it's just  
20 gonna make it a less of an opportunity to give more  
21 people their needs for the young couples. Now they  
22 are asking he should accommodate... (inaudible) which  
23 gonna mean that he's gonna have to build for bigger  
24 apartments, he's gonna have to give a special kitchen  
25 for... (inaudible) and then he's gonna have to make a

2 bigger porch, so people should be able to build..  
3 (inaudible) which is just gonna make him have to do  
4 less, a smaller amount of apartments, because he has  
5 to be able to push in another kitchen and he has to  
6 push in a bigger porch for the community, because as  
7 our community is growing there needs place for older  
8 kids to be able to fit... fit in the... in the... in the..  
9 in the porch, so now when he builds it for smaller..  
10 smaller apartments, which needs young couples, first  
11 of all there is young couples... there's more young  
12 couples that are capable to have apartment and then  
13 there is... he doesn't have to put in a small other  
14 kitchen or a bigger porch, because most of the young  
15 couples are going out to eat by their parents,  
16 especially... (inaudible) and holiday. So it's just a  
17 less of a benefit if he has to put in more three  
18 bedroom apartments that means that bigger families  
19 and that means less apartments, so there's less  
20 people and if there is less... less people and again, I  
21 am from around the area and I need more customers, so  
22 more apartments, smaller apartments means more  
23 customers and I... as I have stated a while ago on the  
24 last meeting that we need the customers since most of  
25 the developments is going down... going down the other

2 area like... (inaudible) or... or... or... (inaudible) and...  
3 and forgot... (inaudible) all the other places, but Lee  
4 Avenue, so yeah, we need smaller apartments in this  
5 area with more people around in this area and I have  
6 another question. How would you put in bigger  
7 families in such a small area? I mean where will the  
8 kids play? Where will... where... where will there be  
9 parking for... because a young couple, most of the  
10 young people don't have cars, so you have an issue  
11 with parking, yeah, if you're gonna put in bigger  
12 families means all the people... all the people do have  
13 cars, so you're just trying to take away a benefit  
14 for him, because quote, unquote benefit for the  
15 community, but then it's not gonna be a benefit for  
16 the community, because two things, number one, most  
17 of the people that are growing up are not living in  
18 rental apartments, most of them are going into  
19 selling apartments and the young couples, they're  
20 moving in to rental apartments. And let me ask  
21 another question, how many rental developments in  
22 this area have three bedroom apartments? I... I haven't  
23 heard of it. There's maybe one that's built the last  
24 few years, a rental building with three bedroom  
25 apartments. Nobody has it, so the benefit for the

2 community is if... if Mark can do smaller apartments  
3 and more, because that's what the community needs at  
4 the moment, because as somebody stated, yeah, there  
5 is a lot of people getting married in... in  
6 Williamsburg and we need smaller apartments for the  
7 young couples to have way to live.

8 CHAIRPERSON RILEY: Thank you. We can move  
9 onto the next testimony.

10 COMMITTEE COUNSEL: The next speaker and I  
11 see he's in the meeting now, is David Niederman.

12 CHAIRPERSON RILEY: Please begin after the  
13 Sergeant starts the clock.

14 SERGEANT AT ARMS: Your time will begin.

15 DAVID NIEDERMAN: I hope you hear me, good  
16 morning and thank you very much for giving me the  
17 opportunity to speak and please allow me also to  
18 express... to express a real concern of what has  
19 happened and we pray for the victims and their  
20 families and we also pray that the perpetrator should  
21 not, God forbid, hurt other people as well.

22 So now to the point, let me just commend  
23 our Council Member who sprang into act... action and as  
24 he said that it was no community engagement and that  
25 is so crucial and yes, you have different voice. You

2 heard somebody, I don't know who that is talking  
3 about his view of what's needed and what's not  
4 needed, you know I don't know who he is, who he  
5 represents, he could be repre... he's represent  
6 definitely himself, but from a w... wider community  
7 perspective the need for affordable... for affordable  
8 three and four bedrooms is unbelievable and therefore  
9 I commend the Council Member to push that it ought to  
10 be... that the project should meet the community needs  
11 and I agree with the developer, that sounds like some  
12 are going to be one's and two's, but you really have  
13 to address the crunch of the larger units.

14 I'm happy and I voted for this project,  
15 because I... I'm happy that there is... that there is a  
16 project coming forward and... and I... I'm happy that the  
17 Congressman and the Councilman is pushing forward for  
18 tweaking the project, so that really needs all the  
19 community needs. I don't wanna go in... going back to  
20 Mr. Weiss who his point of view rebuttal that,  
21 because that... that's not the issue.

22 SERGEANT AT ARMS: Time has expired.

23 DAVID NIEDERMAN: I just thank... thank the  
24 Councilman, I thank Mr. Spitzer for his commitment to  
25 work with the Councilman to ensure the appropriate

2 mix of... of units and in a way nobody wants to... to...  
3 that the developer goes bankrupt on that. Thank you  
4 so much.

5 CHAIRPERSON RILEY: Thank you Council. Are  
6 there any other members of the public who wish to  
7 testify on this item?

8 COMMITTEE COUNSEL: I don't see any  
9 others, but I'll just make the announcement once  
10 again. If there's any unknown callers who wish to  
11 testify on the avenue can you please press star nine  
12 now, so we can identify you. Doesn't look like anyone  
13 else is here for that Chair, so we can go ahead and  
14 close the hearing.

15 CHAIRPERSON RILEY: There being no other  
16 members of the public who wish to testify on  
17 preconsidered LU's related to ULURP's numbers  
18 C210312ZMK and N210313ZRK relating to the 103 Lee  
19 Avenue proposal the public hearing is now closed and  
20 the items are laid over.

21 I now open the public hearing on  
22 preconsiders LU's related to ULURP's number  
23 C210098ZMK and N210099ZRK relating to the 1220 Avenue  
24 P rezoning proposal in Council Member Vernikov  
25 district in Brooklyn.

2 This application seeks a zoning map  
3 amendment to rezone an existing RFB to an R7A and the  
4 rel... related zoning tax amendment to establish an MIH  
5 program. For anyone wishing to testify on this item,  
6 if you have not already done so you must register now  
7 and you may do that by visiting the Council's website  
8 at [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

9 I would now like to allow Council Member  
10 Vernikov to give any remarks regarding this project.  
11 Council Member Vernikov.

12 COUNCIL MEMBER VERNIKOV: Good morning  
13 everyone. Thank you Chair Riley and thank you Council  
14 Members. I'd first just like to echo the sentiments  
15 of my colleagues regarding the horrific events that  
16 took place this morning and of course any prayers to  
17 my colleague Council Member Avilés and the victims as  
18 well as her constituents.

19 Regarding 1212 Avenue P, this is a  
20 facility, a medical facility that I am familiar with,  
21 it's been in the district for quite some time. They  
22 provide great service to the community, I've spoken  
23 to many community members who... who patronize the  
24 place and really enjoy the services. I visited it  
25 myself for quite some time and I know that the

2 community board... the community's boards concerns were  
3 mostly the traffic and parking, which I believe were...  
4 I believe these concerns were adequately addressed. I  
5 know that the Board President Reynoso is supportive  
6 of the project and he voted for the project. I also  
7 spoke to him for quite some time about that and yeah,  
8 we'd just like to encourage my colleagues to support  
9 the project and... and thank you.

10 CHAIRPERSON RILEY: Thank you Council  
11 Member. Counsel, please call the first panel for this  
12 item.

13 COMMITTEE COUNSEL: Panel for this item  
14 includes once again Richard Lobel and Kevin Williams.  
15 And, Richard, can you confirm it's just the two of  
16 you for this item?

17 RICHARD LOBEL: Yes, that's correct.

18 COMMITTEE COUNSEL: Okay, so just a  
19 reminder both of you, you are still under oath, so we  
20 don't need to swear them in Chair, 'cause they have  
21 been sworn in.

22 CHAIRPERSON RILEY: Thank you. For the  
23 benefit of the viewing public if you need an  
24 accessible version of this presentation please send  
25 an e-mail request to

2 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). And now the  
3 applicant team may begin. Panelists as you begin I'll  
4 just ask you to please reinstate your name and  
5 organization for the record. You may begin.

6 RICHARD LOBEL: Thank you Chair Riley.  
7 Council Members once again, Richard Lobel of Sheldon  
8 Lobel, P.C. for the applicant. Good morning and good  
9 morning to Council Member Vernikov. We also thank her  
10 for her careful consideration of what we view to be a  
11 meritorious application and one which allows to the  
12 enlargement of the heavily utilized medical center in  
13 the community.

14 I'm joined by Kevin Williams from Equity  
15 Environmental. And so on the screen before you, you  
16 see the 1220 P Avenue rezoning presentation. The  
17 building as it exists is currently a five story  
18 medical center of roughly 19,000 square feet. If we  
19 can go to the next page we'll have a project summary,  
20 which talks about what we would do here.

21 So the rezoning that's proposed here  
22 would take three Lots from Block 6774 and seven Lots  
23 from Block 6775 and rezone those from an R5B District  
24 to an R7A District. To note, this lot was previously  
25 zoned R6 prior to the 2006 Homecrest rezoning and was

1 then zoned to R5B at the time, but at the time that  
2 big building or the five story building had already  
3 been built, so we're seeking to restore the same  
4 approximate bulk of that building to allow for this  
5 enlargement, so what does that do? It creates a  
6 roughly four story, 11,000 square foot addition to  
7 the medical center located on two adjacent lots, so  
8 that the entirety of the building would have approx..  
9 approximately 30,700 square feet and FAR 3.08.

11           Importantly we also as per rezonings of  
12 this nature would map mandatory inclusionary housing  
13 to allow for MIH to apply for all sites within the  
14 project area while development or redevelopment of  
15 the site is not intended, this would mean that  
16 anytime in the future whether the subject lots or the  
17 adjacent lots were redeveloped they would be required  
18 to provide affordable housing. Next slide.

19           So the next slide discusses the proposed  
20 development and importantly here one of the reasons  
21 that we do have a very compelling case is because  
22 there's an as of right option here, which is way  
23 worse, so the proposal allows for this four story  
24 enlargement, which will be able to attach to the  
25 existing five story building and allow for patients

2 to travel seamlessly between the old space and the  
3 new space and... and this is important, because many of  
4 these patients are frail and elderly and it would  
5 make no sense to require them to exit the facility to  
6 go to a new facility, go up stairs, down stairs,  
7 elevators, what have you, so the five story building  
8 has 19,500 square feet approximately and then new  
9 enlargement would be roughly 11,200 square feet to  
10 allow for a total building of 30,000 square feet.

11 An as of right scenario would allow for  
12 development of three story buildings on each of the  
13 other lots within the development site, which would  
14 itself result in a additional enlargement of 9,400  
15 square feet, so roughly within 1,700 square feet of  
16 what's going to be done with the rezoning.

17 Importantly though there are two factors  
18 to consider, the first is that no parking would be  
19 required for those additional buildings, they would  
20 each fall under the requirement in terms of allowing  
21 for a waiver of parking, so you'd get three  
22 additional buildings with all that square footage  
23 with no additional parking. And also importantly as  
24 was mentioned, this would mean that people would  
25 need.. need to go outside the building within the new

1 building to get care and considering the long list of  
2 valuable medical services provided by the center,  
3 which include cardiology, family practice, general  
4 surgery... surgery, general gynecology, internal  
5 medicine, occupational therapy, orthopedic, the list  
6 goes on, it really is an area where particularly  
7 elderly and frail patients are able to get all their  
8 care under one roof. What this also allows is that,  
9 because development will not be happening on two of  
10 the adjacent lots we will be able to provide  
11 accessory parking on those lots and as we have  
12 mentioned to the Council Member, we would provide 14  
13 accessory spaces to serve these... these medical  
14 spaces, so again the result is beneficial both in  
15 terms of building travel, circulation of patients and  
16 parking. Next slide please.

17  
18 So the next slide and the following slide  
19 goes into the land use of the area. Once again you  
20 can see the R5B District here, we are merely a block  
21 west or actually a block west of us is the R7A  
22 District that exists along Coney Island Avenue and  
23 this is important for several reasons, you'll be able  
24 to see it in terms of the land use map, but... but  
25 basically as you get to larger thoroughfares it

2 becomes more and more appropriate to have larger  
3 zoning districts, so even without the important work  
4 that the medical center performs having a... a... a step  
5 up in zoning here makes sense given transit in the  
6 area and the fact that you're sitting not merely on a  
7 100 foot wide street, but within a block and a half  
8 of a 100 foot wide street as well.

9           The next two slides show the tax map,  
10 which shows in particularity you can see the rezoning  
11 area, particularly the development site highlighted  
12 in red and in the dotted area, the area of the  
13 entirety of the rezoning, this essentially stretches  
14 an existing R7A Zoning District to the east, which  
15 allows for context for this proposed rezoning as  
16 often is the case. It helps for a land use rationale  
17 to take an existing district and to use that to  
18 encompass the site as is done here. Next slide.

19           So the next slide shows the land use map,  
20 which again demonstrates why the rezoning here is  
21 particularly important. You can see the existing five  
22 story building on the corner of Avenue P and East  
23 13th, that's the existing facility and you can also  
24 see that we sit on Avenue P a 100 foot wide street  
25 and we sit a block and a half east or more

1 particularly the rezoning boundary itself sits half a  
2 block east of Coney Island Avenue and is adjacent to  
3 that R7A, so again, conscious in the surrounding area  
4 you see in the dark orange a number of six story  
5 buildings in the area, our building would not exceed  
6 those buildings in height, including on our own block  
7 and across East 13th, so as far as a bulk stand.. or  
8 from a bulk standpoint this really is entirely within  
9 the context of the area. Next slide.

11           So the next several slides and obviously,  
12 this is a long day at the Council, we'll.. we'll page  
13 through them. If you can page through the photos you  
14 can pictures of the existing facility building on the  
15 lower left and in front of you and then that is  
16 followed by the building plans. The building plans  
17 merely demonstrate the proposed floor plans for the  
18 facility, you see the existing building along the  
19 bottom of the screen and the enlargement as it  
20 appears perpendicular to that on the left portion of  
21 the screen under proposed construction.

22           So with that if you wanna page through to  
23 the end, these are all the treatment spaces and you..  
24 you would come to a rendering, which again, is the..  
25 the.. some of proposal is at the rendering

2 demonstrates a seamless building, which would... which  
3 would attach to the existing building and would  
4 provide again, one important center, the Levit  
5 Medical Center for all of these varied specialties.

6 One... and I think probably the most  
7 important thing, which I would close on would be that  
8 you don't have a lot of facilities like this in the  
9 immediate area in Brooklyn. What the medical center  
10 here is able to do is to provide for specialty  
11 services to allow for patients to not have to travel  
12 to Manhattan to receive you know many treatments that  
13 they would otherwise be required to... to travel miles  
14 and miles to... to... to receive, so again, it's the  
15 Levit Medical Center of Midwood, it's been a... as the  
16 Council Member mentioned, it's been a long-standing  
17 partner to the community here and with that we'd be  
18 happy to answer any questions.

19 CHAIRPERSON RILEY: Thank you Richard.

20 Just a few questions before I turn it over to Council  
21 Member Vernikov. Has the applicant... has the applicant  
22 been in touch with the community board since they  
23 disapproved the application to discuss the parking  
24 and traffic situation? What is the current status of  
25

2 those discussions and how is your team planning to  
3 address their concerns?

4 RICHARD LOBEL: Sure Chair, so I will tell  
5 you that pre-Covid this application came before the  
6 community board almost five years ago. In its first  
7 iteration and at the time particularly based upon the  
8 compelling story that is told by Susan Levit, the  
9 Executive Director and Doctor at the Center, the  
10 community board at that time issued a conditional  
11 letter saying that if the applicant was able to  
12 provide I think at the time 12 additional parking  
13 spaces that the... at least the Land Use Committee or  
14 Brooklyn Community Board 15 was in favor.

15 Since that time there was discussions,  
16 the application was voted down by the community  
17 board, the... the applicant has solidified the number  
18 of spaces at 14 spaces and attended spaces, so this  
19 is not merely you know self-park, it's able... we're  
20 able to better coordinate patient visits. Since that  
21 time as well Kevin Williams, who's on the phone with  
22 us, has done additional parking and traffic studies,  
23 importantly demonstrating that this is one of those  
24 cases where you've got an option without a rezoning,  
25 but it is worse for everyone. The center does not get

2 seamless space and the traffic and parking in the  
3 area would actually be worse given the fact that  
4 there would now be multiple drop off locations and  
5 you would not get the benefit of these 14 spaces, so  
6 although communications with the community board at  
7 the last... at the... the last hearing did not continue  
8 we continue to discuss this with local elected  
9 officials and the Brooklyn Borough President who  
10 approved this application and, so you know we're  
11 really focused on the fact that we're gonna be good  
12 neighbors and we've taken a lot of efforts to address  
13 what those parking and traffic concerns will be.

14 CHAIRPERSON RILEY: Thank you Richard. I  
15 would like to turn it over to Council Member Vernikov  
16 to see if she has any questions. Council Member  
17 Vernikov.

18 COUNCIL MEMBER VERNIKOV: Thank you Chair.  
19 Just to clarify, I don't know if I made it clear in  
20 my remarks, I do... after doing some research I do  
21 believe in the need for the expansion, so I just  
22 wanted to make that clear.

23 My first question is will the parking  
24 provided for the facility be a surface parking lot or  
25 below grade parking lot?

2 RICHARD LOBEL: It will be a surface  
3 parking lot.

4 COUNCIL MEMBER VERNIKOV: And if the  
5 applicant knows the current demand for health care  
6 facilities in the area and is... is there a current  
7 demand for health care facilities in the area  
8 generally, and if so, will this expansion help the  
9 overburdened facilities?

10 RICHARD LOBEL: Sure, so I'll start.  
11 Kevin, I'm not sure whether or not any of that is  
12 part of the EAS, but just from my visits to the  
13 center and discussing with... discussing this with the  
14 applicant it appears to me that the... the center is  
15 heavily utilized and that there is continuing demand  
16 for these facilities. As far as documenting that  
17 Kevin, I don't know whether or not there's any... you  
18 have any statistics on that.

19 KEVIN WILLIAMS: Yeah, I can do my best.  
20 You know the... the environmental assessment focusing  
21 sort of generically on... on a worse case condition  
22 actually evaluates you know the... the... both the non-  
23 applicant sites and this and so it... it... it kind of  
24 looks at a different textured scenario to assess the  
25 environmental impact, but I will say this, there's

1 been significant population growth. The R7A has been  
2 put in place on Coney Island Avenue has seen recent  
3 development. The... based on the scheduling information  
4 I've been able to both speak with the Levit's and  
5 that's available online you know indicates a long  
6 wait for doctor's appointments, but given the  
7 population growth in the area and the... the lack of  
8 additional facilities of this type I would say it's  
9 absolutely in demand and then I think the Levit's  
10 would also note how under duress this facility was  
11 during Covid, which is an ongoing challenge that  
12 seems to be living with us moving forward and so I  
13 think those... those two notions that you have a  
14 growing population and that you have obviously we've  
15 all experienced emergent needs for both the  
16 compulent... comp... complications resulting from Covid  
17 as well as the treatment from Covid you know  
18 certainly and... and anecdotal information online  
19 related to the difficulty of getting scheduled at the  
20 current facility, all indicate a... a... a great need  
21 for... for the additional services.

23 COUNCIL MEMBER VERNIKOV: I don't have any  
24 more questions, thank you everyone.

2 CHAIRPERSON RILEY: Thank you Council  
3 Member. I know invite my colleagues to ask any  
4 questions. If you have any questions for this  
5 applicant panel please use the raise hand button on  
6 the participant panel.

7 Counsel, are there any Council Member  
8 questions?

9 COMMITTEE COUNSEL: Chair, no Council  
10 Members with questions at this time.

11 CHAIRPERSON RILEY: There being no further  
12 questions the applicant panel is excused. Counsel,  
13 are there any members of the public who wish to  
14 testify on 1220 Avenue P proposal?

15 COMMITTEE COUNSEL: So we don't have any  
16 members of the public that's signed up, but we do  
17 have an unidentified caller in meeting, so if you're  
18 here to testify on Avenue P could you please hit star  
19 nine on your phone?

20 Chair, it doesn't look like the caller is  
21 here for this item, so we can move on and close the  
22 hearing.

23 CHAIRPERSON RILEY: There will be... there  
24 being no other members of the public who wish to  
25 testify on preconsidered LU's related to ULURP

2 numbers C210098ZMK and N2100...099ZRK relating to the  
3 1220 Avenue P rezoning proposal the public hearing is  
4 now closed and the items are laid over.

5 I will now open the public hearing on  
6 preconsidered LU's related to the ULURP's number  
7 C200246ZMQ and N200247ZRQ relating to the 146-93 Guy  
8 Brewer Boulevard rezoning proposal in Majority Whip  
9 Brooks-Powers district in Queens.

10 The application seeks a zoning map  
11 amendment to rezone an existing 43-2 to R6A/C2-2  
12 District and the related zoning tax amendment to  
13 establish an MIH program area.

14 If anyone wishing to testify on this item  
15 if you have not already done so you must register now  
16 and you may do that now by visiting the Council's  
17 website at [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

18 I would like to invite Majority Whip  
19 Brooks-Powers to give any remarks regarding this  
20 project. Good morning Majority Whip.

21 MAJORITY WHIP BROOKS-POWERS: Hello?

22 CHAIRPERSON RILEY: Yes, we can hear you  
23 Majority Whip.

24 MAJORITY WHIP BROOKS-POWERS: Thank you,  
25 I've been having a little bit of technical

1 challenges, but good morning everyone. Thank you  
2 Chair Riley and Committee staff for convening this  
3 hearing. I'm here to discuss the item concerning 146-  
4 9... 93 Guy R... R. Brewer Boulevard located in my  
5 district.  
6

7 I'd like to first thank the civic leaders  
8 from my community as well as the development team and  
9 the staff and the Council's Land Use Office for the  
10 series of constructive conversation's that we have  
11 had surrounding this project. A perspective of the  
12 local community is paramount when it comes to  
13 questions around our land use and I am glad that all  
14 partys have come to the table to present their vision  
15 for this space and ensure that the final project  
16 reflects the preferences of the local community.

17 The proposal as originally submitted  
18 would up-zone the site to R6A with a commercial  
19 overlay to permit an eight story mixed use building  
20 totaling about 40 units, 25% affordable under MIH.  
21 Members of the community have raised serious concerns  
22 and as the members of the Subcommittee may be aware  
23 the project was unanimously disapproved by the  
24 community board. A development of this size and  
25 height would be out of character in... in the context

2 of the nearby residential neighborhood, which is  
3 almost exclusively single family housing as well as a  
4 manufacturing district next to JFK airport.

5 It would also introduce a new burden on  
6 our resources increasing strain on local  
7 infrastructure and adding congestion to already busy  
8 streets and I might add that we currently are  
9 undergoing a massive infrastructure... 2 billion dollar  
10 infrastructure upgrade that was con... it was being  
11 constructed based on the current density of the  
12 community, so up-zoning would you know further strain  
13 something that is now being invested in and the  
14 developers have been in touch with my office and have  
15 shared alternate plans for the site with me and we're  
16 still collecting feedback from the community  
17 including hosting a town hall to discuss the near... to  
18 discuss with nearby residents what kind of  
19 development they would like to see on Guy Brewer  
20 Boulevard.

21 It's my hope that we can bring this  
22 feedback to the committee and adjust the slot in a  
23 way that is in mind with what the community would  
24 like to see. And that concludes my remarks and thank  
25 you once again, Chair.

2 CHAIRPERSON RILEY: Thank you Majority  
3 Whip.

4 Counsel, please call the first panel for  
5 this item.

6 COMMITTEE COUNSEL: For this item is  
7 Richard Lobel, Kevin Williams, Dharminder Singh and  
8 Manish Savani.

9 CHAIRPERSON RILEY: Counsel, please  
10 administer the affirmation.

11 COMMITTEE COUNSEL: For Kevin Williams and  
12 Richard Lobel, just a reminder you are still under  
13 oath and for the rest of you I'll call you  
14 individually to answer the following question. Can  
15 you please raise your right hand and do you affirm to  
16 tell the truth, the whole truth and nothing but the  
17 truth in your testimony before this Subcommittee and  
18 in your answers to all Council Member questions?  
19 Dharminder Singh?

20 DHARMINDER SINGH: I do.

21 COMMITTEE COUNSEL: And Manish Savani?

22 MANISH SAVANI: I do.

23 CHAIRPERSON RILEY: Thank you. For the  
24 benefit of the viewing public if you need a  
25

2 accessible version of the presentation please send a  
3 e-mail request to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

4 And now the applicant team may begin.  
5 Panelists, as you begin I'll just ask you to please  
6 reinstate your name and organization for the record.  
7 You may begin.

8 RICHARD LOBEL: Thank you Chair Riley.  
9 Good morning Council Members. Once again, Richard  
10 Lobel of Sheldon Lobel, P.C. for the applicant. If  
11 you can load the presentation.

12 Of course first we would like to... first  
13 and foremost thank Council Member Brooks-Powers who  
14 has done the hard work here to bring many  
15 constituencies and stakeholders into the room  
16 together repeatedly and given over time generously  
17 and... and I do not say that lightly, we... as you may be  
18 aware from this morning, are involved in a number of  
19 rezoning applications and she's really been first  
20 rate in that regard, so thank you Council Member and  
21 we do look forward to hopefully a successful  
22 conclusion to this process and this rezoning, which  
23 you see before you today, the 146-93 Brewer Boulevard  
24 rezoning. Next slide.

2           So it's impossible to consider this  
3 rezoning without considering what has been here since  
4 this district was zoned in 1961 and it's been a gas  
5 station and has allowed for vacant uses, storage of  
6 automobiles, it has really not been a productive site  
7 for the community. I think one thing that everyone is  
8 united in... in... is in wanting this to be something  
9 else and something better. Next slide.

10           So given the long history of the site and  
11 the long environmental challenges facing this site,  
12 Kevin Williams, who is on the call with us from  
13 Equity Environmental, his initial calculations with  
14 regards to what it would take to produce a feasible  
15 development here began at the cleaning of the site  
16 and decontamination of the site, which would result  
17 in costs upwards of 600 to \$800,000.00. This is  
18 probably why the site has remained undeveloped. It is  
19 a corner lot adjacent to an M1-1 District. It is  
20 located across the street from a four story homeless  
21 hotel and it is located across Guy Brewer vard... Guy  
22 R. Brewer Boulevard from another homeless  
23 institution. You know it's... it is a challenging spot,  
24 this... this landscape and this intersection, so with  
25

2 that we... we do attempt to come before the Council and  
3 to try to make it better. Next slide.

4 So what we're asking for here you can see  
5 the... the site 146-93 Guy R. Brewer as well as the  
6 sites to the north of that as proposed to be rezoned  
7 from an R3 to... to an R6A/C2-2 District just by way of  
8 how we got here for our ULURP hearings, the Council  
9 member said, as sa... as stated the local community  
10 board did not support this at an R6A. The Queens  
11 Borough President supported it at an R6B and the City  
12 Planning Commission has approved it at an R6A, so  
13 with that we understand obviously that our  
14 modifications, which will be made the Council Member  
15 has asked us for a list of options, which will be  
16 presented, but having said that you know again, I  
17 think we're unified here in wanting something better.

18 In the existing R6A District as with  
19 other rezonings we would be able to map an  
20 inclusionary housing district, which would require in  
21 the current iteration option one or producing roughly  
22 25% of units at 60% AMI. Next slide.

23 So what you see before you is the four  
24 alternatives, which have been presented to the  
25 Council Member. The original proposal was approved by

2 the City Planning Commission most recently was at an  
3 R6A for an eight story building plus cellar. You see  
4 the square footage breakdowns before you, 38,000  
5 square foot building, about 3,000 square feet of  
6 commercial space, 35,000 square feet of residential  
7 space and a 1,000 square foot ground floor tenant and  
8 meeting recreation space.

9 I won't go through the details of each  
10 iteration with you, but just hitting on the  
11 highlights the... the proposal as it was approved at  
12 City Planning would result in 45 units in varied unit  
13 mixes four studios, 29 one's, 10 two bedrooms and two  
14 three bedrooms and 11 affordable units at MIH option  
15 one. The alternative to that was approved by the  
16 Queens Borough President five story building, 23,000  
17 square feet, again, the same 3,000 square foot  
18 commercial and 1,000 square foot ground floor tenant  
19 recreation space, but this would be reduced to 20,000  
20 square feet of residential use producing a building  
21 of again, five storys, 27 units of housing with seven  
22 at MIH option one.

23 Important to note that the... the R6B  
24 option produces a building, which is similar in  
25 height to the hotel, now a homeless hotel, south of

2 the building on 147th Avenue, so again as far as the  
3 bulk concern and overall height are concerned this  
4 proposal nears those other buildings in the area.

5 We also note that as you will see from  
6 the other two alternatives this is the last remaining  
7 alternative that produces MIH affordability as  
8 pursuant to Article 2 of the zoning resolution  
9 anything below R6B is not mapped with MIH, so we did  
10 provide the Council Member with two other  
11 alternatives, the R5D and the R5B. The R5D producing  
12 a four story building with 24 units of housing and  
13 the R5B a three story building with 16 units of  
14 housing.

15 You know as you go to the... the lower  
16 buildings and the fewer units you run into some  
17 significant challenges, again, Kevin has only  
18 provided us an estimate of the remediation costs at  
19 the site at 800,000, this... this may and probably has  
20 gone up over the last six months, so we're now facing  
21 a position where we're... we're... we're coming somewhat  
22 closet to an area where the building could  
23 potentially not be built and the extended additional  
24 bulk was not provided. We would also add that the 5D  
25 and... and 5B alternatives produce buildings that are..

2 are now would be smaller than the adjacent building  
3 along 147th Avenue, so you know with that obviously  
4 I'm sure there are questions and people will look at  
5 the data, but this is the full range of options as  
6 we're presented to Council Member Brooks-Powers. Next  
7 slide.

8                 So you see the additional materials,  
9 which are provided. We provided renderings and plans  
10 with each of the options, again, the original R6A  
11 presented on the upper left portion of the screen  
12 dialing down to the R6B on the upper right portion  
13 and then the R5D and R5B along the lower portion.  
14 Next slide.

15                 So this is a copy of the zoning map and  
16 again, we're just gonna lightly run through the land  
17 use map and then you know Manish Savani, the project  
18 architect is here and can show the plans. This is  
19 the... the delineation of the zoning district boundary,  
20 again, it would encompass the site and the five... four  
21 sites to the north of the property, so the site  
22 itself is roughly 10,000 plus square feet, those  
23 additional sites also roughly 10,000 square feet.  
24 Next slide.

2           It would also have the benefit of adding  
3 a commercial overlay. You can see the land use map  
4 here and there is a real distinction between the  
5 manufacturing districts to the south and the  
6 residential district to the north. Importantly, this  
7 corner itself is somewhat unique in having non-  
8 confirming commercial uses on the northwest corner  
9 and what amounted to be a parking lot slash gas  
10 station on the northeast corner, so this corner has  
11 always been challenging. One of the reasons that we  
12 think that this application is merited and a rezoning  
13 here is merited is because you've got two 80 foot  
14 wide streets that intersect at the property, this is  
15 seen as a hallmark of an opportunity to create  
16 density. We are not going deep into the R3-2 portion  
17 of the... of the zoning map. You can see we're here on  
18 the edge of that district. You do have very good site  
19 access and that usually you know is a sign that  
20 density... additional density is merited, so really you  
21 got a tough site. You got a tough site in terms of  
22 remediation and a tough site in terms of what your  
23 surrounding uses are. Next slide.

24           These are pictures of the site again, in  
25 interest... in the interest of the Council Member's

2 time if you could just page through these pictures  
3 you can see that the site itself undeveloped, you  
4 know not in the... you know not just the... this... this  
5 site is not in great shape. You can see the... the  
6 homeless hotel across the street from this site in  
7 the lower left and additional commercial uses. And...  
8 and again, just again for like context, we sit  
9 roughly 11,000 feet... linear feet south of... or... or  
10 adjacent to JFK, so challenging site, which has  
11 produced a lot of... you know a lot of parking for  
12 airport parking and such.

13 We include the original proposal, the  
14 R6A, and I think maybe Manish Savani, the project  
15 architect could merely just run through the  
16 distinctions between those.

17 Manish, starting at the R6A do you wanna  
18 just run through very briefly what the distinctions  
19 are in these buildings as they page through the  
20 plans?

21 MANISH SAVANI: Thank you Richard. This is  
22 Manish Savani, architect PC based out of Jamaica-  
23 Queens. I'm the architect for the project. What  
24 you're looking at currently is the site plan, which  
25 shows the attendant parking to the east and the

2 building located on the northwest or northeast corner  
3 of the site. Next slide please.

4 The cellar, which basically has the  
5 storage and the utilities, nothing else. Next slide.

6 The first floor has commercial spaces and  
7 community facility spaces and the resident  
8 recreational space towards the back and shows the  
9 basic attendant parking layout. Next slide.

10 The floor second to the third floor,  
11 which is a larger floor plan, it's eight units, the  
12 apartment mix noted on the lower left corner. Next  
13 slide.

14 The photo of the sixth floor and then the  
15 seventh and the eighth floor, which kind of shows the  
16 entire layout and here is the elevation for the  
17 original eight story R6A building. Let's see, okay.  
18 Yeah, next slide please. Thanks.

19 Your alternative, okay. That was quick.  
20 The R6B is basically the same layout except for the  
21 bulk has been changed. The site plan's the same, same  
22 amount of parking and the location of the building,  
23 cellar is the same exact as the original R6A, the  
24 first floor layout is typically the same and the  
25 uppers floors. Next slide please.

2 Second and third floor we made no changes  
3 and yeah, third floor a smaller unit layout, because  
4 of the setbacks and the square footage. A five story  
5 elevation, yeah. So next slide please.

6 You still maintain the parking at the.. on  
7 the east side and the building bulk is still the  
8 same, just the height has been reduced and we kept on  
9 reducing the size, the height of the building as the  
10 zones went down. Cellars, you will notice is the same  
11 layout, same as the first floor has been kept the  
12 same and the next slide, yes, the second and the  
13 third floor is the same exact, but eight units each.

14 For the R5B, next one, next slide please,  
15 yeah. The last alternative, here the size has  
16 changed, the.. the building is a three story, 11  
17 parking in the back, no more attendant anymore, it's  
18 self-parking. Next slide.

19 It's been kept the same for accessory  
20 users, the layout of the commercial and the community  
21 facility has been slightly modified as the size of  
22 the building has changed. There are only three units  
23 on the first floor, a commercial and community  
24 facility and the second and third are the same with  
25

1 eight units each on the floors. That would preserve  
2 16 units. That's a much smaller building.

3  
4 RICHARD LOBEL: So and thank... thank you  
5 Manish. So with that we just close with... with AMI's  
6 and which in this building based upon option one  
7 would produce 60% AMI's at the family size intended  
8 for the building you'd have income ranges between  
9 50,000 and 64,000 to 71,000. Next slide.

10 And then the rents would be between 956  
11 upwards through 1,653 with you know 10% of the  
12 building being at 598 per studio to 1,000 for a three  
13 bedroom and I think it's important that we close with  
14 this considering why we're here and why we're often  
15 here for rezoning, which is that with the inclusion  
16 and mandatory inclusionary housing we address issues  
17 as are raised by the community and when I say that  
18 not merely by members in the community who were at  
19 the community board or who speak, but also those who  
20 don't speak and may not have a voice and that... in  
21 this community it's particularly prevalent when we  
22 look at the census data for the last 10 years you're  
23 looking at an increase in the number of households by  
24 11% while there is a median household income, which  
25 is decreased by 16%. All of this results in per

2 capita in... income decreases, increased housing with  
3 a... with a decrease in vacant... vacancies, which is all  
4 related to housing pressure. And here that is  
5 particularly prevalent given that the occupied  
6 housing units and what is termed to be overcrowding  
7 has increased by you know from roughly 100 and... from  
8 67 units to roughly 117 units, so a rather marked  
9 increase and this is basically how many families are...  
10 are occupying fewer units, how many units are now  
11 occupied with more than one occupant per room,  
12 there's a housing crisis. The housing crisis in  
13 accordance with these demographics has hit this area  
14 hard. It would be a shame to not produce first of all  
15 housing at this area, in this area and second of all  
16 affordable housing to address some of these dire  
17 needs as expressed by the census data.

18 So with that again and with thanks to the  
19 Council Member, Council Member Brooks-Powers for... for  
20 hosting any of these conversation's we're happy to  
21 answer any questions.

22 CHAIRPERSON RILEY: Thank you so much,  
23 just a few... couple questions before I pass it to  
24 Majority Whip Brook-Powers. Could you confirm how  
25

2 many affordable housing units will be created by the  
3 proposed project?

4 RICHARD LOBEL: Chair, that's difficult at  
5 this point, so what I would instead say would that...  
6 would be that under the two scenarios including the  
7 one, which was approved by City Planning and the one  
8 at an R6B, those being the two scenarios that would  
9 actually produce affordability in accordance with  
10 MIH, in the R6A scenario you would have 45 total  
11 units of which 11 would be affordable, and that's at  
12 option one, and then under the R6D alternative you  
13 would have 27 units produce, of which seven would be  
14 affordable at option one. Of course, in the event  
15 option two were selected you would have a slight  
16 increase in those number of units, roughly 14 for op...  
17 for the R6A option and roughly 10 for the R6B option.

18 CHAIRPERSON RILEY: Thank you. Is the  
19 height of an R6A building consistent with the  
20 surrounding neighborhood?

21 RICHARD LOBEL: Yeah, so it's a great  
22 question. I mean it produces an eight story building  
23 under this scenario. We were able to reduce the  
24 height of that building to the extent that we added  
25 additional floor area and... and made the building

2 envelope more squat, but you know we do arguably  
3 think that it's important to produce a building of  
4 this size. You know when you look at precedent in  
5 the... in the area there is not a lot of eight story  
6 precedent in the area. You have five story buildings,  
7 further afield you have taller buildings, but in the  
8 immediate area you don't and it's kind of just a  
9 question of what you do on this site and whether or  
10 not the density is appropriate, not merely for the  
11 existing context, but also on a going forward basis.  
12 The reason we think that is and the reason we argued  
13 for it was, because this is one of those rare sites  
14 in the area where you do have the opportunity for  
15 transportation, you do have two 80 foot wide streets  
16 and really kind of where you wanna locate your  
17 housing. We've talked in other applications of 100  
18 foot wide boulevards and avenues, we don't have that  
19 here in this area of Queens, but as far as this area  
20 goes this is where you want to put additional density  
21 and you know hopefully we're getting something, here  
22 or maybe not at an eight story building.

23 CHAIRPERSON RILEY: Thank you so much. I  
24 would not like to turn it over to Majority Whip

2 Brooks-Powers to see if she has any questions for  
3 this panel.

4 MAJORITY WHIP BROOKS-POWERS: Thank you so  
5 much again, Chair Riley and Mr. Lobel. I just want  
6 for you to discuss a little bit more the feasibility  
7 of the alternatives that you provided. What would the  
8 developer build or more so what are the economic  
9 implications for each that you see with the  
10 alternatives?

11 RICHARD LOBEL: Sure, so right, so in  
12 essence what I like to say sometimes is that we're...  
13 it's less that we're seeking a rezoning and more that  
14 we're seeking a... a project and... and really a feasible  
15 project.

16 So here you know we've looked at four  
17 options and the lowest of those is the R5B. The R5B  
18 scenario in this presentation, it has community  
19 facility use, which shows what the maximum square  
20 footage could look like under that scenario.

21 As far as the applicant and their  
22 calculations, however, this would not produce a  
23 financially feasible scenario. It would be  
24 insufficient to allow what here is going to amount to  
25

2 be costly clean up upwards of as we calculated likely  
3 a minimum of \$800,000.00.

4           So despite the breakdown of the uses  
5 presented, first of all the R5B would you know it  
6 would unlikely to produce anything other than  
7 residential use, so you'd probably have a fully  
8 residential building, but even with that and... and  
9 with that scenario I don't... I don't think it gets  
10 built at an R5B and that's basically just you know a  
11 fact of the matter and... and what's... what... what about  
12 the numbers.

13           So you know with regards to the other  
14 scenarios and... and you know obviously this is part of  
15 our ongoing conversations, the R6B building is the  
16 lowest district require inclusionary and so both the  
17 R5D and R5B produce... don't produce any affordable  
18 units, produced or pursuant to MIH, so it's  
19 complicated, because there are competing goals here.  
20 One is you don't want a building that's eight  
21 story's, understood, you want a building that  
22 produces affordability, it... you know it's... it's... it  
23 becomes a... a shorter building, but you can still do  
24 it and then once you go to the R5B option we don't  
25 think that that would produce a building at all you

2 know, so... so what we're looking at as far as  
3 feasibility is... is an R6B if you want the  
4 affordability and an R5D if you don't.

5 With regards to the bulk of the building  
6 again, you know this... the building at an R5D is lower  
7 than and an R6B is at the height of the building a...  
8 across 147th Avenue.

9 MAJORITY WHIP BROOKS-POWERS: Now you're...  
10 and just really quickly, 'cause you... you're saying  
11 that the R6B like... likely would have nothing built  
12 there, but my understanding...

13 RICHARD LOBEL: No, no, the R5... the R5B,  
14 I'm sorry.

15 MAJORITY WHIP BROOKS-POWERS: The R5B, but  
16 my understanding from our last conversation was if  
17 that was built it would either be townhomes or like a  
18 plaza of retail, so are you saying that you guys have  
19 come to the conclusion that those are no longer an  
20 option?

21 RICHARD LOBEL: I... I... I would actually  
22 have Dharminder Singh weigh in if he'd like to.  
23 Dharminder, I know that you've looked most close at  
24 the numbers as whether or not the R5B would produce

2 sufficient development to counter the cost of  
3 remediation and to actually build a building.

4 DHARMINDER SINGH: Yeah, would... we would...  
5 (inaudible) on the building to go by that...  
6 (inaudible) and construction costs going and you know  
7 all the construction costs going like 30% up in the  
8 materials and everything and the way looking at to  
9 produce this and it's not come up to the financing  
10 and the banking, it... you know we... we need to get some  
11 financing on the building, 'cause of the construction  
12 and... (inaudible) financial institution and if they  
13 completely denying with that avenue gonna produce  
14 setbacks from the costs. And it will look like it  
15 will likely... (inaudible) we cannot... (inaudible)  
16 blessings from that neighborhood or... or the Council  
17 Member or the board and the plan is now to... we... we...  
18 we're looking... we're looking at... the goal was to  
19 produce the housing, affordable housing here too and  
20 we had some statement and some... from the bank and  
21 from... (inaudible) financials based on that when we  
22 start this project. And I think the way they're  
23 running up to 5D, it does make sense to... to do it,  
24 but there's no property's in building height, but to  
25 center on that 421... (inaudible) go through that... the

2 construction providing.. (inaudible) and would make  
3 sense on that more to go towards the R5, R6B.

4 That's our plan and that's what all the  
5 financial decision and to making the towards the  
6 bankers and all we're looking at.

7 MAJORITY WHIP BROOKS-POWERS: Yeah, 'cause  
8 as I've said in past conversation's you know when you  
9 purchased this lot you knew what the zoning was and  
10 so... and my understanding was that you were open to  
11 even like the... the retail, which was your initial  
12 plan for that lot, but I'd also like to know if the  
13 developers have made any further contact with the  
14 community since our most recent discussion and what  
15 that has been?

16 DHARMINDER SINGH: Yes, I am... we are  
17 contacting all that, the neighbors in... in the area  
18 and asking for to see what... what is feasible and what  
19 they want to see in there and what kind of apartment  
20 and what the demands are and I believe we are getting  
21 a lot of support from the immediate neighborhood like  
22 block around and two blocks around in the area and  
23 people want to see that progress and that's just the  
24 general feedback. I think we will try to get... if  
25 there's any petition needs to be submitted to.. to

2 come with the neighborhood all the petitions if we  
3 can bring a petition like to the people immediate  
4 neighborhoods they... what they want. They really want  
5 to see... because we own this property six years, more  
6 than six year now and, so we are very familiar with  
7 that neighborhoods and I live actually in community,  
8 like my 50 years in that community board. I was not a  
9 member of community board, but I was in that  
10 community... (inaudible) and...

11 MAJORITY WHIP BROOKS-POWERS: And you say  
12 you lived in the community, I know you mentioned that  
13 before, what part of the community did you live?

14 DHARMINDER SINGH: I live on... in Queens  
15 Village. In Queens Village area...

16 MAJORITY WHIP BROOKS-POWERS: So not... so  
17 that's not in this community... (inaudible)

18 DHARMINDER SINGH: Not in this community...  
19 community board... (inaudible) community board, yeah,  
20 it's up north and that's where my community board  
21 members are and they're all living that... far from  
22 that area and they're not seeing that need in that  
23 area. They... they are most of the community board  
24 members that they're not this... this property, maybe  
25 some of them, but the needs in the area if you Google

2 it or anywhere in the rental... or any rental market  
3 there the price are skyrocketing on that. There... it's  
4 not affordable and people, when I was talking to even  
5 the... to the neighbors when I go by the area and the  
6 rental, families are getting better and the people,  
7 they're seeing a... a... they are moving to other...  
8 finding opportunity and other affordable like going  
9 to Brooklyn, because there's more buildings built,  
10 they are going to Long Island City and going applying  
11 for that in that larger system and people are aware  
12 of this and they need the... they wanna see their loved  
13 one in the area if they can move to the area and have  
14 some kind of opportunity and to see that if this  
15 gonna be built then maybe... (inaudible) they can have  
16 some kind of medical needs or some other kind of... or  
17 daycare centers you know, which can be more you know  
18 gives to the community and their needs. And I also... I  
19 will see that objection community board had here,  
20 which personally I didn't like it, because they were  
21 saying there's a shelter, why is the shelter there?  
22 Why people they are in shelters? Because they  
23 couldn't afford an affordable house and I'm  
24 completely against as a human, as the... if there's a  
25 shelter and we cannot discriminate that, there's

2 already shelter there in the area, there's no, that  
3 shelter is for the people, for us you know, it's... the  
4 people don't... they not affording the housing and  
5 they're just going to the shelter and they're looking  
6 for affordable opportunity to go into housing.

7 I... I have other buildings somewhere and  
8 had one apartment for rent and there's so many people  
9 approaching for that just one apartment, little  
10 apartment, from that... from the shelter.

11 MAJORITY WHIP BROOKS-POWERS: So you're  
12 absolutely right there, there's been a housing crisis  
13 in New York City for many years, but if you  
14 understand the layout of Southeast Queens you would  
15 know that Southeast Queens has been the location and  
16 continues to be location with substantial supportive  
17 housing developments have been built there in  
18 addition to the homes that are already there and so  
19 we're trying to be able to balance that out and... and  
20 as well.

21 And I... and I invite you, you know we're  
22 doing a town hall coming up, I invite you and Mr.  
23 Lobel and Manish to also join and... and speak on  
24 behalf of the project further in another platform,  
25 which is not only the community board, but the

1 members of that immediate community, because what  
2 I've been hearing from people in that immediate area  
3 is it's a lot of congestion over there and  
4 infrastructure does not support it and so I... I also  
5 ask that you invite the people that you said that you  
6 spoke to in the immediate area that may be in support  
7 of it you know, 'cause I wanna make sure I'm hearing  
8 from everyone, but that's not consistent in what I've  
9 been hearing to date.

11 DHARMINDER SINGH: So definitely, yeah, if  
12 we need to come and demonstrate that to the people...  
13 (inaudible) so people are doing it and I spoke to a  
14 couple pastor in church in the area and stuff too,  
15 you know this... they are... they... they seen the need  
16 there, but some people in... in a business sense and  
17 also you'll see that... that little strip there two  
18 blocks from the store to there... (inaudible) that...  
19 those stores are always vacant. There's no business,  
20 so there's no movement there. There's... there's no  
21 movement at all and there is no... there's a... there's  
22 couple store there, they shut down, they close down,  
23 because there's no business there. The businesses,  
24 the economy is... it's disasters on that block and the...  
25 so it's... this is kind of built and this will bring to

2 that nature of more people, activities and you know  
3 encourage the business and you know economy of this  
4 area and also we are now... now looking, we're seeking  
5 at the same height as the hotel next door we have.  
6 It's just right across from us, it's like 53 feet  
7 height and also the school on that little north of  
8 our building, the school is also four story's, but  
9 the is five story's, it seems like more than 50 or 65  
10 feet high school building, so we're not just gonna  
11 pop up in the neighborhood and just a... a very high...  
12 high rise building, so it... if... if that's something  
13 you can consider or the Committee can consider on  
14 this, this is just our appeal to you and the  
15 Committee Members.

16 MAJORITY WHIP BROOKS-POWERS: Again, thank  
17 you for your comments. I look forward to continuing  
18 to engage to a point that we're able to find a space  
19 that's mutually acceptable between you and the  
20 community.

21 Thank you Chair.

22 CHAIRPERSON RILEY: Thank you Majority  
23 Whip. I now invite my colleagues to ask questions. If  
24 you have any questions for this applicant panel  
25 please use the raise hand button on the participant

2 panel. Counsel, are there any Council Member  
3 questions.

4 COMMITTEE COUNSEL: Chair, I don't see any  
5 Council Member with questions at this time.

6 CHAIRPERSON RILEY: There being no further  
7 questions the applicant panel is excused. Counsel,  
8 are there any members of the public who wish to  
9 testify on the 146-93 Guy R. Brewer Boulevard  
10 proposal?

11 COMMITTEE COUNSEL: Chair, we do have  
12 several members of the public here to testify, so I  
13 can call on the first panel. So the first panel will  
14 be... hold on, let me get the names, one second.  
15 Barbara Brown is the first panelist, so we can start  
16 with her and I'll call the following name. Barbara,  
17 good to see you.

18 CHAIRPERSON RILEY: Members of the public  
19 will be given two minutes to speak. Please do not  
20 begin until the Sergeant at Arms has started the  
21 clock.

22 SERGEANT AT ARMS: Your time will begin.

23 CHAIRPERSON RILEY: You may begin.

24 BARBARA BROWN: Good afternoon. So the  
25 proposed structure is non-conforming in height and

2 character to the residential community. It would be  
3 taller than any structure in the vicinity, the homes,  
4 the shelters, the air cargo buildings just south of  
5 the site and the local school and you can see that  
6 from the slides that were shown a little... a few  
7 minutes ago.

8           As a resident it's proximity to JFK  
9 International Airport constitutes a non-compatible  
10 land use and so putting a tower or putting any kind  
11 of residence really there is... contradicts the FAA  
12 land use guidelines and certainly to put a tower  
13 there it... it... it would be against the guidelines.

14           The proposed structure is also situated  
15 in a very active traffic corridor. The presentation  
16 made it sound like it's... like a boulevard, traffic is  
17 often at a standstill there, we're talking about  
18 single lanes in each direction and so this proposed  
19 project would only worsen the condition of the  
20 already clogged streets there.

21           On the street parking is almost non-  
22 existent and I understand that from the... the 6A, 6B  
23 they're talking about stackable parking for  
24 residents, that would be totally unacceptable to one  
25

2 and two family story's... one and two family homes  
3 immediately adjacent to the property.

4           The site is also in the footprint of an  
5 old gas station as was stated, so the community is  
6 looking for appropriate... an appropriate R3-2 use of  
7 the site with perhaps a commercial overlay and the  
8 land your... lord knew that it wasn't an R3-2 zone when  
9 he purchased it, so he should be willing to plan  
10 accordingly. To apply to build an eight story tower  
11 and this site just so he can pay the expenses  
12 necessitated to remediate the ground field is  
13 unacceptable. That R3-6 zone will essentially enable  
14 him to qualify for the low income tax... low income  
15 housing tax credits and other subsitees... subsidies  
16 for affordable comes a buzzword, which has not been  
17 proved as needed in that immediate area.

18           SERGEANT AT ARMS: Time has expired.

19           BARBARA BROWN: This application should be  
20 denied. It... it's placing an unfair burden on the  
21 community... the local community and I...

22           COMMITTEE COUNSEL: Thank you Barbara.

23 Chair, I can call on the next members of this panel,  
24 so the next people that we're gonna hear from are

2 Lonnie Glover to be followed by William Perkins to be  
3 followed by Felipe Ruiz, so Lonnie Glover is next.

4 SERGEANT AT ARMS: Your time will begin.

5 COMMITTEE COUNSEL: Lonnie, can you unmute  
6 yourself? Chair, it looks like... oh, there we go. Can  
7 you... can you say something Lonnie? We're trying to  
8 see if you have sound. Okay, Chair, it looks like  
9 Lonnie Glover is having some issues, so we're gonna  
10 get back to him, but for now I'm gonna call on  
11 William Perkins. Lonnie, we'll get back to you in a  
12 sec.

13 CHAIRPERSON RILEY: Mr. Perkins...

14 SERGEANT AT ARMS: Your time will begin.

15 WILLIAM PERKINS: Yes.

16 CHAIRPERSON RILEY: You may begin.

17 WILLIAM PERKINS: All right. Thank you  
18 and... and I wanna thank our Council Member for the...  
19 the opening remarks here. I'm Bill Perkins, I am part  
20 of the Rosedale Civic Association as well as the  
21 Eastern Queens Alliance.

22 Just to let everybody know the  
23 conglomeration of civics in Southeastern Queens are  
24 category against this development. You know we are  
25 looking to kind of maintain the character of our

2 neighborhood, but recognize something has to go there  
3 and we're willing to work with that. Let... let me  
4 comment on a couple of things that was mentioned  
5 here.

6 First of all, the hotel across the street  
7 from the proposed development is in a different zone,  
8 so and... and then the school building is not... I... I  
9 wouldn't say in the same kind of structure that we're  
10 talking about here. We're talking about residential  
11 houses and the proposed structure of R6A will be the  
12 largest development in Southeastern Queens, which as  
13 our Council Member mentioned our community is  
14 primarily single and... and two family homes.

15 We have been working as civics and  
16 working with our Council Members and elected  
17 officials you know since we were made aware of this.  
18 I will tell you, we have not yet and neither the... the  
19 developer or Council has really approached us to talk  
20 about, "Hey, how can we work together?" yet besides  
21 that, we have as a community come together and said,  
22 "We do want something there."

23 The proposed structure of being 65 or 75  
24 feet is just again, out of the character, so as  
25 Barbara Brown mentioned who is you know the Chair of

2 the Eastern Queens Alliance as well as a community  
3 organization here in Southeastern Queens, we would  
4 rather keep it as an R3-2, however, recognizing that  
5 the R5B would provide a little bit more housing  
6 space, that's something that the community was  
7 amenable to do, so I do wanna make sure that the...  
8 the... the Council is... is clear that the community is  
9 working through this looking for something to be  
10 there, but that R5B would at least keep the structure  
11 at a height size, which is in the character of this  
12 particular community.

13 Barbara did get into just the congestion,  
14 just as you know there are a number of environmental  
15 factors...

16 SERGEANT AT ARMS: Time has expired.

17 WILLIAM PERKINS: Congestion alone is  
18 significant, because where they're proposing the  
19 parking space and where they're proposing you know  
20 where you would egress, it's... it... it's... it's in a  
21 very trafficked area and it's up the street from the...  
22 a major highway, so any given afternoon you have  
23 difficulty already getting this community through  
24 that... through that street.

2           There are a number of issues regarding  
3 just the... the... the sewage and the... the... the work that  
4 we're doing with stew... sewage, etcetera that need to  
5 be taken into account. Again, we're willing to work  
6 with the developer, but we wanna make sure that the  
7 developer is doing something in the character of this  
8 community and we would ask that you've had Council,  
9 you've had Council working with this with elected  
10 officials, but you have yet to come to any of our  
11 civic or community meetings to talk about what you're  
12 gonna do. To me, don't do it to us, work with us and  
13 if you wanna work with us, work with a R5B at the  
14 most that prefers to... preserves the character of the  
15 community and get something done. Thank you.

16           COMMITTEE COUNSEL: The next speaker on  
17 this panel, we can try to go back to Lonnie. Lonnie,  
18 can you unmute yourself?

19           LONNIE GLOVER: It's not working.

20           CHAIRPERSON RILEY: Can we get... Lonnie, we  
21 can hear you.

22           COMMITTEE COUNSEL: We can hear you, we  
23 can hear you.

24           CHAIRPERSON RILEY: We can hear you.

2 SERGEANT AT ARMS: And your time will  
3 begin.

4 CHAIRPERSON RILEY: Lonnie, we can see and  
5 hear you, you could just begin. Maybe he can't hear  
6 us. Okay. Counsel, do you wanna move on to the next  
7 applicant, we'll come back and try him again?

8 COMMITTEE COUNSEL: Yeah, we'll come back  
9 to Lonnie. So the next speaker on this panel is  
10 Felipe Ruiz.

11 SERGEANT AT ARMS: Your time will begin.

12 FELIPE RUIZ: Good afternoon everyone, I  
13 think that Lonnie would be able to actually address  
14 some key points I think that one of which was the  
15 chemicals that were left over by the gas station. I  
16 don't think that anything has been said regarding  
17 exactly how they're proposed to clean that lot up.

18 Secondly, I think that Miss Brown and the  
19 other members have address this matter quite  
20 eloquently a rise in opposition to this program and  
21 that it's gonna lead to a lot of congestions, a lot  
22 of negative conditions that are clearly visible and...  
23 and if the individuals or the principles of this  
24 project have ever taken the time to adventure and  
25 spend time in the location they would clearly would

2 come to the conclusion, which just something that is  
3 somewhat easy and I'm communicating this discussion  
4 from other members of my community that this  
5 location, it is not a prime nor a perfect location  
6 for anyone seeking to have a place to come home and  
7 rest and find that place to be home. It's completely  
8 congested, there is heavy traffic, we're suffering in  
9 this area in the vicinity where I currently live with  
10 a tremendous amount of heavy 18 wheeler traffic that  
11 is... they direct response to Fed-Ex and other  
12 locations to the... to the airport and quite simply  
13 because Amazon and Fed-Ex have utilized this  
14 particular structure located on 146th Avenue and  
15 147th Road in this area of Springfield Boulevard as  
16 the center for distribution, so I can only imagine  
17 that adding additional foot work in that location and  
18 traffic is gonna lead to a complete nightmare to what  
19 is already a very difficult situation for single  
20 family homes and residents of this location.

21 I reside in an area where senior citizens  
22 have resided and lived in this area for the past 60  
23 years. They are civic servants and they... they deserve  
24 their peace and quiet. They have retired...

25 SERGEANT AT ARMS: Time has expired.

2 FELIPE RUIZ: They have worked hard for  
3 their homes and I think that it is in the interest of  
4 those individuals to bring about the discussion to us  
5 and to present to us exactly the kind of project that  
6 is gonna basically preserve what we wanna preserve in  
7 our community. Thank you.

8 COMMITTEE COUNSEL: Thank you Felipe.  
9 Lonnie, we're gonna try one more time to see if we  
10 can hear you. We can see you.

11 LONNIE GLOVER: It's not working. Please  
12 check.

13 COMMITTEE COUNSEL: We can hear you now  
14 Lonnie. We can hear...

15 CHAIRPERSON RILEY: We can hear you.

16 LONNIE GLOVER: I know man, I know. Why  
17 did this cut out on me when I want... when I need it?

18 CHAIRPERSON RILEY: Good afternoon,  
19 Lonnie, are you ready to present?

20 LONNIE GLOVER: Damn. Come on.

21 COMMITTEE COUNSEL: Lonnie, we can hear  
22 you.

23 LONNIE GLOVER: See, Bill. Bill. Come on.

24 CHAIRPERSON RILEY: Okay.

2 MAJORITY WHIP BROOKS-POWERS: Because of  
3 his technical difficulties...

4 CHAIRPERSON RILEY: Yeah.

5 MAJORITY WHIP BROOKS-POWERS: Is there a  
6 way that if maybe one of the other members, I think  
7 he may be talking to Mr. Perkins...

8 CHAIRPERSON RILEY: To Mr. Perkins.

9 MAJORITY WHIP BROOKS-POWERS: If he can  
10 come off mute and maybe go on speakerphone while they  
11 talk?

12 CHAIRPERSON RILEY: Yeah, I'm gonna  
13 suggest that. Hold on a second. Mr. Perkins...

14 MAJORITY WHIP BROOKS-POWERS: Mr. Perkins,  
15 okay. Sorry.

16 CHAIRPERSON RILEY: Mr. Perkins, are you...  
17 are you in contact with Lonnie?

18 WILLIAM PERKINS: Yes, Chair, I am. I... I  
19 let him know that he could... we could hear him, he  
20 just couldn't hear us, so if you let me call him back  
21 I'll let him speak, he... and then... and then...

22 CHAIRPERSON RILEY: Oh, I think... I think  
23 he's talking...

24 WILLIAM PERKINS: Okay.

25 CHAIRPERSON RILEY: Now, hold on. Oh, God.

2 MAJORITY WHIP BROOKS-POWERS: Well now  
3 he's on mute, so Mr. Perkins, if you can just go on  
4 the...

5 CHAIRPERSON RILEY: Yeah.

6 MAJORITY WHIP BROOKS-POWERS: Phone with  
7 him and put him on speaker, so that he can then  
8 present that way.

9 WILLIAM PERKINS: Yeah, we'll work with  
10 that technology Council Member, we'll... we'll get...  
11 hold on for a second.

12 CHAIRPERSON RILEY: Oh, I feel bad, he's  
13 doing the entire presentation right now.

14 COMMITTEE COUNSEL: Yeah, I think that's  
15 why he's not answering you, Mr. Perkins.

16 CHAIRPERSON RILEY: No.

17 COMMITTEE COUNSEL: 'Cause he's talking.

18 WILLIAM PERKINS: Yeah. Okay. I'll... I'll...

19 CHAIRPERSON RILEY: So Counsel, do we have  
20 any more members of the public who wants to testify?

21 COMMITTEE COUNSEL: No, Lonnie would be  
22 our last one and he's talking, we just can't...

23 CHAIRPERSON RILEY: All right, then we'll...

24 MAJORITY WHIP BROOKS-POWERS: It looks  
25 like Mr. Perkins is signaling.

2 WILLIAM PERKINS: Yeah, what... what I was  
3 saying everyone, he has a written statement,  
4 testimony, that he's put in and I don't know if... if  
5 it can be read, but he does have his testimony, which  
6 is the primary thesis of his update today.

7 CHAIRPERSON RILEY: Okay, no problem.

8 COMMITTEE COUNSEL: So, Mr. Perkins, we  
9 can tell him to submit the testimony, Barbara, if  
10 you're listening to us,  
11 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov), so... so if we could  
12 just get it from him in writing it will be put into  
13 the record.

14 WILLIAM PERKINS: Okay, absolutely and  
15 we'll follow up as well. Thank you.

16 CHAIRPERSON RILEY: Thank you.

17 MAJORITY WHIP BROOKS-POWERS: Thank you,  
18 Chair.

19 CHAIRPERSON RILEY: No problem Majority  
20 Leader.

21 COMMITTEE COUNSEL: Chair, there's no more  
22 members to testify and I don't know if the Majority  
23 Whip wants to say anything else, 'cause I see her  
24 hand is still up.

2 CHAIRPERSON RILEY: Majority Whip, did you  
3 wanna give any last remarks regarding this project?

4 MAJORITY WHIP BROOKS-POWERS: I was... when  
5 they were talking I had wanted them to highlight the  
6 communities that they represent, 'cause I know it  
7 would've made a statement in terms of not being from  
8 that immediate area, but I will say that both Lonnie  
9 Glover and Barbara Brown reside in the immediate  
10 community in Springfield Gardens where this project  
11 would go up, so I did wanna highlight that and the  
12 other questions I had they pretty much answered in  
13 their remarks in terms of what they would like to see  
14 and you know thank you for the opportunity to have  
15 this... another platform to move the conversation  
16 forward.

17 CHAIRPERSON RILEY: Any time. Thank you  
18 Majority Whip. There being no other members of the  
19 public who wants to testify on precondisered LU's  
20 related to ULURP's numbers C200246ZMQ and N200247ZRQ  
21 relating to the 146-93 Guy R. Brewer Boulevard  
22 rezoning proposal the public hearing is now closed  
23 and items are laid over.

24 That concludes today's business. I would  
25 like to thank the members of the public, my

2 colleagues, Subcommittee Counsel, land use and other  
3 Council staff and Sergeant at Arms for participating  
4 in today's meeting. This meeting is hereby adjourned,  
5 thank you [GAVEL].

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 25, 2022