

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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September 7, 2022  
Start: 10:18 a.m.  
Recess: 4:09 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

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  
Gale A. Brewer  
Marjorie Velázquez

## A P P E A R A N C E S

Eric Palatnik  
Mark Greenberg  
Aaron Jones  
Jaclyn Scarinci  
Vanessa Gibson  
Joann Andersen  
Lynn Koester  
Frank Vernuccio  
Marco Marciano  
Peter Zuccarello  
Matthew Mahoney  
Donald Manning  
Stephen Raida  
Sanford Hales  
Denise Dantzler  
Ann Baller  
Denise Casillici  
Oba Watson  
Charlene Jackson Mendez  
Anthony Francisco  
Michelle Torriani  
Tommy Messina  
Moses Gates  
Sinclair Hollingsworth  
Peter Bivona  
Brendon Cheney  
Mary Jane Musano  
Andrew Chirico  
George Havranek  
John Sorini  
Janine Franciosa  
Aden Munassar  
Roxanne Delgado  
Austin Celestin  
Logan Phares  
Joseph Russo  
John Cornille  
Sherill Cropper  
John Cortese

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

Harry Celentano  
Maricella Simon  
Canida Santiago  
Nelson Velazquez  
John Tritt  
Christine Culpepper  
Jamie Debellis  
Alfred Bastone  
Oona Adams  
William Bollinger  
Angel Diaz  
Michael Cass  
Ankar Dalal  
Frank Balaqua  
Tafadar Sourov  
Carole DeChiara  
Teresa Hernandez  
Catherine Donnelly  
Jonathan Beuttler  
Marc Greenberg  
Polina Bakhteiarov  
Patrick McManus  
Salvatore Franchino  
Jesse Lang  
Steven Morales  
John Olivo  
Carol O'Malley  
Peter Mousseau  
Charles Palumbo  
Yvonne Phillips  
Joseph Baney  
Eddie Santiago  
Rosalie Oddo  
Debra Taska  
Denice Szekely  
Kevin Deloya  
Josh Goodman  
John Dope  
Laurie Rinaldi  
Sameera Balanka  
Marianne Hughes

2 UNIDENTIFIED: This is a soundcheck for  
3 the Subcommittee on Zoning and Franchises. Today's  
4 date is September 7, 2022, being recorded by Danny  
5 Huang (phonetic) at the Chambers.

6 SERGEANT-AT-ARMS: Good morning, and  
7 welcome to today's New York Council meeting on Zoning  
8 and Franchises.

9 If you wish to submit testimony, you may  
10 at [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

11 At this time, please silence all  
12 electronic devices, and thank you for your  
13 cooperation.

14 Chairs, we are ready to begin.

15 CHAIRPERSON RILEY: [GAVEL] Good morning,  
16 and welcome to a meeting of the Subcommittee of  
17 Zoning and Franchises. I am Council Member Kevin  
18 Riley, Chair of the Subcommittee. This morning, I am  
19 joined by Council Member Farah Louis, Council Member  
20 Erik Bottcher, Council Member Kamillah Hanks, Council  
21 Member David Carr, and Council Member Marjorie  
22 Velázquez.

23 Today, we will vote on the rezoning  
24 proposal for 1959 Strang Avenue in my district in the  
25 Bronx and 231-06 Northern Boulevard that was heard by

2 the Subcommittee on July 28th and the Halletts North  
3 which was heard by the Subcommittee on July 28th that  
4 we will also hear from today.

5 We will also hold public hearing for  
6 rezoning proposals in the 2080 McDonald Avenue in  
7 Brooklyn and for the Bruckner Site rezoning in the  
8 Bronx.

9 Before we begin, I recognize the  
10 Subcommittee Counsel to review the hearing  
11 procedures.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
13 you, Chair Riley. I am Angelina Martinez-Rubio,  
14 Counsel to the Subcommittee.

15 This meeting is being held in hybrid  
16 format. Members of the Subcommittee are required to  
17 meet in person. Members of the public who wish to  
18 testify may testify in person or via Zoom.

19 Members of the public wishing to testify  
20 remotely were asked to register for today's hearings.  
21 If you wish to testify and have not already  
22 registered, please do so now by visiting the New York  
23 City Council website at [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse)  
24 to sign up, or, for those of you here in the  
25

2 Chambers, please see one of the Sergeants-at-Arms to  
3 prepare and submit a Speaker Card.

4 Members of the public may also view a  
5 livestream of this meeting at the Council's website.  
6 If you need an accessible version of any of the  
7 presentations shown today, please send an email  
8 request to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

9 When called to testify, individuals  
10 appearing before the Subcommittee will remain muted  
11 until recognized by the Chair to speak. Applicant  
12 teams will be recognized as a group and called first  
13 followed by members of the public. When the Chair or  
14 I recognize you, if you are joining us remotely, your  
15 microphone will be unmuted. Please take a moment to  
16 check your device and confirm that your mic is on  
17 before you begin speaking.

18 Public testimony will be limited to 2  
19 minutes per witness. If you have additional testimony  
20 you would like the Subcommittee to consider or if you  
21 have written testimony you would like to submit  
22 instead of appearing here before the Subcommittee,  
23 you may email it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).  
24 Please indicate the LU number and/or project name in  
25 the subject line of your email.

2                   Witnesses joining us remotely are  
3 requested to remain in the meeting until excused by  
4 the Chair as Council Members may have questions for  
5 you.

6                   Finally, there will be pauses over the  
7 course of this hybrid meeting for various technical  
8 reasons, and we ask that you please be patient with  
9 us as we work through any issues.

10                  Chair Riley will now continue with  
11 today's agenda items.

12                  CHAIRPERSON RILEY: Thank you, Counsel. To  
13 begin today's meeting, I will now open the public  
14 hearing on LUs items 94, 95, and 96 relating to the  
15 Halletts North redevelopment proposal in Council  
16 Member Caban's district in Queens which also includes  
17 a zoning map amendment and zoning text amendment  
18 which were previously heard under the Preconsidered  
19 LUs numbers 90 and 91. I'll note that in conjunction  
20 with those related actions, this Subcommittee held a  
21 public hearing at our July 28th meeting and took  
22 comprehensive testimony concerning the anticipated  
23 development under the proposal in its entirety. The  
24 three items we will hear today are a site map  
25 amendment to de-map portions of 3rd Street between

2 26th Avenue and the waterfront, a zoning special  
3 permit to modify various bulk regulations, and a  
4 waterfront authorization to modify various design  
5 requirements relating to waterfront public access  
6 areas and upland connections.

7 At this time, I'll ask Counsel whether we  
8 have any members of the public signed up to testify  
9 on these items, but, before I do so, I just want to  
10 acknowledge we've been joined by Council Member  
11 Brewer as well.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
13 you, Chair Riley. It doesn't look like we have anyone  
14 in Chambers for Halletts, and I just confirmed that  
15 online we don't have anyone for that item, but can we  
16 please do a last call just in case.

17 If there are any members of the public  
18 joining us remotely, can you please raise your raise  
19 hand button in Zoom so that we can identify you.  
20 We'll stand at ease briefly to just confirm.

21 Chair, no members of the public. We can  
22 close the hearing.

23 CHAIRPERSON RILEY: There being no members  
24 of the public who wish to testify on LUs 94, 95, and  
25 96, which are part of the Halletts North

2 redevelopment proposal, the public hearing is now  
3 closed.

4 At this time, we will move on to our  
5 votes. Today, we will vote to approve Preconsidered  
6 LU 88 related to the 1959 Strang Avenue rezoning  
7 proposal in my district. The proposal would map a C2-  
8 3 overlay within an existing R4 district. I am in  
9 full support of this proposal.

10 We will also vote to approve with  
11 modifications Preconsidered LU 89 related to the 231-  
12 06 Northern Boulevard proposal in Council Member  
13 Paladino's district in Queens. The proposal will map  
14 a C2-2 overlay within an existing R1-2 zoning  
15 district to facilitate the proposed expansion of an  
16 existing restaurant. The Council's modifications will  
17 relocate the proposed overlay boundary to avoid the  
18 potential displacement of existing businesses in the  
19 proposed rezoning area. Council Member Paladino is in  
20 support of this proposal as modified.

21 Finally, we will also vote to approve  
22 with modifications Preconsidered LUs, quiet in the  
23 Chambers please.

24 Finally, we will also vote to approve  
25 with modifications Preconsidered LUs 90 and 91 and

1 LUs 94, 95, and 96, all relating to the Halletts  
2 North rezoning proposal in Council Member Caban's  
3 district in Queens. The proposal seeks a zoning map  
4 amendment to change an existing M1-1 zoning district  
5 to an R7-3/C2-4 zoning district, a related zoning  
6 text amendment to establish an MIH program area  
7 utilizing Option 1, a city map amendment to de-map  
8 portions of 3rd Street between 26th Avenue and the  
9 waterfront, a zoning special permit to modify various  
10 bulk regulations, and a waterfront authorization to  
11 modify various design requirements relating to  
12 waterfront public access areas and upland  
13 connections, all to facilitate a mixed-use  
14 development with 1,340 units of housing,  
15 approximately 335 of which would be permanently  
16 affordable and approximately one acre of open space  
17 including a waterfront esplanade. The Council  
18 modification will be to add the deep affordability  
19 options as well as to update certain open space  
20 design aspects in an effort to improve overall public  
21 access. Council Member Caban is in support of this  
22 proposal as modified and has asked me to read this  
23 statement on her behalf.  
24  
25

2 "I want to thank the many constituents  
3 and community leaders who have participated in years  
4 of scoping sessions and public meetings around this  
5 project. Since well before I was elected to this  
6 Body, I have been and will continue to be a major  
7 supporter of social housing and a strong critic of  
8 using for-profit developer driven MIH rezoning as our  
9 only affordable housing creation strategy. Having  
10 said that, it is clear that some MIH rezonings are  
11 better than others and given the affordability and  
12 community benefits adjustments the applicant has made  
13 along the way I am pleased to see this process  
14 progress to the next stage. Next week, I will detail  
15 at length how I came to support this project, how I  
16 will be approaching Land Use decisions going forward,  
17 and what policies the Council can pass to move us  
18 closer to a city that treats housing as a human  
19 right, not a wealth acquisition scheme for the  
20 ownership class."

21 Are there any Council Members with any  
22 questions or remarks at this time?

23 With none being said, I will now call for  
24 a vote to approve LUs 88 for the 1959 Strang Avenue  
25 rezoning proposal, to approve with modifications LU

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2 89 for the 231-06 Northern Boulevard rezoning  
3 proposal, and Preconsidered LUs 90 and 91 and LUs 94,  
4 95, and 96 for the Halletts North redevelopment  
5 proposal. Counsel, can you please call the roll?

6 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair  
7 Riley.

8 CHAIRPERSON RILEY: Aye.

9 COMMITTEE COUNSEL MARTINEZ-RUBIO: Council  
10 Member Louis.

11 COUNCIL MEMBER LOUIS: Aye.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Council  
13 Member Abreu.

14 COUNCIL MEMBER ABREU: Aye.

15 COMMITTEE COUNSEL MARTINEZ-RUBIO: Council  
16 Member Bottcher.

17 COUNCIL MEMBER BOTTCHEER: Aye.

18 COMMITTEE COUNSEL MARTINEZ-RUBIO: Council  
19 Member Hanks.

20 COUNCIL MEMBER HANKS: Aye.

21 COMMITTEE COUNSEL MARTINEZ-RUBIO: Council  
22 Member Carr.

23 COUNCIL MEMBER CARR: Aye.

24 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
25 vote currently stands at 6 in the affirmative, no

2 negatives, no abstentions, and we will leave the vote  
3 open.

4 CHAIRPERSON RILEY: Thank you, Counsel. To  
5 continue with today's meeting, I will now open the  
6 public hearing on Preconsidered LUs relating to the  
7 ULURP number C 210174 ZMK and N 210175 ZRK relating  
8 to the 2080 McDonald Avenue rezoning proposal in the  
9 districts of Council Members Kagan and Yeger in  
10 Brooklyn. This application seeks a zoning map  
11 amendment to rezone existing R5B and M1-1 district to  
12 a C4-4L district and a related zoning text amendment  
13 to establish an MIH program area.

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

19 For anyone here in person wishing to  
20 testify, please see one of the Sergeants-at-Arms to  
21 prepare and submit a Speaker Card.

22 Counsel, please call the first panel for  
23 this item.

24 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
25 panel for this item includes Eric Palatnik.

2 CHAIRPERSON RILEY: Counsel, please  
3 administer the affirmation.

4 COMMITTEE COUNSEL MARTINEZ-RUBIO: Eric,  
5 can you raise your right hand?

6 Do you affirm to tell the truth, the  
7 whole truth, and nothing but the truth in your  
8 testimony before the Subcommittee and in your answers  
9 to all Council Member questions?

10 ERIC PALATNIK: I do.

11 CHAIRPERSON RILEY: Thank you. For the  
12 viewing public, if you need an accessible version of  
13 this presentation, please send an email request to  
14 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

15 Now the applicant team may begin.  
16 Panelists, as you begin, I'll just ask you to please  
17 restate your name and organization for the record.  
18 You may begin.

19 ERIC PALATNIK: Thank you very much,  
20 Chair. My name is Eric Palatnik. I represent 2080  
21 McDonald Avenue, and I'm here today to speak on  
22 behalf of a rezoning to rezone the property, as the  
23 Chair just mentioned, from a M1 zone to a C4-4L. I  
24 don't know if you have the presentation electronic  
25 that could be pulled up on screen or not, but, while

2 it's coming up, I'll start talking about it a little  
3 bit.

4 At the outset, I'd like to say we're very  
5 excited to be here to help create housing in New York  
6 City. We are proposing to create 66 units in this  
7 development in an 8-story mixed-use development that  
8 will have ground floor retail and it will have  
9 parking at the cellar level. The project has been  
10 well-supported both by Community Board 11 as well as  
11 Council Member Kalman Yeger as well as by Council  
12 Member Kagan. We've spoken with everybody, and we've  
13 presented to them as well as to the Borough  
14 President. We're also happy to say that we're here  
15 today with the support of 32BJ, and I believe they'll  
16 be making a couple of comments in support of the  
17 application as well. We've entered into an agreement  
18 with them where they'll be providing building  
19 maintenance services when the building is  
20 constructed.

21 The property, you can see here, I'll  
22 leave it on the screen, it pretty much tells the  
23 whole story. You're on McDonald Avenue, almost in  
24 Coney Island, you're at Avenue S. This stretch of  
25 McDonald Avenue, most of McDonald Avenue, is a little

1 bit left to be desired. It's former commercial  
2 establishments, mostly furniture stores and wholesale  
3 establishments. This particular site was the United  
4 Cerebral Palsy Headquarters for many years. Now it's  
5 being used by a Yeshiva and the owner is letting the  
6 Yeshiva operate there at a much-discounted rate so we  
7 are not displacing anybody through the application  
8 process. We are located right next to the Avenue S  
9 subway station so we're transit oriented. The  
10 application, as you can see here, is a mixed-use type  
11 of building, the building itself. The bottom picture  
12 you see there with the green awning, that's a  
13 proposed daycare center. That'll be on Lake Street.  
14 You'll also notice that side of the development is  
15 much shorter than the other side. The back side,  
16 that's taller, is on McDonald Avenue. The side closer  
17 to you on Lake Street is a smaller, low-scale  
18 residential district. We worked very closely with the  
19 community to develop that side of the block at their  
20 request with both the density that's proposed there,  
21 you can see the building that's there, the location  
22 of the daycare with the green awning on Lake Street.  
23 That was also done with the input of the community.  
24 That is also the residential entrance for the lobby  
25

as well as for the parking. It was very important to Community Board 11 and to the Councilmen and to Lake Street that there be no commercial activity on Lake Street whatsoever so although the building has ground floor commercial, all that ground floor commercial is situated on the top slide that you can see there where you see Avenue S, you see some glass at the bottom, and along McDonald Avenue, that's the elevated subway train. The other thing for you to take note of, which is pretty cool I think if you're in zoning and land use in New York City, is that we're proposing a C4-4L district. I doubt many of you have ever seen it before. There's just a few of them on McDonald Avenue. They've been created by City Planning to accommodate the elevated train so what they do is it allows for setbacks to occur. As you can see here above the 5th floor whereas otherwise you would've had to wait for the 8th floor to have a setback. By doing that, it creates the opportunity for the building to setback from the train. Also the technology that's been put in place for the windows and the walls and sound attenuation has all be done to accommodate the train so there will be no impact to any residents within the building. The building is

1 proposed to be operated as an MIH building. There'll  
2 be 66 units, 22 of those will be affordable, and I  
3 would be remiss if I did not call to your attention  
4 that it is proposed to be Option Level 2. That was  
5 put in place after extensive discussions with the  
6 Community Board, with the Council Member, and  
7 everybody agreed that Option Level 2 would be  
8 suitable. I call that to your attention because I do  
9 recognize and don't want to disrespect the Council's  
10 pushing towards Option Level 1 in current rezoning so  
11 I call that to your attention specifically.

12 That's essentially the application.

13 That's everything there is to it. I'd be happy to  
14 spend more time going into further detail if you  
15 wanted me to go into any specific slide or show you  
16 anything, but I didn't want to waste your time unless  
17 you felt it was necessary to address it. Thank you  
18 for your time.

19 CHAIRPERSON RILEY: Thank you, Eric. We've  
20 been joined by Council Member Moya and Council Member  
21 Abreu.

22 Just a few questions. Has the applicant  
23 heard any objections from the community regarding the  
24

2 height of the building, and, if so, have those  
3 conversations influenced any changes to the design?

4 ERIC PALATNIK: You just touched upon what  
5 I was mentioning before. I like to try to spend, as  
6 you all know it takes a couple years to get to this  
7 day, so I use that time to hang out with my kids and  
8 bring these things to the community so we spent 4, 5,  
9 6 different meetings with the community so the design  
10 you see, as I mentioned before, specifically on Lake  
11 Street, is all done at the direct expression of the  
12 community and the developer is a local developer,  
13 local people, altruistic supporters of the community,  
14 and they've agreed to abide by that design so, to  
15 answer your question, yes, the design was put  
16 together by the community and that's what's going to  
17 be implemented and that's what will be built.

18 CHAIRPERSON RILEY: Thank you. Have you  
19 found an operator for the proposed daycare facility?

20 ERIC PALATNIK: We have not found an  
21 operator yet for the daycare facility although the  
22 owner of the development is the Chehebar family who  
23 owns quite a few residential and commercial and  
24 daycare facilities around the city, and they have a  
25 couple of people that are tenants in their places

2 right now that have expressed interest. As you know,  
3 Universal Pre-K as well as daycare in general is in  
4 strong demand so we're confident we'll find somebody.

5 CHAIRPERSON RILEY: Okay. My last question  
6 is what other ground floor businesses does the  
7 applicant envision locating here?

8 ERIC PALATNIK: Trying for one of two  
9 different things. One thing that there's been a  
10 tremendous amount of expression of requests for  
11 larger retail establishments in the area. Something  
12 like a mini-Target. I don't know if you've seen like  
13 Targets that have their scaled down sizes and things  
14 like that, that's not full-size. There's been a lot  
15 of requests that there's no services in the area,  
16 that people have to travel far for retail so we're  
17 trying to fulfill that need to create some sort of  
18 retain environment that could provide daily household  
19 goods that people don't get on the internet, that  
20 they just need to run out and get a mop, a broom,  
21 detergent, or stuff like that that they're not going  
22 to wait for Amazon to deliver. So whether it be a  
23 smaller kind of Target kind of thing that we've seen  
24 around or a Walgreens or a series of mom-and-pop

2 businesses, we have yet to see, but that's the idea  
3 for it.

4 CHAIRPERSON RILEY: Thank you. I now  
5 invite my Colleagues to ask any questions to this  
6 applicant panel.

7 Okay. There being no questions for this  
8 applicant panel, you are now excused.

9 ERIC PALATNIK: Thank you.

10 CHAIRPERSON RILEY: Counsel, are there any  
11 members of the public who wish to testify on the 2080  
12 McDonald Avenue proposal remotely or in-person?

13 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
14 we don't have any in-person, but I hear that we have  
15 Mark Greenberg remotely so can we promote him so that  
16 we can get him to testify. Mark Greenberg.

17 CHAIRPERSON RILEY: Members of the public  
18 will be given two minutes to speak. Today, we have a  
19 lot of speakers so I am speaking to this two-minute  
20 clock so please keep your remarks to two minutes,  
21 and, if you have anything else, you'll be able to  
22 present it and testify to the Council after. Thank  
23 you.

24 Mark.

2 MARK GREENBERG: Yes, good morning. I'm  
3 sorry. I actually registered incorrectly for the  
4 McDonald Avenue project. I wanted to register for the  
5 Throggs Neck rezoning so forgive me.

6 CHAIRPERSON RILEY: Okay. Thank you. There  
7 being no members of the public who wish to testify on  
8 the Preconsidered LUs relating to the ULURP.. Okay. Do  
9 we have Aaron Jones?

10 Mr. Jones, you may begin.

11 AARON JONES: Good morning, Chair and to  
12 the Committee Members. My name is Aaron Jones,  
13 Research Coordinator at SEIU 32BJ. I'm speaking here  
14 today on behalf of 32BJ and our 85,000 property  
15 service workers in New York City to express our  
16 support for the zoning amendments sought by Jackson  
17 Ex 2 Avenue S, LLC to enable the project located at  
18 2080 McDonald Avenue to proceed.

19 32BJ supports responsible developers who  
20 invest in the communities where they build. I'm happy  
21 to report that the developers of this project have  
22 made a credible commitment to creating prevailing  
23 wage service jobs at this site. This commitment means  
24 the building's workers will have access to family-  
25 sustaining wages, retirement, and quality health

2 benefits. The project will also create 22 affordable  
3 housing units, adding to the stock of desperately  
4 needed affordable apartments in the community.

5 Therefore, we're in full support of this project. We  
6 have every confidence that the developer will be a  
7 responsible employer and presence in the community.

8 For these reasons, we respectfully urge  
9 you to approve this rezoning. Thank you.

10 CHAIRPERSON RILEY: Thank you. Can we do a  
11 last call for anybody who wants to testify on 2080  
12 McDonald Avenue? We'll stand at ease for 30 seconds.

13 There being no other members of the  
14 public who wish to testify on Preconsidered LUs  
15 relating to ULURP numbers C 210174 ZMK and N 210175  
16 ZRK relating to the 2080 McDonald Avenue rezoning  
17 proposal, the public hearing is now closed, and the  
18 item is laid over.

19 I'm going to reopen the vote back up for  
20 LUs 88, 89, Preconsidered LUs 90, 91, and LUs 94, 95,  
21 and 96.

22 COMMITTEE COUNSEL MARTINEZ-RUBIO:  
23 Continuing the vote. Council Member Moya.

24 COUNCIL MEMBER MOYA: I vote aye.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
3 vote now stands at 7 in favor, no negatives, no  
4 abstentions, and we will keep the vote open.

5 CHAIRPERSON RILEY: Thank you, Counsel.  
6 Okay, to continue with today's meeting, I will now  
7 open the public hearing on the Preconsidered LUs  
8 relating to the ULURP numbers C 220007 ZMX and N  
9 220008 ZRK relating to the Bruckner Sites rezoning  
10 proposal in Council Member Velázquez's district in  
11 the Bronx.

12 This application seeks a zoning map  
13 amendment to rezone an existing R4A/C1-2, R4A, R4-  
14 1/C2-4, and an R4-1 zoning district to an R6A/C2-4,  
15 R6A, and R5B/C2-4 zoning district and a relating  
16 zoning text amendment to map an MIH program area.

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

22 Once again, for anyone with us in person,  
23 please see one of the Sergeants to prepare and submit  
24 a Speaker Card.

2 I will now like to allow Council Member  
3 Velázquez to give some remarks regarding this  
4 project. Council Member Velázquez.

5 COUNCIL MEMBER VELAZQUEZ: Good morning,  
6 Colleagues, and good morning to the many members of  
7 my community that are here in person and virtually.

8 It's no secret that the Bronx and Throggs  
9 Neck have often been ignored and left behind by the  
10 City, whether it be city services, economic  
11 development, or quality housing options, and, yet,  
12 those who make our proud community of Throggs Neck  
13 are New York City's most essential, a community of  
14 those who have fought bravely in our country's  
15 greatest times of need, a community of public  
16 servants, union workers, and emergency heroes, and,  
17 yet, we bear the brunt of an outdate and insufficient  
18 sewer system, a lack of resiliency planning, a lack  
19 of transportation infrastructure, and a lack of  
20 adequate and truly affordable housing. A community  
21 that serves the great City of New York deserves much  
22 better. It is with this knowledge and history that I,  
23 as the elected Member of Throggs Neck, critically  
24 analyze any Land Use proposal that comes before me.  
25 For a proposal to garner my approval, it must be

2 centered on improving the lives and well-being of my  
3 neighbors, and it must be done by and for my  
4 community with union labor and provide affordable  
5 housing for those in my community who need it so  
6 desperately.

7           There are many families in my community  
8 that are struggling to make ends meet, to find  
9 sizeable living arrangements to accommodate their  
10 family or accessibility needs. Our neighbors must  
11 have access to the vital resources that other  
12 boroughs and have neighborhoods do, the majority of  
13 which have engaged their communities and listened to  
14 their needs with plans to deliver.

15           Our infrastructure is suffering, and,  
16 while individuals move to add stress to it, we are  
17 weakened because we are unsure of what is to come.  
18 Will it be another sinkhole? Will the foundation be  
19 challenged within two to five years of completion?  
20 What will happen to the businesses that are affected  
21 by such proposals? We must ask these questions to  
22 ensure that we are putting our community first.

23           With this in mind, my approach to  
24 considering the Bruckner rezoning proposal has four  
25 key principals: robust community engagement, labor

2 and local hire, real affordability, and resiliency  
3 and city services.

4           Community engagement means that every  
5 project needs to be drive and vetted by true  
6 community engagement with the Community Board,  
7 neighboring residents, local businesses,  
8 institutions, and community groups. We need to create  
9 opportunities for the community to thrive from our  
10 youth to our seniors and everyone in between. It is  
11 important to hear all voices from many different  
12 perspectives, and we hope that this hearing can serve  
13 as a space for productive discourse.

14           Labor and local hire. This means that  
15 Council District 13 is made up of thousands of hard-  
16 working union workers, first responders, and  
17 veterans. Union workers build and uplift our city and  
18 are the backbone of our community. Any project  
19 proposed must have the support of and utilize union  
20 labor. We expect union labor to be used to build and  
21 operate here in District 13. Every project should tap  
22 into this local workforce to build and operate in  
23 this community. There are people struggling here, and  
24 development needs to be for the people and by the  
25 people, and I know recently some unions have

2 expressed their support for this project. However, I  
3 have yet to receive any written confirmation of any  
4 union participation on this project indicating  
5 support. What is needed are specifics of how this  
6 project will incorporate unions during this  
7 construction and how unions will be long-term  
8 partners.

9           Additionally, it is vital that any  
10 potential homes that are built in my community are  
11 directly available to the people in my District.  
12 Affordability means that our community is losing  
13 opportunities for affordable homeownership, and our  
14 neighbors are increasingly rent-burdened. Almost 50  
15 percent of rental households are rent-burdened, and  
16 our population of homeowners has been declining for  
17 years. We need options for our hard-working families  
18 and senior to find housing that is accessible,  
19 affordable, and stable. Any project coming forward  
20 needs to address this issue by facilitating truly  
21 affordable housing options.

22           Next, resiliency and city services. As  
23 our city and neighborhood grows, city investments in  
24 infrastructure must keep up. This includes  
25 improvements to transit, resiliency, and school

1 overcrowding. If we are to be a city of yes, then we  
2 must be able to answer yes to the future generations  
3 who will ask did my community and city work together  
4 for my success. The Throggs Neck community is a  
5 transit desert. The location of the proposed rezoning  
6 is about a mile from the nearest (INAUDIBLE). It is  
7 congested.  
8

9           There's no secret that this proposal has  
10 generated tremendous passions on both sides, and at  
11 times passions have led to threats of violence and  
12 more. It is my hope that today, and I expect that  
13 everyone during today's hearing will conduct  
14 themselves with respect. It is who we are as Throggs  
15 Neck community because we are stronger together, and  
16 I have many questions for the applicant team, and I  
17 hope to hear thorough answers.

18           Thank you, and I will turn it back to  
19 Chair Riley.

20           CHAIRPERSON RILEY: Thank you, Council  
21 Member Velázquez.

22           Counsel, please call the first panel for  
23 this item.  
24  
25

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
3 the first panel for this item is Jaclyn Scarinci and  
4 Sam LaMontanaro. You guys can approach the table.

5 CHAIRPERSON RILEY: Counsel, please  
6 administer the affirmation.

7 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can you  
8 both please raise your right hand?

9 Do you affirm to tell the truth, the  
10 whole truth, and nothing but the truth in your  
11 testimony before this Subcommittee and in your  
12 answers to all Council Member questions?

13 JACLYN SCARINCI: I do.

14 SAM LAMONTANARO: I do.

15 CHAIRPERSON RILEY: Thank you. For the  
16 viewing public, if you need an accessible version of  
17 this presentation, please send an email request to  
18 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

19 Now the applicant team may begin.  
20 Panelists, as you begin, I'll just ask you please  
21 restate your name and organization for the record.  
22 You may begin.

23 JACLYN SCARINCI: Good morning, Chair  
24 Riley and Council Member Velázquez and Members of the  
25 Zoning and Franchises Subcommittee. My name is Jaclyn

2 Scarinci of Akerman, LLP, and I'm joined today by Sam  
3 LaMontanaro of Aufgang, the project's engineer, on  
4 behalf of Throggs Neck Associates, LLC.

5 As this Subcommittee is well-aware, all  
6 of New York City is facing an affordable housing  
7 crisis, but we are here to remind each of you that  
8 locally members of Throggs Neck are not immune to  
9 this need, as Council Member Velázquez just stated.

10 We are proposing an investment in this  
11 community with the Bruckner Sites rezoning that  
12 provides a real opportunity to address some of the  
13 challenges that Throggs Neck faces including food  
14 insecurity, rising cost of living, and small  
15 businesses struggling to stay open. The Bruckner  
16 Sites rezoning aims to turn two long-vacant lots into  
17 senior affordable housing and veteran's housing and  
18 also provides new housing for families that will  
19 allow long-time residents to stay within Throggs  
20 Neck. Additionally, it presents a new opportunity for  
21 two of the sites to redevelop for a new and upgraded  
22 and modernized Super Foodtown and also for a new home  
23 for Kips Bay Boys and Girls Club which has been in  
24 the Throggs Neck community for a long time and serves  
25 the youth of the community.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Sorry,  
3 Jackie, to interrupt, but I just wanted to make you  
4 aware your presentation has been loaded so if you  
5 need somebody to keep going through the slides, just  
6 let them know so the viewing public can see that.

7 JACLYN SCARINCI: Thank you. It is  
8 important that this Council balance the NIMBY  
9 opposition citing to infrastructure concerns and  
10 keeping their low-density character on a major  
11 commercial highway with the real needs for housing  
12 and services of the Throggs Neck community, the  
13 Bronx, and the city as a whole as our proposal will  
14 speak to today. Next slide, please.

15 The proposal applies to four block fronts  
16 along the Bruckner on the fringe of a lower-density  
17 residential neighborhood. The proposal aims to both  
18 respect and protect the lower-density character north  
19 of Bruckner Boulevard by the zoning requiring a  
20 mandatory stepdown provision in height of 45 feet  
21 within 25 feet of the existing R4 zoning districts.  
22 The project area is just north of the Throggs Neck  
23 BID and is characterized more by its commercial  
24 activity as it fronts on the Bruckner Expressway and  
25

2 East Tremont Avenue, two zoning wide streets that can  
3 support additional modest growth. Next slide, please.

4 The proposal includes four new  
5 developments phased over time that will bring a total  
6 of 349 units with nearly half of them, 168, income-  
7 restricted housing units, 99 permanently affordable  
8 housing units pursuant to the MIH program, and 22  
9 units of housing for veterans, a youth recreation  
10 center, and a Super Foodtown. Next slide, please.

11 I show this slide so that the  
12 Subcommittee sees what the proposal is. It is not  
13 monstrous skyscrapers in the middle of a low-density  
14 residential neighborhood. It is a medium-density  
15 district with three-story, a five-story, and two  
16 eight-story buildings along a major commercial  
17 arterial highway. The Throggs Neck rezoning in 2004  
18 changed R4 zoning districts to lower density or  
19 contextual districts and added Bronx Community  
20 District 10 to the lower-density growth management  
21 area. You will hear many members probably testify  
22 today that they want to keep the lower-density growth  
23 management area. This proposal does not change the  
24 lower-density growth management area. The lower-  
25 density growth management area is intended to have a

1 better design by providing adequate parking and  
2 maintaining yards and open space. Next slide, please.

3  
4 The applicant is requesting three zoning  
5 and land use actions, a rezoning from the R4-1 and  
6 R4A zoning districts to R6A and R5B/C2-4 zoning  
7 districts, a zoning text amendment to designate the  
8 project area a Mandatory Inclusionary Housing area,  
9 and a related action to eliminate a portion of Meyers  
10 Street that is comprised of current lot 35 and  
11 development site B. Next slide, please.

12 The Throggs Neck down-zoning that  
13 occurred 20 years ago has led to exclusionary zoning  
14 practices. District 13 is among the lowest producers  
15 of affordable housing, producing just 58 affordable  
16 housing units in the past decades when the citywide  
17 average is close to 1,300 units. Next slide, please.

18 40.2 percent of renter households in  
19 Throggs Neck are rent-burdened, meaning they spend  
20 more than 35 percent of their income on rent. The  
21 population growth in Throggs Neck is at 8.6 percent,  
22 nearly double what the housing production has been  
23 during this past decade. The overall rental vacancy  
24 rate in Throggs Neck Co-op City is 2.4 percent,  
25 extremely low. The project proposes 99 permanently

2 affordable housing units in compliance with MIH  
3 Option 2 where rents range from 60 percent AMI up to  
4 100 percent AMI and average at 80 percent AMI. Next  
5 slide, please.

6           Why does density matter? From a planning  
7 perspective, it is a predictor for proximity to close  
8 supermarkets, it ensures resiliency and new  
9 sustainable development measures, infrastructure  
10 investments, attracts new investment and better  
11 retail. Current population density in Throggs Neck is  
12 31.6 people per acre, significantly lower than the  
13 NYC average of 45.8, making it difficult to attract  
14 and retain retail businesses. Residential density and  
15 community benefits such as the Kips Bay Boys and  
16 Girls Club cannot be supported without additional  
17 residential density within the project. Next slide,  
18 please.

19           This map is to show the current  
20 supermarket locations within Throggs Neck within a  
21 mile radius and demonstrates that the current Super  
22 Foodtown that is located in what is called Site A in  
23 the rezoning area, if it left, there's only one other  
24 major supermarket within the area, leaving this area  
25 to be at risk for food insecurity. Super Foodtown of

2 Throggs Neck currently services about an average of  
3 1,800 customers per day, and it also has 85  
4 supermarket employee jobs that the operators are  
5 committed to keeping as part of the project. Next  
6 slide, please.

7           Just to give you an overview of Site A,  
8 it is approximately 150,000 square feet, and it  
9 proposes bringing back the Super Foodtown while also  
10 providing 126 units of housing with 38 MIH dwelling  
11 units and 190 parking spaces. Next slide, please.

12           At Site B, the proposed upgrades and  
13 redevelopment of this site will enable 102 dwelling  
14 units, 31 MIH units, and also at the Council Member's  
15 request the team has spoken with Kips Bay Boys and  
16 Girls Club and is pleased to say that we are  
17 continuing conversations and committing to working  
18 with Kips Bay for a 15,000-square-foot space on the  
19 ground floor and have received a letter of intent  
20 regarding that space as well, and the owners can also  
21 speak during their testimony to their commitments  
22 regarding the Kips Bay Boys and Girls Club and the  
23 Super Foodtown directly. Next slide, please.

24           Site C, which is moving further west on  
25 the Bruckner, is proposed to be a 100 percent senior

1 affordable housing development. This site in  
2 particular was originally proposed as market rate  
3 housing, and, at further discussions with Council  
4 Member Velázquez and the need for senior affordable  
5 housing in Throggs Neck and also heard at the  
6 Community Board as well, this site has now changed  
7 the development scenario to 100 percent affordable  
8 pursuant to the City's SARA term sheet with up to 99  
9 senior affordable housing units. In addition, the  
10 team has also committed to partnering with JASA,  
11 which has significant senior development experience  
12 within the community already, and they'll be  
13 providing senior services and also the property  
14 management. Next slide, please.

15  
16           The team has also partnered with the  
17 Tunnel to Towers Foundation for Site D, which is the  
18 furthest along the Bruckner Expressway and is more  
19 lower density in context so this building is proposed  
20 to be a three-story residential building with 22  
21 units of housing for veterans. We'll have the  
22 Executive Director Matthew Mahoney testifying and can  
23 speak to the specifics of the Siller's Foundation's  
24 veteran's housing proposal, but we're excited that

2 they're also part of the project here. Next slide,  
3 please.

4 With that, I will turn it over to Sam  
5 LaMontanaro to speak about the proposed  
6 sustainability and some of the questions related to  
7 infrastructure.

8 SAM LAMONTANARO: Good morning, Council.  
9 My name is Sam LaMontanaro. I'm just going to give  
10 you a brief narrative of my qualifications and  
11 experience. I'm a licensed professional engineer in  
12 New York. I'm also a certified energy manager. I'm  
13 LEED certified. I've got over 20 years of experience  
14 in the New York City market as a design engineer  
15 designing multi-family dwellings, commercial, New  
16 York City schools. In my 20 years, I've designed more  
17 than 800 buildings throughout the five boroughs, and,  
18 with the DEP, I've gained more than 300 approvals on  
19 DEP applications for stormwater, sanitary, and  
20 infrastructure applications.

21 As Jackie mentioned, new development is  
22 an opportunity. It's an opportunity to improve the  
23 lives of people and ensure the health of our  
24 environment. There has been an evolution in  
25 technology and awareness that's driven this

1 opportunity. It's an exciting time to be a design  
2 professional, especially an engineer. The largest  
3 driving factors allowing opportunity is the evolution  
4 of the codes in which we design to. Until recently,  
5 cost drove every design. Now, efficiency, resiliency,  
6 sustainability, and the build environment drive  
7 design. We use new design strategies and techniques  
8 to create a better environment for the building  
9 occupants. We use low or no VOC materials, high-  
10 efficient HVAC systems for heating and cooling. We  
11 produce better air quality, low-flow plumbing  
12 fixtures, high-performance windows, energy-saving  
13 appliances, and just more efficient lighting systems  
14 just to mention a few. We use solar PV panels to  
15 create electricity. We create recreation spaces in  
16 these buildings for the occupants. We reduce storm  
17 and sanitary outflow from these buildings through  
18 these measures. The impact of the environment of a  
19 new building is substantially less than a building  
20 that was built 12 years ago and is a quantum leap  
21 forward for buildings designed prior to that.

22  
23                   Throughout the public review, the team  
24 has heard concerns from the public regarding the  
25 current infrastructure. This new development will be

1 designed to meet the most stringent design standard  
2 for water quality, the Unified Stormwater Rule. The  
3 Unified Stormwater Rule aligns water quality  
4 requirements between the combined sewer systems  
5 drainage areas with areas with separated storm sewer  
6 systems. There's an emphasis on green infrastructure  
7 practices, stormwater retention, detention systems,  
8 green rooves, bioswales. Designs would reduce storm  
9 outflow from a site or in some cases eliminate it for  
10 smaller rainfall events through the use of  
11 detention/retention facilities or some of the other  
12 systems that I mentioned previous. This reduction in  
13 storm outflow can reduce stress on the critical  
14 infrastructure piping. It reduces flow to our water  
15 treatment plants. This reduced flow in our piping  
16 systems reduces the risk of any water being relayed  
17 to our surrounding water bodies through combined  
18 sewer overflows. I'm going to provide an example. I'm  
19 going to take Site A, which is currently a Foodtown.  
20 The site is approximately 40,000 square feet. It is  
21 roofed-in parking, not permeable services. That site  
22 has a generated flow of approximately 2,230 gallons  
23 per minute outflow of stormwater which would go to  
24 the fronting 12-inched combined storm and sanitary  
25

1 pipe. For every inch of rain that falls onto that  
2 site, it outflows about 25,000 gallons of water to  
3 the fronting sewers. That building was designed in  
4 1940 so it's got a very aging infrastructure. In  
5 1993, we introduced some new standards in New York  
6 City where we adopted standards for detention  
7 facilities so we could not direct connect, we would  
8 have to reduce the outflow. In '93, those standards  
9 went down to, that site in particular would outflow,  
10 if it was designed to the newer standards, 728  
11 gallons a minute. In 2012, we reduced those standards  
12 once again to help our infrastructure, and now the  
13 outflow for that site would be 112 a minute down  
14 from, again, 2,200 gallons a minute. Now, with the  
15 new Unified Stormwater Rule adopted in 2021, that  
16 site outflow is 21 gallons a minute. It's 106 times  
17 less than when that building was designed. Put that  
18 in perspective. That site, designed to the Unified  
19 Stormwater Rule, would have about the same outflow as  
20 an undeveloped piece of property that was about 1,120  
21 square feet so that would be the same burden on the  
22 fronting sewers as an undeveloped piece of property  
23 would have the same outflow as 1,120 square feet due  
24 to the stormwater detention systems.  
25

2 I know that we increase the density, we  
3 have more people in the building, and then there is  
4 more outflow of sanitary. Just to give you a quick  
5 number. If we took Site A, which is approximately 125  
6 dwelling units, if you had one shower in every single  
7 apartment on with our low-flow fixtures that we  
8 utilize, that would only equate to about 250 gallons  
9 a minute with one shower running. Now, if you wanted  
10 to put a storm on top of that, you're still only at  
11 about 275 gallons a minute outflow. These are just  
12 made-up numbers. We're never going to have one shower  
13 going in every apartment which would be your worst-  
14 case scenario because you'd have a constant flow  
15 going.

16 Just to give you a couple quick numbers.  
17 Fronting Site A, there is a 12-inch combined sewer  
18 pipe. It was flowing half (sic) full, it has a  
19 capacity of about 330 gallons a minute, half full  
20 850, three quarters full 1,440 gallons per minute,  
21 and if it was flowing full 1,710 gallons a minute so  
22 our outflow, again if I was running one shower in  
23 every apartment during a rainfall event, I'm only  
24 adding about 275 gallons a minute so there is a  
25 tremendous amount of capacity in that pipe

2 comparatively speaking with this new development, the  
3 low-flow fixtures and detention and retention  
4 facilities.

5 Water piping. That's always a great  
6 concern. Fronting Site A, there is an 8-inch pipe at  
7 a very conservative 4.5 feet per second which is a  
8 very low flow in these pipes. You have about 700  
9 gallons a minute. If you went to 5.5 feet per second,  
10 you're about 860 gallons per minute in capacity so  
11 there's a tremendous amount of capacity even in a  
12 small 8-inch piece of pipe. It is fed from along the  
13 Bruckner. Those pipes are fed that go down these  
14 community streets by 12-inch water mains, and they're  
15 fed from multiple directions. That helps ensure  
16 capacity and that the water is always moving, keeping  
17 it a healthier environment. Those pipes have a  
18 capacity of almost 2,000 gallons a minute with a very  
19 conservative velocity flow.

20 The new development relieves stress on  
21 our infrastructure through the use of low-flow  
22 plumbing fixtures, high-efficient lighting design,  
23 better building envelopes, reduced sanitary and storm  
24 outflows. We have so many new tools to help us that  
25 these new developments, they do create a better

2 environment for the existing people because they  
3 relieve a lot of stress off of the aging  
4 infrastructure. They provide so many opportunities  
5 for the health and wellbeing of the occupants. With  
6 each new development, it helps preserve our resources  
7 and reduce our footprint.

8 I thank everyone for their time. I  
9 appreciate you listening, and I look forward to  
10 answering any questions that you may have. I will now  
11 turn it back over to Jackie. Thank you.

12 JACLYN SCARINCI: Thanks, Sam. Next slide,  
13 please.

14 Just to summarize the overall project  
15 benefits, we focused on the housing today, the  
16 permanently affordable housing, senior affordable  
17 housing, and veteran's housing, but I also would like  
18 to highlight and emphasize the long-lasting economic  
19 impact that this project can have. New commercial  
20 development along Bruckner Boulevard and East  
21 Tremont, partnership with 32BJ and Laborers Local 79  
22 for good quality jobs. Jobs and economic impact  
23 estimates include 14 building service workers, 85  
24 supermarket jobs that are preserved, 15 youth  
25 recreation center workers, 12 jobs for senior

services, and 350 temporary construction jobs. In addition, there will be additional economic development and commercial development that is triggered by these new developments, creating better public safety with more eyes on the street.

In closing, we know the Council and Subcommittee have urged us to turn out local supporters. You will see many and hear them today on Zoom. It is important that we emphasize on the record that efforts to turn people out in support has been stymied by a coordinated and vicious intimidation campaign by opponents both online and in-person. When supporters stood up at the Community Board meetings that I attended, they were shouted out. One person suggested on a video recording that we be hanged. When union members, seniors, and veterans rallied in support of the project at the supermarket last week, a neighbor sprayed us with a garden hose while opponents shouted we don't you here. We'd like the Council to understand not only that the supporters you see here today who have come out are brave for doing so, but we're quite certain that many did not opt to risk their safety and wellbeing. All of this said, we believe this project stands on the merits,

2 and we sincerely hope that you can say yes to a  
3 proposal that brings new permanently affordable  
4 housing, senior affordable housing, veteran's  
5 housing, a new supermarket, and a youth community  
6 center to this city in a time when we need it the  
7 most.

8 We appreciate your time and welcome your  
9 questions.

10 CHAIRPERSON RILEY: Thank you. I have a  
11 couple of questions for the applicant team before I  
12 turn it over to Council Member Velázquez and rest of  
13 my Colleagues for their questions.

14 First question is Site D, which is now  
15 proposed as a veteran housing through the Tunnels to  
16 Tower Foundation. It is not adjacent to the rest of  
17 the project area and is not being mapped for MIH.  
18 Given the need of affordable housing in this district  
19 which your team referred to, in reference to, given  
20 that the site is somewhat isolated from the rest of  
21 this project's scope, can you please explain the  
22 rationale for including this in the project?

23 JACLYN SCARINCI: Sure. This site also has  
24 been a (INAUDIBLE) that it fronts on the Bruckner  
25 Expressway which is a 200-foot wide arterial highway,

2 and the land use rationale for our rezoning, the  
3 entire planning rationale is to create more of a  
4 commercial corridor on this stretch of the Bruckner  
5 that will create more pedestrian activity and  
6 development in this area as well. In looking at the  
7 zoning districts, we did study and recognize that  
8 this area is a little more lower density in context  
9 and that is why a three-story building compliant with  
10 the R5B zoning regulations is proposed. As you  
11 mentioned, the team was able to partner with the  
12 Siller Foundation at the request of the community for  
13 housing for veterans, and we think it's a great  
14 opportunity for more of a lower-density housing  
15 development along the Bruckner but it's still part of  
16 the rezoning proposal and rationale.

17 CHAIRPERSON RILEY: The Community Board  
18 since cited that the lower-density growth management  
19 area was a reason why they disapproved this  
20 application. Can you please explain what the purpose  
21 of the LDGMA designation is and how this project  
22 takes into account the provisions?

23 JACLYN SCARINCI: Sure. The lower-density  
24 growth management area was a planning tool to ensure  
25 that there's better site planning and adequate

1 parking as well as open space planning, and this  
2 proposal is a zoning district change, it doesn't  
3 change the lower-density growth management area. In  
4 addition, the applicant team has really recognized  
5 the need for parking within the community, and,  
6 across all the sites, is actually exceeding the  
7 required parking by 130 spaces. If you need me to go  
8 into each of the site's parking requirements and  
9 proposed parking, I can, but just across all of them,  
10 it is greatly exceeding the parking, and that is the  
11 intent of the lower-density growth management area is  
12 the overall site planning and providing adequate  
13 parking for the community.

14  
15 CHAIRPERSON RILEY: Are there recent  
16 examples of the rezoning that you could provide and  
17 how were the local concerns addressed in these  
18 examples?

19 JACLYN SCARINCI: The lower-density growth  
20 management areas are mapped in Bronx Community  
21 District 10 and also in Staten Island. In Staten  
22 Island, recently there was this citywide Bay Street  
23 rezoning. In the Bay Street rezoning, that's  
24 thousands of housing units that are being proposed  
25 there. It keeps the lower-density growth management

2 intact similar to this rezoning. Here, it's 350  
3 units. It's not nearly as many units proposed.

4 CHAIRPERSON RILEY: The Borough President  
5 recommended that Site A be rezoned to an R6B instead  
6 of an R6A which would limit the height of the  
7 building to 55 feet. Given the community's concern  
8 regarding the out-of-scale density of this project,  
9 why has your team decided not to pursue the R6B  
10 option?

11 JACLYN SCARINCI: Consistent with the City  
12 Planning Commission's report and recommendations, our  
13 team believes the R6A is an appropriate zoning  
14 district. Site A in particular is located on two  
15 zoning wide streets, Crosby Avenue and Bruckner  
16 Boulevard, and it provides additional modest growth.  
17 Additionally, the R6A requires that within 25 feet of  
18 the R4 that the buildings step down to 45 feet, which  
19 is four stories, consistent with the lower density  
20 character that is adjacent to it. To answer your  
21 question, we did also study the R6B, and I have some  
22 analysis here that our architect was able to prepare.  
23 It does result in a significant reduction in the  
24 number of units and affordable housing units from 126  
25 units down to about 75 units. It also requires that

2 the amount of parking be reduced because the proposal  
3 assumes the supermarket comes back under the R6A.  
4 Under the R6B, the supermarket is not going to have  
5 enough residential density to support the  
6 modernization and redevelopment of the supermarket.  
7 Under the R6B, there would at most be 6,000 square  
8 feet of retail within the project.

9 CHAIRPERSON RILEY: So besides stating  
10 today that your team will only build up to 65 feet at  
11 this site, what agreements are you willing to make to  
12 memorialize this height given that the R6A zoning  
13 being sought permits heights up to 85 feet?

14 JACLYN SCARINCI: We've studied the R6A at  
15 a six-story building, and it is able to maintain the  
16 overall building program that's proposed here today,  
17 which is approximately 126 dwelling units with 38 MIH  
18 units and bringing back the Super Foodtown at its  
19 current size, which is about 17,000 square feet, and  
20 190 parking spaces to support both the residential  
21 and the supermarket. In terms of the commitment, the  
22 team will speak to that in their testimony today.  
23 They have firmly committed to it, and I think from a  
24 construction perspective it may be more beneficial to  
25

2 them, and they can speak to that as well at a six-  
3 story building.

4 CHAIRPERSON RILEY: Thank you. I just want  
5 to note for the record we've been joined by Council  
6 Member Schulman. I'm going to turn over to the  
7 Committee Counsel to continue the vote.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO:  
9 Continuing the vote of Preconsidered LUs 88, 89, 90,  
10 and 91, and 94 through 96. Council Member Schulman.

11 COUNCIL MEMBER SCHULMAN: Aye on all.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
13 final vote is 8 in the affirmative, no negatives, no  
14 abstentions. The items are approved and will be  
15 referred to the full Land Use Committee.

16 CHAIRPERSON RILEY: Thank you, Counsel.  
17 Thank you, applicant team, for answering the  
18 questions. I have a few more, but, for the sake of  
19 time, I will turn it over to Council Member Velázquez  
20 to ask her questions and then turn it over to the  
21 rest of the Committee to see if they have any  
22 questions. Council Member Velázquez.

23 COUNCIL MEMBER VELAZQUEZ: Can you please  
24 describe how you've responded to concerns raised by  
25

2 the Community Board and other local stakeholders in  
3 regards to density, food security, and housing?

4 JACLYN SCARINCI: With regards to the  
5 first question of density, the proposed district, the  
6 R6A, is a medium-density district. Currently, the R4  
7 as has been seen for the past 20 years, there's been  
8 no development on Sites C and D. They've been vacant  
9 lots because the zoning does not accommodate new  
10 development and development that is worth  
11 constructing on these sites without some additional  
12 density added to the sites.

13 With the density comes affordable housing  
14 so at the R6A level, this is a medium-density  
15 district which ranges from four to six to eight  
16 stories in height, and the height is being pushed  
17 along the Bruckner.

18 In terms of the community's concerns  
19 regarding density, a lot of the concerns that we  
20 heard at the Community Board were that they don't  
21 want any affordable housing, they don't want any  
22 change to the current zoning, that we should build  
23 under the current zoning, and I think from what we've  
24 seen is these developments, the supermarket was  
25 constructed in 1940, the Site B building built around

1 the same time. If we don't have some kind of change  
2 in terms of the level of density here, these sites  
3 will remain the way that they are, and, as you  
4 stated, Throggs Neck is in need of new housing  
5 opportunities, new commercial, new economic  
6 development. These buildings, a lot of them need to  
7 be significantly upgraded, and, on the vacant lots,  
8 without a rezoning, they will continue to remain  
9 vacant so I think in terms of density, it's very hard  
10 to respond to a concern that they want you to keep  
11 everything the same way that it is so I think just in  
12 responding to that, I'm explaining the rationale for  
13 the rezoning and the need for a modest increase in  
14 the density that's allowed today.

16 With regards to food security, the Super  
17 Foodtown, the operators are committed to coming back  
18 to this location. They've been here for the past 20  
19 years. They have 85 supermarket employees, many of  
20 them have been within the community during that time.  
21 During COVID, they can speak to this as well, they  
22 stayed open for Throggs Neck. They serve an average  
23 of 1,800 customers a day, and, about 40 percent of  
24 those, they are seniors that really rely on the  
25 supermarket for food security within the community.

1  
2           Lastly, in relation to housing, the  
3 proposal did change from what was presented initially  
4 at the Community Board in a few ways. The first is  
5 that Site C was changed to 100 percent senior  
6 affordable housing. Originally, it was proposed as  
7 about I think it was 60 units of market rate and MIH  
8 housing and so now it will be entirely for seniors  
9 pursuant to the city's SARA term sheet. For Site D,  
10 in discussing with the Community Board and also with  
11 Council Member Velázquez, the need for veteran's  
12 housing and we were able to identify the Stephen  
13 Siller Tunnel to Towers Foundation which is working  
14 on a number of projects across the United States but  
15 specifically in New York City and also has a lot of  
16 connections with veterans in the Bronx and even more  
17 locally in Throggs Neck and has committed to leasing  
18 the 22 units at Site D for veterans and also  
19 providing services to all those residents as well.  
20 Those were our two changes to the housing program. In  
21 addition to that, borough President Gibson  
22 recommended that the team look at the unit  
23 distribution and shift the unit distribution to  
24 provide more units for families because the idea was  
25 that with larger family-sized units people will stay

2 in these units longer term rather than having smaller  
3 units that may turnover longer so on Site A we were  
4 able to get the two- and three-bedroom units to  
5 approximately 40 percent of the unit distribution and  
6 on Site B we were able to add 20 percent two- and  
7 three-bedroom units. Those were the responses to the  
8 housing program that came out of the public review.

9 COUNCIL MEMBER VELAZQUEZ: Can you please  
10 describe your recent conversations with local  
11 stakeholders and have you identified how to address  
12 concerns of public safety considering the 45th  
13 Precinct is overburdened?

14 JACLYN SCARINCI: In relation to public  
15 safety, one of the biggest things that the project  
16 will bring is new development, more residents that  
17 are more eyes and ears on the street and also  
18 improved lighting and security cameras at each of the  
19 buildings.

20 CHAIRPERSON RILEY: Excuse me. One second.  
21 I'm going to be very clear today. We're going to be  
22 respective to everyone's comments and answers. If  
23 you're not, we're going to have you tossed out of  
24 this room. All right? Thank you. You can continue.

JACLYN SCARINCI: Overall, it's opposition that the additional housing is not going to increase public safety concerns in the neighborhood. If anything, it will improve by having additional residents.

COUNCIL MEMBER VELAZQUEZ: Many in the community are extremely concerned that if approved this development will not include a grocery store to replace the current Foodtown. How have you responded to this concern and what's your plan for the grocery store?

JACLYN SCARINCI: The plan for Super Foodtown, assuming that the rezoning is approved within the next month, is that construction would be approximately 24 to 28 months. During that time, the owners have committed to relocating the 85 supermarket employees to other locations that they operate throughout New York City. In terms of providing quality healthy food to current residents during that time, the team has also committed to working with the local Community Board in identifying not-for-profit organizations to run a fresh food market that can offer fresh foods and vegetables in

2 the interim before the supermarket could come back  
3 online.

4 COUNCIL MEMBER VELAZQUEZ: One of the  
5 concerns raised several times by local residents was  
6 the lack of youth services. How does your project  
7 seek to help remedy this neighborhood concern? It  
8 appears that the Boys and Girls Club has expressed  
9 interest in relocating to your facility. How do you  
10 plan on conducting outreach to ensure that our local  
11 youth have access to this facility?

12 JACLYN SCARINCI: At your request, the  
13 applicant team met with Kips Bay Boys and Girls Club  
14 and actually came to the site and looked at it and  
15 were very interested and excited about the site, and  
16 the development team offered 15,000 square feet  
17 facility within Site B in the rezoning area and are  
18 committed to continuing the conversations of how the  
19 build-out and Kips Bay Boys and Girls Club also will  
20 be looking for additional funding for the build-out  
21 of that space, but the development team is very much  
22 committed to this and thinks that it is a great site  
23 for a youth recreation center, especially because  
24 currently the site is being used for youth batting  
25 cages and there are a lot of children within the area

2 that really benefit from having recreational  
3 facilities like this.

4 COUNCIL MEMBER VELAZQUEZ: You mentioned  
5 repeatedly the word conversations. What's the  
6 possibility of that being more concrete for our  
7 community? Additionally, what type of programming are  
8 we talking about when we're talking about youth  
9 services?

10 JACLYN SCARINCI: I know Kips Bay Boys and  
11 Girls Club will be testifying and can speak more to  
12 the programming that they envision for the space, but  
13 I know that they also provided a letter of intent to  
14 the owners and the owners have also committed and  
15 will commit again on the record to you that they will  
16 offer this 15,000 square feet space to Kips Bay Boys  
17 and Girls Club.

18 COUNCIL MEMBER VELAZQUEZ: When the  
19 application was presented to the Community Board,  
20 many of the currently proposed project pieces were  
21 not included. What has your team done to update the  
22 Community Board on this?

23 JACLYN SCARINCI: During the ULURP  
24 process, this frequently does happen where a project  
25 starts in one form and you hear continued community

2 outreach and the project is molded into what it is as  
3 it gets to the Council, and I think your point about  
4 updating the Community Board, we're happy to do that  
5 and provide them updates and get further feedback  
6 from them, but I think, at this point, we haven't  
7 given a formal update, but I know a lot of the  
8 Community Board leadership has been at all the  
9 hearings and has heard the updates in person so I  
10 think in terms of that, they are aware of the changes  
11 to the project.

12 COUNCIL MEMBER VELAZQUEZ: So you haven't  
13 directly provided them with any updates? The updates  
14 have been only during the separate hearings to do the  
15 ULURP process, correct?

16 JACLYN SCARINCI: I'm personally not  
17 aware, but I don't want to speak to if the ownership  
18 has had further conversations with the Community  
19 Board on the changes to the project.

20 COUNCIL MEMBER VELAZQUEZ: Is someone  
21 available from ownership that can have that  
22 confirmation for you right now?

23 JACLYN SCARINCI: Sure. Sorry. We don't  
24 think there have been any further conversations, but

2 we're happy to speak with Community Board 10  
3 regarding the updates to the project.

4 COUNCIL MEMBER VELAZQUEZ: Thank you.

5 Also, how were these updates made possible? When  
6 we're talking about changes, what kind of public  
7 funding was sought out to facilitate these updated  
8 project proposals, namely the 100 percent affordable  
9 senior housing and veteran housing?

10 JACLYN SCARINCI: Can you clarify the  
11 question?

12 Sure. The question was what is the status  
13 of the senior affordable housing building or...

14 COUNCIL MEMBER VELAZQUEZ: No, it's  
15 basically you guys changed the project, right, from  
16 the beginning, what was presented to the Community  
17 Board. Now what made these changes possible and how  
18 has the public funding been sought out to facilitate  
19 these updates?

20 JACLYN SCARINCI: Okay, yes. In relation  
21 to Site C in particular, the team through the public  
22 review process heard that the senior affordable  
23 housing was really important to the community and to  
24 you, Council Member Velázquez, and so they hired an  
25 affordable housing development consultant because

2 this is a very specialized type of development who  
3 will also testify today from (INAUDIBLE) Development  
4 and has prepared a pro forma and (INAUDIBLE)  
5 application form with HPD and that's the initiation  
6 of the process for doing a new senior affordable  
7 housing project, and we are continuing conversations  
8 with HPD regarding the financing for that. As you may  
9 be aware, it is a process and a process that does  
10 take years but we are confident that given that  
11 Throggs Neck has been an area that has not seen a lot  
12 of affordable housing that this could be an area that  
13 would be prioritized for financing, especially for  
14 senior affordable housing.

15 COUNCIL MEMBER VELAZQUEZ: Now that we're  
16 talking about financing, can you explain to me two  
17 things, the financing structure of this development  
18 and additionally with the two letters I have gotten  
19 from your office, I have one indicating the applicant  
20 as Jape Equities and then the other one, Throggs Neck  
21 Associate, LLC. Can you tell me why is there a  
22 difference and can you give the ownership structure  
23 and their percentage of ownership?

24 JACLYN SCARINCI: Throggs Neck Associates  
25 is comprised of the three owners that are a part of

2 the rezoning and was formed for the purpose of  
3 facilitating the rezoning.

4 COUNCIL MEMBER VELAZQUEZ: Can you provide  
5 their names?

6 JACLYN SCARINCI: For Site A, the owners  
7 are PJB Realty, that is Joseph (INAUDIBLE). Site B is  
8 Jape Equities, which the principle is Peter  
9 (INAUDIBLE) who will speak today. Sites C and D are  
10 owned by Marciano Enterprises, which is Franco and  
11 Marco Marciano.

12 COUNCIL MEMBER VELAZQUEZ: Can you give me  
13 the name for Site A again?

14 JACLYN SCARINCI: PJB Realty.

15 COUNCIL MEMBER VELAZQUEZ: That's Peter,  
16 Joseph, and (INAUDIBLE). Got it.

17 Then the financing structure, you're  
18 going to provide to our office?

19 JACLYN SCARINCI: In terms of financing  
20 structure, you're looking for the development costs  
21 for each of the sites? We can provide after the  
22 hearing.

23 COUNCIL MEMBER VELAZQUEZ: How much is  
24 public financing, how much is private?

2 JACLYN SCARINCI: Sure. Sites A, B, and D  
3 are intended to be fully privately financed and not  
4 subsidized by the city. Site C is intended to be 100  
5 percent affordable housing financing provided by HPD  
6 HDC bond financing so only 99 units of the 349 units  
7 that are proposed will require city subsidy.

8 COUNCIL MEMBER VELAZQUEZ: Okay. I stated  
9 in my remarks this community is a union community.  
10 Has your team addressed the need for union labor in  
11 any project that comes forward?

12 JACLYN SCARINCI: The team has committed  
13 to labor agreements with 32BJ and also Local 79  
14 Laborers.

15 COUNCIL MEMBER VELAZQUEZ: What have these  
16 conversations looked like, do they support the  
17 project, and, besides that, are they PLAs or MOUs?

18 JACLYN SCARINCI: 32BJ is an agreement and  
19 Local Laborers 79 is an MOU at this point, but  
20 assuming a more formal agreement will be reached.

21 COUNCIL MEMBER VELAZQUEZ: For BJ, when  
22 did that agreement take place?

23 JACLYN SCARINCI: I have to get back to  
24 you on the timing of that, but I know it was at the  
25 beginning of this process.

2 COUNCIL MEMBER VELAZQUEZ: Okay. The  
3 Carpenters Union is widely represented in this  
4 district with over 500 members. Can you explain  
5 outreach to their union and why they're not part of  
6 this proposal, and, when conducting outreach, did you  
7 discuss the union's level of involvement? Did they  
8 have any reservations and how have you planned on  
9 addressing these concerns?

10 JACLYN SCARINCI: In relation to the  
11 Carpenters Union, I know the owners had conversations  
12 with the Carpenters Union and no formal agreement has  
13 been reached.

14 COUNCIL MEMBER VELAZQUEZ: Why?

15 JACLYN SCARINCI: I'm not part of those  
16 discussions, but we can definitely provide an  
17 explanation to your office on that.

18 COUNCIL MEMBER VELAZQUEZ: Okay, or does  
19 Jordan have a response? No? Okay.

20 If it's not feasible to secure an  
21 agreement with the Carpenters, and this is where I'm  
22 struggling, right, because we're talking about  
23 feasibility and we're talking about how it works for  
24 communities and we're looking at what the 145 project  
25 in Harlem, how they were able to secure an agreement

1 with Carpenters and other unions when the project was  
2 proposed to provide for 50 percent deeply affordable  
3 housing. However, here, less than 30 percent, it's  
4 not feasible to work with the Carpenters?  
5

6 JACLYN SCARINCI: Actually, this project  
7 is almost 50 percent income-restricted housing  
8 because you have 168 units that are income-  
9 restricted, 99 are the senior affordable housing, and  
10 then you have 99 across Sites A and C that are MIH  
11 housing. I think, also to compare to 145, it's also  
12 the scale. The size of these projects is much smaller  
13 than 145. It's 349 units across four sites so each  
14 site is, Site D is only 22 units. The other sites are  
15 approximately 100 units. It's the scale.

16 COUNCIL MEMBER VELAZQUEZ: Okay. Can you  
17 please describe the transition plan for the Foodtown  
18 employees to seek interim employment during the  
19 project construction and priority upon restaffing?  
20 You had mentioned opening a temporary facility, fresh  
21 food market if you will, that would operate  
22 throughout construction. How much notice will  
23 Foodtown employees have before this takes place, and  
24 do you have a plan for employees who cannot access  
25

2 the temporary location to ensure that they maintain  
3 employment through this process?

4 JACLYN SCARINCI: The operators of Super  
5 Foodtown will be testifying today and they can better  
6 speak to the terms of notice that they would give to  
7 their own supermarket employees, but they have gone  
8 on the record committing to relocating them to other  
9 supermarkets nearby during the 24 to 28 months of  
10 construction, and they'll speak to the notice as  
11 well, but also regarding your question about the  
12 temporary food market, this is a preliminary proposal  
13 related to that and I think further details can be  
14 explored with local Community Board 10 and also other  
15 stakeholders within the community to identify the  
16 best not-for-profit that we can work with on the  
17 temporary facility.

18 COUNCIL MEMBER VELAZQUEZ: Okay, I think I  
19 missed my point here so I'll clarify a little bit.  
20 Have you discussed a transition plan with a local  
21 grocers' union like Local 338 when we're talking  
22 about employees? I'm the Chair of Consumer and Worker  
23 Protection so I'm looking out for those workers so  
24 can you clarify for me what's the transition plan and  
25 has it been discussed with Local 338?

2 JACLYN SCARINCI: I'm not aware that the  
3 owners have spoken with Local 338.

4 COUNCIL MEMBER VELAZQUEZ: Okay, thank  
5 you. What commitment is your team making to work with  
6 M/WBE contractors for both construction of this  
7 project and operations at the site once complete? If  
8 you haven't connected with M/WBE contractors, do you  
9 plan on conducting outreach? If not, please indicate  
10 why.

11 JACLYN SCARINCI: For Site C in  
12 particular, there will be specific requirements  
13 through the Build Up program that approximately I  
14 think it's 30 percent of the development cost needs  
15 to be targeted towards M/WBE contractors so that site  
16 will have specific target requirements.

17 The other sites, we'll be soliciting  
18 M/WBE contractors, especially through the ICAP  
19 program and commercial ground floor uses. M/WBE  
20 contractors will be solicited as part of each of the  
21 developments. We do not have specific commitment  
22 targets at this time.

23 COUNCIL MEMBER VELAZQUEZ: So they will  
24 be, but it hasn't happened is what you're saying?

2 JACLYN SCARINCI: Not at this time. We're  
3 still pre-development, but I think the development  
4 team, just given the commercial activity, will be  
5 looking to solicit and hopefully hire M/WBE  
6 contractors.

7 COUNCIL MEMBER VELAZQUEZ: Community Board  
8 10 and others have noted the challenges the community  
9 faces in regards to essential infrastructure such as  
10 transit service, resiliency concerns, and school  
11 overcrowding. Can you speak about your plans to  
12 address these issues with your project?

13 JACLYN SCARINCI: Sure. With regards to  
14 transit service and schools, the team conducted very  
15 detailed analyses and studied current school seats as  
16 well as impacts to transit by the new developments.  
17 These will be four developments that are phased over  
18 time. It's 349 units, and, as part of the detailed  
19 analyses, it was determined by the consultant that  
20 there is no significant impacts on transit and  
21 schools. I know Sam spoke a little bit regarding  
22 resiliency during the presentation. If there are  
23 further questions related to that, I can have him  
24 speak to that as well, but I think the other thing  
25 that the team had really considered as part of the

2 transit analysis is that Throggs Neck in particular  
3 has very automobile usage and so that is why the  
4 sites are exceeding the parking requirements, over  
5 130 spaces across the four sites will be provided  
6 more than what's required, acknowledging that there  
7 is a need for parking in Throggs Neck.

8 Just in relation to, can you just  
9 clarify, you're looking for further information on  
10 how the project will impact resiliency?

11 COUNCIL MEMBER VELAZQUEZ: Yeah, so  
12 there's transit service which you addressed slight,  
13 but I would need a little bit more understanding on  
14 what kind of transit study has happened and, if so,  
15 when it was conducted.

16 JACLYN SCARINCI: Sure. As part of the  
17 environmental review, a detailed transit analysis was  
18 conducted by EPDSCo, the applicant's environmental  
19 consultant, and that analysis was conducted actually  
20 in 2020 and did a more conservative analysis given  
21 that COVID was happening at that time and automobile  
22 usage was down significantly so their numbers did  
23 account for a COVID factor included in that analysis.

2 COUNCIL MEMBER VELAZQUEZ: Is there an  
3 opportunity to revisit that to understand the current  
4 conditions?

5 JACLYN SCARINCI: Yes. Actually, our  
6 environmental consultant is here, and I do believe he  
7 looked at these numbers and confirms that it would  
8 not be any worse than it was during the conservative  
9 analysis that was done.

10 COUNCIL MEMBER VELAZQUEZ: Okay, and then  
11 the other piece was, so it was transit, resiliency  
12 concerns, and school overcrowding.

13 JACLYN SCARINCI: Yeah, so in relation to  
14 the school seats, a detailed analysis was done on  
15 community facilities which included school seats, and  
16 no significant impact on the school seats from this  
17 project, and I think in looking at that analysis a  
18 more conservative approach was taken because now one  
19 of the entire buildings is now seniors which triggers  
20 usually less school seats in general for the  
21 analysis. Now, I'll turn it over to Sam to speak to  
22 the resiliency.

23 COUNCIL MEMBER VELAZQUEZ: Before we get  
24 to Sam, you mentioned what green infrastructure you  
25 are including in this development so I just wanted to

1 give you a little bit more questions as you're  
2 leading to the resiliency. Have you discussed the  
3 possibility of upgrading the sewer systems in and  
4 around the project site with the city? This is an  
5 especially pertinent issue given the recent sinkhole  
6 occurrence in outdated sewer pipes facilities in my  
7 district. Is there a plan to combat any backup  
8 throughout the construction and, should there be a  
9 sewage backup as a result of this construction, how  
10 are you going to work to rectify this matter for  
11 local homes and businesses impacted by this?  
12

13 SAM LAMONTANARO: Sure. Again, with the  
14 adoption of the newer codes, the use of the lower  
15 flow fixture, the lower energy consumption  
16 appliances, new design strategies in lighting, a  
17 building footprint of today is substantially less  
18 than a building built under previous codes. Up until  
19 2008, we were still building to the 1968 code, and  
20 the 1968 code did not address a lot of these concerns  
21 so buildings prior to 2008 were energy hogs. They had  
22 very high consuming fixtures, and they really took a  
23 lot of resources out of our infrastructure and they  
24 gave a whole lot back into our infrastructure in the  
25 way of sewage and stormwater and really did put a lot

2 of extra stress and burden on our water treatment  
3 plants and piping systems. One of the large burdens  
4 that they did put on, again, was with the combined  
5 sewer overflows, and that really has a lot of impact  
6 on our local waterways. The buildings nowadays, they  
7 look nothing like the buildings that are there as far  
8 as their overall footprint, their carbon footprint.  
9 You hear people talk about now with resiliency and we  
10 talk about energy efficiency, now, again, the driving  
11 motivation now is a lot more knowledge that we have  
12 and the codes drive these changes so even the worst  
13 building you could build under these codes are  
14 fantastic buildings from an efficiency standpoint  
15 because the evolutions of the codes have brought us  
16 to that point. Currently, you'll see there's a lot of  
17 incentives, and I'm not talking monetary incentives,  
18 but people really have gravitated towards this and  
19 want to produce better buildings that are more  
20 environmentally friendly. Again, these buildings have  
21 a much lower carbon footprint and a usage footprint  
22 from our infrastructure than any of these older  
23 buildings so if you look at them in terms of what you  
24 have there now they really are much lower impact to  
25 the environment so they don't provide that stress

2 when you think of 200 units, 100 units, they don't  
3 have the stress of the current units on the  
4 infrastructure.

5 COUNCIL MEMBER VELAZQUEZ: Thank you.

6 While there are other local bus lines that run near  
7 this project site, the closest subway stop is roughly  
8 a mile away. Can you please describe ways in which  
9 your team has addressed the concerns regarding  
10 possible bus overcrowding, traffic, and public  
11 safety? Also, have you had discussions with the MTA  
12 and DOT to identify improvements to transportation as  
13 they relate to your project and increase the  
14 residents in the vicinity?

15 JACLYN SCARINCI: In relation to the  
16 transit, we're are the site is located outside of the  
17 transit zone and have included more than what is  
18 required parking across all the sites, but, in terms  
19 of your questions related to discussions with DOT, we  
20 are happy to continue conversations with city hall  
21 that we have initiated regarding commitments and  
22 additional infrastructure that may be needed within  
23 the community. As I mentioned, the studies that we  
24 did as part of the land use application didn't  
25 identify impacts or improvements needed. However, we

1 do know that in discussions with your office and also  
2 with local community members that there are concerns  
3 and needs for upgrades to bush shelters and other  
4 transit improvements that can be needed and the  
5 applicant team is committed to this projected, has  
6 put in a lot of time and effort and those are  
7 commitments that we also want to make sure are  
8 continued by the city. While out of the applicant's  
9 control, we find it very important to the success of  
10 the project.  
11

12 COUNCIL MEMBER VELAZQUEZ: There's a great  
13 need in this community for more affordable  
14 homeownership opportunities, and I've voiced this in  
15 every conversation with your team, but why aren't  
16 there any affordable homeownerships in this project?

17 JACLYN SCARINCI: I think in terms of  
18 affordable homeownership, the team did explore this  
19 as an option, but, given the program across all four  
20 sites, it was hard to accomplish homeownership while  
21 also providing veteran's housing under the Siller  
22 Foundation model which is a rental program, the SARA  
23 program which is senior affordable housing, it's also  
24 a rental program, and then the other two sites are  
25 not seeking city subsidy or financing and given the

2 market and the ground floor uses that are being  
3 proposed were not considered for homeownership.

4 Rentals seem to be the proposal that the development  
5 team found the most feasible to construct at these  
6 locations.

7 COUNCIL MEMBER VELAZQUEZ: As we're  
8 talking about senior housing, what are the levels  
9 that we are considering for senior housing, like how  
10 affordable will they be for our local seniors and  
11 what preference is going to be given to our local  
12 seniors? While there's a great need for additional  
13 senior housing in our district, it is essential that  
14 our senior population has adequate opportunity to  
15 obtain these apartments so have you conducted any  
16 outreach to the local and neighboring senior centers  
17 to identify an estimated number of seniors in need of  
18 housing, and, if not, are you planning to do so?

19 JACLYN SCARINCI: Sure. I think in terms  
20 of the senior affordable housing, the team has  
21 partnered with JASA who will be testifying today as  
22 well regarding the senior services and they are  
23 already in Throggs Neck and Throggs Neck houses and  
24 have familiarity with senior housing. The senior  
25 affordable housing program with HPD still provides a

2 50 percent local Community Board preference and JASA  
3 along with the applicant team will provide adequate  
4 notice to Community Board 10 and also local senior  
5 organizations when they're getting ready for the  
6 lottery and marketing process. Hopefully, that  
7 answered your question. If there's further followup...

8 COUNCIL MEMBER VELAZQUEZ: No, thank you.

9 You did great. Now, as mentioned by Borough President  
10 Gibson during her hearing, the square footage for the  
11 units are quite small. The average square foot for a  
12 senior neighbors living studio would be 360 square  
13 feet. Has your team looked into facilitating larger  
14 unit sizes and what factors were in play when  
15 deciding on the square footage and unit mix? Will any  
16 of these units be handicap accessible, and, if so,  
17 how many? If not, please explain.

18 JACLYN SCARINCI: I know that the city  
19 SARA term sheet, there are unit size requirements,  
20 and, given that the applicant is seeking HPD  
21 financing, maximizing the number of senior affordable  
22 housing units within the project is the most  
23 important. We do hear you that this is something that  
24 we can hopefully work with HPD further on, but this  
25 proposal of 360 square feet for a studio and 510

2 square feet for a one-bedroom is driven by the city's  
3 term sheet for apartment sizes.

4 With regards to handicapped and  
5 accessibility for these units, the SARA program  
6 senior affordable housing program with HPD requires  
7 that all of the senior units include accessibility  
8 measures including grab bars, turning radius within  
9 the apartments to accommodate wheelchairs, and those  
10 are design guidelines that are driven by the city.

11 COUNCIL MEMBER VELAZQUEZ: Okay. Last one  
12 actually. The Borough President and the community at  
13 large have given preference to family-sized units.  
14 How is this project addressing the need for  
15 desperately needed affordable housing, and, if  
16 family-sized units are added to the proposal, what  
17 will their size ratio be and how many family-sized  
18 units will be added and how many bedrooms will be  
19 included in the amended proposal?

20 JACLYN SCARINCI: As you mentioned, the  
21 Borough President did call for additional family-  
22 sized units, and the team was able to accommodate  
23 that at Sites A and B which are the proposed multi-  
24 family buildings and Site C is a senior building and  
25 Site D is the veteran's housing so at Site A the team

2 was able to add 11 three-bedroom units, and that put  
3 the two- and three-bedroom units for the project at  
4 approximately 40 percent of the unit distribution,  
5 and also at Site B, which originally had no three-  
6 bedroom units, they were able to include 4 three-  
7 bedroom units which accounted for about 20 percent of  
8 the two- and three-bedroom units within the 102 units  
9 at Site B. That did result in an overall reduction in  
10 the number of units at Site A and B because larger  
11 units means less units in the overall project as  
12 well.

13 COUNCIL MEMBER VELAZQUEZ: Just as a  
14 followup for the questions that you didn't have  
15 answers to and you said you'd follow up with us,  
16 what's the timeline on that?

17 JACLYN SCARINCI: I will have to just get  
18 back to some of my team members, but we can provide  
19 something in writing by the end of this week.

20 COUNCIL MEMBER VELAZQUEZ: Okay, thank  
21 you. I turn it back to you, Chair Riley.

22 CHAIRPERSON RILEY: Thank you, Council  
23 Member Velázquez. I'm going to allow my Colleagues to  
24 ask their questions now. I'm going to turn it over to  
25 Council Member Schulman.

2 COUNCIL MEMBER SCHULMAN: Thank you very  
3 much. I'm Lynn Schulman. I'm from District 29 in  
4 Queens. I'm very committed to affordable housing. I  
5 have a number of projects since I became a Council  
6 Member that I've supported that have deeply  
7 affordable housing so I have a couple of questions,  
8 and I also apologize. I came late so this question  
9 may have been asked. I had another hearing. First  
10 question I have is what's your experience in doing  
11 large projects like this? If you can share that.

12 JACLYN SCARINCI: Sure. Council Member  
13 Velázquez did ask for the owners of each of the  
14 sites. They are not large developers. They are three  
15 different development teams. For Site A, they've  
16 partnered with Spectrum Development who has built  
17 over 2,000 units in the Bronx, affordable housing and  
18 market rate housing. Site B, the development team  
19 also has experience building housing and commercial  
20 developments throughout New York City. Site C is the  
21 proposed 100 percent affordable housing development,  
22 and they have partnered with Radson Development who  
23 has significant experience, both developing,  
24 managing, and owning affordable housing throughout  
25 the five boroughs.

2 COUNCIL MEMBER SCHULMAN: So these  
3 developers, other than partnering with other  
4 developers that have experience, are not that  
5 experienced, am I correct, in this type of project?

6 JACLYN SCARINCI: Actually, the owners of  
7 Sites C and D have developed projects throughout the  
8 Bronx and Throggs Neck.

9 COUNCIL MEMBER SCHULMAN: I understand.  
10 I'm asking on the scope of this, have they done that?

11 JACLYN SCARINCI: For the affordable  
12 housing, this is their first affordable housing  
13 development and that's why they're partnering with an  
14 affordable housing consultant.

15 COUNCIL MEMBER SCHULMAN: I appreciate  
16 that. I am also very proud of the fact that the  
17 affordable housing in my district has had union  
18 support for it, including Carpenters, and I have to  
19 say that Carpenters is a union that's very important  
20 to me. I'm a little bit dismayed that you haven't  
21 been able to come to an agreement with them, and so I  
22 just wanted to make sure that whatever discussions  
23 were had with them was done in good faith because  
24 they've been a part of almost every, at least in my  
25 district and other parts of the city, including the

2 project that Council Member Velázquez mentioned in  
3 Harlem, have been a part of those projects and so I  
4 just want to see if there's any way that they can be  
5 made part of this project.

6 JACLYN SCARINCI: It's my understanding  
7 that the conversations with the Carpenters Union were  
8 in good faith. They just didn't come to an agreement.

9 COUNCIL MEMBER SCHULMAN: Okay, and is  
10 there any ability to come to an agreement or it's off  
11 the table?

12 JACLYN SCARINCI: I can't respond to that  
13 question.

14 COUNCIL MEMBER SCHULMAN: Okay. I  
15 appreciate that. Those are the questions that I have  
16 for now. Thank you.

17 CHAIRPERSON RILEY: Thank you, Council  
18 Member Schulman. I think that's all the questions  
19 from my Colleagues.

20 There being no further questions for this  
21 applicant panel, you are now excused. Thank you so  
22 much for today.

23 Counsel, are there any members of the  
24 public who wish to testify on the Bruckner Sites  
25 proposal in-person or remotely?

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
3 we have several members of the public in-person and  
4 remotely who have been patiently waiting, and we will  
5 get to all of you, but I'll just make a quick  
6 announcement before we get started with the panels.

7 For members of the public here to testify  
8 in-person or remotely, please know that witnesses  
9 will generally be called in panels of four. If you  
10 are a member of the public signed up to testify on  
11 the proposal, please stand by when you hear your name  
12 being called and prepare to speak when the Chair or I  
13 say that you may begin.

14 Please also know that once all panelists  
15 in your group have completed their testimony, if  
16 remotely, you will be removed from the meeting as a  
17 group and the next group of speakers will be  
18 introduced. Once removed, participants may continue  
19 to view the livestream broadcast of this hearing on  
20 the Council's website.

21 CHAIRPERSON RILEY: Thank you, Counsel.  
22 Members of the public, we will be giving everybody  
23 two minutes, and we have over 200 public testimonies  
24 signed up for today so we're really going to stick to  
25 the time limit. I just want to reiterate what I said

2 before. We're going to be respectable to everybody  
3 who is speaking. We don't want any loud outbursts or  
4 any other antics today in the Chambers. If so, you  
5 will be removed, but you can still submit your  
6 testimony to us online. All right, so let's just have  
7 a lot of respect for each other today.

8 With that being said, please do not begin  
9 until the Sergeant-at-Arms has started the clock, and  
10 you will be given two minutes. When two minutes, I  
11 will be cutting you off. Thank you.

12 Counsel.

13 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
14 our first panel will be online, and we will start  
15 with Bronx Borough President Vanessa Gibson who I  
16 believe is ready to testify. If we can unmute so she  
17 can start her testimony.

18 SERGEANT-AT-ARMS: Time starts now.

19 VANESSA GIBSON: Good afternoon, Members  
20 of the New York City Council. Good afternoon,  
21 Chairman Kevin Riley and Members of the Zoning and  
22 Franchises Committee, Council Member Velázquez, and  
23 my Bronx delegation. It's good to see everyone this  
24 afternoon.

2 I am the Bronx Borough President, Vanessa  
3 L. Gibson. So honored, so grateful to be here with  
4 all of you this afternoon, and, as a former Member of  
5 the City Council, certainly it's different for me to  
6 be on this side of the aisle, but I have great  
7 respect for the work of the Committee and the work of  
8 this Body, and I look forward to working with you in  
9 my new capacity as the Bronx Borough President.

10 I'm grateful to be here to testify on the  
11 Bruckner rezoning proposal that is before the  
12 Subcommittee this afternoon, and I want to begin by  
13 providing some background on this project, which I  
14 have spent a great deal of time working on. It's  
15 really been a labor of love. Listening to everyone  
16 who testified during my two days of public hearing in  
17 the Bronx and reviewing additional testimony that our  
18 office did receive. After hearing all of the  
19 testimony, weighing the pros, the cons, the  
20 advantages and disadvantages, and after a  
21 comprehensive review of this project, I have provided  
22 comprehensive recommendations for the individual  
23 buildings as well as the project as a whole. Since my  
24 recommendation, I want to acknowledge the applicant  
25 team has made many of the changes that we recommended

2 in agreements that resulted in a project that I  
3 believe works for our Bronx community. They have  
4 agreed to reduce the height of the building on Site A  
5 down to five stories which will be in line with the  
6 neighboring public school across the street while  
7 being able to maintain the proposed density. That is  
8 a huge deal. The proposed eight-story was a major  
9 concern for us, and so I acknowledge that the  
10 reduction to five-stories is a step of progress. The  
11 conditions that I sought from the application team..

12 SERGEANT-AT-ARMS: Time expired.

13 VANESSA GIBSON: Have been recognized and,  
14 if it's okay if I can continue, Mr. Chair?

15 CHAIRPERSON RILEY: Yes, Madam BP, go  
16 ahead.

17 VANESSA GIBSON: Okay. Thank you. I stated  
18 from the very beginning that the project needs to  
19 support the existing community, and this project  
20 really achieves that in a number of ways by providing  
21 99 units of affordable housing which will be  
22 supported by JASA, a reputable organization that we  
23 know of in the Bronx and the city, 22 units of  
24 veteran housing that was partnered with the Siller  
25 Foundation and Tunnels to Towers which will provide

1 access to affordable housing for our veterans who  
2 have risked their lives and we should do more to  
3 support them. We definitely need to continue giving  
4 opportunities and our full support for youth and  
5 youth programming. I'm happy to learn about Kips Bay  
6 Boys and Girls Club coming aboard, and this project  
7 does provide a valuable youth center which will offer  
8 educational and recreational opportunities, giving  
9 many of our young people a real pathway to succeed.  
10 This project is also a job generator, creating and  
11 maintaining 476 total jobs, 350 are construction, 126  
12 local permanent jobs. Support from 32BJ as well as  
13 Local 79. I know conversations are ongoing with the  
14 Carpenters Union. Providing living wage jobs with a  
15 real emphasis on Bronx residents is something that we  
16 all should definitely support. This will really  
17 create well-paying Bronx labor jobs.

18  
19 In addition to the direct community  
20 benefits, this project also will create approximately  
21 340 new units of housing over four buildings across  
22 four blocks. 56 percent of the units are affordable,  
23 and over 30 percent will be family-sized units. Let  
24 me emphasize, Council Members, that we are adding  
25 three-bedroom unit apartments, which is exceptionally

2 well considering the fact that we have so many  
3 growing families in the Bronx and New York City. If  
4 this project was in any other community, in any other  
5 part of the borough or the City of New York, you know  
6 that it would get a resounding yes.

7 I've always supported this project with  
8 conditions, which I shared with all of you, the  
9 Members of the Committee. There was a 12-page  
10 recommendation and I really ask that you and your  
11 team really look through it because there are two  
12 additional points that I want to highlight as I wrap  
13 up because I know there are many that want to speak  
14 after me.

15 The first is very critical. The City of  
16 New York should establish a multiagency taskforce  
17 that would review short- and long-term goals to  
18 address major policy issues like infrastructure  
19 improvements, congestion, flooding, coastal,  
20 resiliency issues, and many of the concerns that  
21 homeowners in Throggs Neck and Schuylerville have  
22 already talked about. When it's inclement weather,  
23 there are five and six feet of water in basements and  
24 major issues with congestion. We should deal with  
25 that, whether there's a proposal on the table or not.

2 Many of these issues can be addressed by individual  
3 agencies, and, if we have interagency collaboration,  
4 we can truly address a lot of the concerns that you  
5 will hear about today.

6           The second priority is the city and the  
7 administration must prioritize homeownership  
8 opportunities. That is the gateway and the pathway to  
9 stabilizing families and a pathway to the middle  
10 class. That is what we all want to achieve. Many  
11 residents have testified before me talked about  
12 coming from other parts of the Bronx and buying their  
13 first home in Throggs Neck and Schuylerville and  
14 maintaining that residential component, and that  
15 should be expanded on in every way possible. We want  
16 to invest in all neighborhoods, and all neighborhoods  
17 should have the beauty of what Throggs Neck and  
18 Schuylerville has been over the years. There should  
19 be no exception, there should be no difference, and I  
20 really believe that the city can prioritize these  
21 developments that have the homeownership component  
22 and assist many low-income and working families with  
23 that. I've always been a champion of affordable  
24 housing, I always will because I do believe that it  
25 is the gateway to the middle class. I cannot and I

2 will not accept segregated communities of any type in  
3 the Bronx because I do not think it aligns with our  
4 values and what we are prioritizing as Council  
5 Members and the workers. There are neighborhoods in  
6 the Bronx right now that are saturated with  
7 affordable supportive housing and shelters and other  
8 programs, and we want every neighborhood to do its  
9 fair share. There should be no exception. These  
10 proposed buildings are on the border of single-family  
11 neighborhoods and next to a highway and a cemetery  
12 and a commercial corridor..

13 CHAIRPERSON RILEY: I'm sorry, Madam  
14 Borough President. We're going to need you to wrap it  
15 up real quick, all right?

16 VANESSA GIBSON: All right. I will do my  
17 last sentence. I apologize. This was sent to all of  
18 you so I do want to just ask you, Chair Riley and the  
19 Members of the Council, to look at this project  
20 individually and on its own merits and really address  
21 the affordable housing crisis that we have in the  
22 Bronx and the City of New York.

23 I thank you for your time today and  
24 certainly look forward to working with Council Member  
25 Velázquez and all the Members of the Body and Speaker

2 Adams, and I thank you for your time this afternoon.

3 Thank you so much.

4 CHAIRPERSON RILEY: Thank you, Madam  
5 Borough President.

6 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
7 I'm going to announce the next panel, which will be  
8 made up of speakers that we have waiting online. The  
9 first panel is going to be Peter Del-Debbio, Joanna  
10 Andersen (phonetic), Lynn Koester, and Frank  
11 Vernuccio. The first speaker on that panel is Peter  
12 Del-Debbio.

13 SERGEANT-AT-ARMS: Time starts now.

14 CHAIRPERSON RILEY: Peter, are you there?  
15 Peter, are you there? Hello. Counsel, do you want to  
16 move on to the next speaker until we can get...

17 COMMITTEE COUNSEL MARTINEZ-RUBIO: While  
18 we wait for Peter to address some technical issues,  
19 we'll move on to Joanna Andersen.

20 JOANNA ANDERSEN: Hello. Can you hear me?

21 CHAIRPERSON RILEY: Yes, we can hear you,  
22 Joanna.

23 JOANNA ANDERSEN: Okay, great. If you  
24 can't hear me at any time, just let me know.

1 I'm a long-time resident of Throggs Neck.  
2 I oppose a change in the zoning. I support the  
3 preservation of our Throggs Neck low-density  
4 community. I believe that losing the low-density  
5 zoning will (INAUDIBLE) negatively impact the Throggs  
6 Neck community, Throggs Neck's infrastructure, the  
7 water, sewer, police, fire, transportation, schools,  
8 the flooding issue. We cannot support a big building  
9 like is proposed. The building project must be scaled  
10 down to the current low-density zoning in terms of  
11 the number of floors and other restrictions. The  
12 building project must also include sustainable and  
13 environmentally friendly building practices. We heard  
14 a little of that but not enough in my opinion. In  
15 these times of environmental devastation, this  
16 project must show that the building can be  
17 sustainable and environmentally friendly. There is so  
18 much that can be done to make this building project  
19 an asset to the neighborhood. For example, a few  
20 things were mentioned already, but I'll repeat it.  
21 Sustainable systems for water, sewer, and  
22 electricity, solar panels, green rooves, green walls,  
23 green spaces, gardens, tree planting, play spaces for  
24 children, community gardens, community shared indoor  
25

2 and outdoor spaces, and affordable homeownership to  
3 decrease the density. I look forward to hearing that  
4 the low-density zoning laws will continue to be  
5 enforced. Thank you.

6 CHAIRPERSON RILEY: Thank you, Joanna.

7 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
8 next speaker will be Lynn Koester to be followed by  
9 Frank Vernuccio.

10 LYNN KOESTER: Good afternoon. My name is  
11 Lynn (INAUDIBLE) Koester, and I am President of  
12 Throggs Neck Homeowners Association representing over  
13 450 families who live in Throggs Neck. I speak today  
14 of our opposition to the project that's being thrust  
15 upon us by the Throggs Neck Associates, LLC, that  
16 proposes to change our zoning to put 1,100 new  
17 residents in an already dense area where the roads,  
18 schools, and sewer systems are not able to carry the  
19 extra load. At no point have we heard the developers  
20 up until now start to address the issues which they  
21 have been silent on all along. It's very telling  
22 though that the developers didn't answer Councilwoman  
23 Velázquez's question about meeting with stakeholders.  
24 That actually never happened at all. Many residents  
25 who live there were flooded by Ida last year and are

2 only now receiving letters of denial for compensation  
3 from New York City. The sewers cannot handle what we  
4 have now and certainly cannot handle this huge  
5 project. We have worked hard for what we have and  
6 deserve to relish the fruits of our labor. We are not  
7 segregationists as referred to by Open New York. We  
8 are hard-working people of many nationalities who  
9 call this place home and are fighting to keep the  
10 zoning the way it was. We deserve no less. The  
11 developers are trying to sell the story that they  
12 will be helping firefighters, policemen, seniors, and  
13 veterans, but we already have three housing  
14 developments for seniors in our community so we want  
15 to keep the zoning the way it is. The needs of the  
16 community are already met with what we have. The  
17 business practices of the Bivona brothers leaves much  
18 to be desired, including bankruptcies and the people,  
19 many who don't live in our community and were sent  
20 here by...

21 SERGEANT-AT-ARMS: Time expired.

22 LYNN KOESTER: To defend a non-union  
23 supermarket is regrettable. We ask that the Council  
24 Members to please vote no. Thank you.

25 CHAIRPERSON RILEY: Thank you.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thanks,  
3 Lynn. The next speaker on this panel and the last one  
4 on this panel is Frank Vernuccio.

5 FRANK VERNUCCIO: Good afternoon. My name  
6 is Frank Vernuccio, and I represent the Throggs Neck  
7 Building Improvement District. The BID is in complete  
8 opposition to the up-zoning proposal. There are  
9 several key reasons for this. As evidenced by last  
10 year's devastating flooding following Hurricane Ida,  
11 our local drainage infrastructure is already  
12 inadequate. Adding this massive and out-of-scale  
13 development would result in rampant and severe danger  
14 to the community. The traffic in this neighborhood is  
15 already severe. Adding a significant number of people  
16 in the current proposal would render that issue even  
17 more troubling, causing a dramatic deterioration to  
18 the local quality of life. We remind all that there  
19 is no subway service in the area and bus service is  
20 already inadequate. One of the most significant  
21 challenges to the business community throughout the  
22 Throggs Neck BID is parking. The proposed up-zoning  
23 does not even remotely provide adequate parking for  
24 the influx of people it calls for. This would  
25 seriously harm both residents and businesses. There

2 are procedural matters that must be mentioned as  
3 well. In the Planning Commission's hearing on this  
4 matter, Chairman Dan Garodnick incorrectly refuted  
5 concerns over height matters, stating that the area  
6 was not in the approach zone for LaGuardia Airport.  
7 It most certainly is. The Throggs Neck BID, Community  
8 Board 10, and the overwhelming majority of local  
9 residents oppose this proposal. In prior hearings on  
10 this topic, the overwhelming majority of those  
11 speaking on behalf of this project neither live or do  
12 business in the area affected. Considering the near  
13 unanimous local community opposition to it, an  
14 approval would make an utter mockery of the entire  
15 concept of citizen input into the future of their  
16 neighborhood. Thank you very much.

17 CHAIRPERSON RILEY: Thank you. I believe  
18 Peter is driving. He just contacted Council Member  
19 Velázquez so he will not be giving his remarks so we  
20 can move on to the next panel.

21 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
22 you, Chair. Just for those of you that may have to  
23 drop off, this is a good time to announce that you  
24 can submit your testimony to us in writing at  
25 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

2           The next panel is going to be made up of  
3 Frank Marciano, Peter Zuccarello, Matthew Mahoney,  
4 Donald Manning, and that's all of you for the second  
5 panel. We'll start with Frank Marciano followed by  
6 Peter Zuccarello.

7           CHAIRPERSON RILEY: Mr. Marciano.

8           COMMITTEE COUNSEL MARTINEZ-RUBIO: Do we  
9 have Mr. Marciano in?

10          MARCO MARCIANO: Hello. Sorry about that.  
11 Good morning. I'd like to take this opportunity to  
12 testify today before the Zoning Committee for the  
13 City Council. My name is Marco Marciano, and my  
14 family has owned Sites C and D in this rezoning  
15 application for 20 years. We are part of this  
16 community. Throggs Neck is our home. We grew up here,  
17 just a few blocks away from the site and still live  
18 here in this neighborhood. My father started a  
19 construction business here over 50 years ago, and we  
20 have built around 150 homes and commercial properties  
21 in the area. We are committed to improving this  
22 neighborhood. We are bringing positive new use here  
23 with senior housing and veteran housing. Our new  
24 buildings provide proposals to create opportunity for  
25 those who have served our community and seniors who

1 live here and want to stay here, even (INAUDIBLE) the  
2 downsizing or want to change their lifestyles. The  
3 Marciano family is excited to partner with JASA to  
4 provide senior services and property manager for 99  
5 units of affordable senior housing on Site C. We are  
6 committed to this partnership and look forward to  
7 working with HPD in partnership to get this building  
8 done as soon as possible. Additionally, our family's  
9 committed to bring veteran housing to Site D. The  
10 Tunnel to Tower Foundation does amazing work to  
11 support our veterans all across the country, and we  
12 are proud to be working with (INAUDIBLE) and to  
13 support vets with housing and service right here in  
14 Throggs Neck. We have always wanted to do something  
15 special with this site other than one- or two-family  
16 dwellings, but it wasn't feasible under the current  
17 zoning. When we were approached about building  
18 apartments, it struck (INAUDIBLE) with us. We are  
19 committed to improving and supporting the  
20 neighborhood. Despite being heckled and harassed and  
21 sadly losing some friends over the proposal, we still  
22 believe the...

24 SERGEANT-AT-ARMS: Time expired.

2 CHAIRPERSON RILEY: Thank you, Mr.  
3 Marciano.

4 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
5 next speaker on this panel is Donald Manning. Can we  
6 unmute Donald Manning?

7 DONALD MANNING: Can you hear me?

8 CHAIRPERSON RILEY: Yes, we can hear you,  
9 Donald.

10 DONALD MANNING: Great. Thank you, Chair  
11 Riley. Members of the Subcommittee on Zoning and  
12 Franchise, I am Donald Manning, the Executive  
13 Director of Real Estate at JASA Housing Management  
14 Services. We welcome today's hearing as an  
15 opportunity to focus on the need for affordable  
16 senior housing in the Bronx and identifying new  
17 opportunities for development that support aging in  
18 place when considering changes to zoning. JASA is a  
19 nonprofit agency that honors older New Yorkers as  
20 vital members of society and provide services for  
21 over 50 years and support aging with purpose and  
22 partnering to build strong communities. JASA is a  
23 comprehensive integrated network of services that  
24 provide a continuum of community-based care in the  
25 Bronx, Brooklyn, Manhattan, and Queens. Those of us

1 in the human services field and affordable housing  
2 providers know that a critical component to  
3 successful aging is stable housing. Lack of housing  
4 exacerbates physical and mental health challenges and  
5 can lead to unnecessary institutionalization. JASA  
6 owns or manages over 2,400 housing for seniors and  
7 we're the leading nonprofit in New York providing  
8 these services. JASA (INAUDIBLE) inquiries from older  
9 adults, family members, and elected officials looking  
10 to assist their constituents find quality affordable  
11 housing. Unfortunately, the realities are the  
12 significant need for affordable housing for elderly  
13 residents far outweighs the limited portfolio of  
14 alternative affordable housing for older New Yorkers.  
15 Through new partnerships with government agencies,  
16 developers, and community members, JASA strives to  
17 bring renewed effort to bring housing management and  
18 complementary social services for seniors in the  
19 Bronx and New York City as a whole. Thanks to new  
20 funds from New York City and New York State, support  
21 programs are now available to bolster stable housing  
22 for some of the most vulnerable older adult residents  
23 in New York City. Most recently, JASA has  
24 participated in the development of a fantastic senior  
25

2 building at (INAUDIBLE) Boulevard in the Bronx and  
3 we're currently partnering with (INAUDIBLE) that will  
4 be home to 205 senior families in Soundview section  
5 of the Bronx. It's been our experience where we  
6 regularly see tenants in JASA senior housing..

7 SERGEANT-AT-ARMS: Time expired.

8 DONALD MANNING: in their community.

9 CHAIRPERSON RILEY: Thank you, Donald.

10 DONALD MANNING: Thank you.

11 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
12 next two speakers on this panel are call-ins, and  
13 they are Peter Zuccarello and Matthew Mahoney. Are  
14 any of them available to speak?

15 Again, Peter Zuccarello or Matthew  
16 Mahoney.

17 PETER ZUCCARELLO: Yes, I'm here.

18 CHAIRPERSON RILEY: You may begin, Peter.

19 PETER ZUCCARELLO: Hello.

20 CHAIRPERSON RILEY: Yes, Peter, we can  
21 hear you. You may begin.

22 PETER ZUCCARELLO: Okay. Good morning.

23 Thank you for the opportunity to testify today before  
24 the Zoning Committee of the City Council. My name is  
25 Peter Zuccarello. Me and my family are the owners of

1 Site B in this rezoning. The history of the site is a  
2 very sad history. The site was a family business, a  
3 small business, that eventually had to close due to  
4 Home Depot. It was a great small business for the  
5 community. When Home Depot opened many years ago, it  
6 was eventually forced out of business. We have made  
7 the use of the space by letting a local batting cage  
8 operator use, but it's been very difficult to return  
9 it to a better use and resource for the community for  
10 the simple fact is that it's very difficult for  
11 retail to survive in this area so we'd like to try  
12 something to revitalize it. Keeping with the spirit  
13 of the batting cage and children activities, we  
14 proposed ground floor uses for the youth in the area.  
15 Council Member Velázquez urged us to speak with Kips  
16 Bay Boys and Girls Club, and we are grateful for that  
17 referral because we have had great conversations with  
18 them and are looking forward to having and  
19 establishing a new home at their site. Additionally,  
20 we are happy at the housing mix of senior and  
21 affordable housing in our site. We are proud of those  
22 attributes to the area, especially senior housing.  
23 I'm very fond of the seniors. My team is working with  
24 an excellent architect and experienced development  
25

2 consultant who are ready to bring us to this project  
3 to fruition. We also...

4 SERGEANT-AT-ARMS: Time expired.

5 PETER ZUCCARELLO: Working with the  
6 Laborers Union, Local 79, whom my grandfather was a  
7 member for 50 years.

8 CHAIRPERSON RILEY: Thank you, Peter.

9 PETER ZUCCARELLO: And 32BJ as well.

10 CHAIRPERSON RILEY: Thank you, Peter. You  
11 can submit the rest of your testimony online.

12 PETER ZUCCARELLO: No problem.

13 COMMITTEE COUNSEL MARTINEZ-RUBIO: I  
14 believe we have Matthew from this panel ready to  
15 speak as well. Matthew Mahoney.

16 MATTHEW MAHONEY: Good afternoon, Chairman  
17 Riley, Council Member Velázquez, and the rest of the  
18 Council delegation. My name is Matthew Mahoney. I'm  
19 Executive Vice President of the Tunnels to Tower  
20 Foundation based here in New York, but we work  
21 nationally across the country serving the families of  
22 our fallen first responders and soldiers killed in  
23 action or in training overseas or here in the United  
24 States. We also have a very ambitious project now  
25 that we're working on to provide housing for veterans

2 who require it. The project here that we're teaming  
3 up with, Throggs Neck Associates, is very exciting to  
4 us as we'll be able to provide 22 homes to our  
5 nation's veterans living locally here in the  
6 community and in the Bronx. The veterans are chosen  
7 based on need, and one thing I'd like to clarify.  
8 This isn't affordable housing for these veterans;  
9 this is free housing for these veterans paid for by  
10 the Foundation. They will not be asked to pay rent of  
11 any kind, although they will also be given access to  
12 24-hour services, counseling, and things of that  
13 nature, and for that there's a small fee based on  
14 their ability to pay. We're really tremendously  
15 honored to be chosen to help provide these homes for  
16 our veterans. These are men and women in the  
17 community who have served our country and need the  
18 help now of our community. We're looking forward very  
19 much for the project to move forward. We anticipate  
20 working hand-in-glove with the community, with the  
21 Council Member's office, with the Bronx Borough  
22 President. We've partnered with Social Services for  
23 the City of New York as we replicate these types of  
24 initiatives throughout the city and state of New  
25 York.

2 Thank you very much for your time, and,  
3 again, we're speaking in favor of the proposal going  
4 forward. Thank you.

5 CHAIRPERSON RILEY: Thank you, Matthew.  
6 Before we excuse this panel, I believe Council Member  
7 Velázquez and Council Member Brewer have questions  
8 for this panel so I'm going to hand it over to  
9 Council Member Brewer first. Council Member Brewer.

10 COUNCIL MEMBER BREWER: Thank you very  
11 much. You have a wonderful organization, sir. My  
12 question is since I have 135,000 homeless veterans  
13 permanent housing on my block, we work with them, we  
14 love them. My question though is when they come from  
15 the military, obviously go to homeless then to the  
16 permanent housing. Bailey House is the provider  
17 there. My question though is they come with, to be  
18 honest with you, more money for housing than many of  
19 us New Yorkers in terms of the federal government  
20 helping to pay some of that rent so with the veterans  
21 that you're working with, would they not be able to  
22 use some of their housing allowance for permanent  
23 housing even though you are obviously helping to pay  
24 the rent? How does that work in terms of long-term  
25 permanent housing?

2 MATTHEW MAHONEY: As you may be aware,  
3 Council Member, and thank you for the compliment  
4 about our organization, veterans don't come one shape  
5 or size and they don't all come with the same  
6 benefits allotted to them. Based on disability, based  
7 on age, based on how they transitioned out of the  
8 military, there are a variety of circumstances there.  
9 So much of what would be called traditionally  
10 transitional housing where they're given a short  
11 period of time to get back on their feet and move  
12 into more permanent housing elsewhere really limits,  
13 we find in dealing with a lot of social service  
14 workers, limits their ability to save up their money,  
15 get on their feet, and provide a more permanent  
16 solution to any issues that they're seeing so we have  
17 chosen, and we do this now at our facilities that we  
18 operate in other states around the country, we do not  
19 charge rent. They may have the ability to pay, but  
20 that is not our goal. Our goal is for them to save  
21 their money and save their finances, build up all the  
22 things they need because, again, giving shelter is  
23 one thing, but it's really the supportive services  
24 that are required for this population that are

2 necessary, and that's really what we're going to be  
3 focusing on with our service providers.

4 COUNCIL MEMBER BREWER: Thank you. Do you  
5 take dishonorable and honorable discharged? How does  
6 that work?

7 MATTHEW MAHONEY: Primarily, it's  
8 honorably discharged. However, there are some  
9 circumstances in which a member might be dishonorably  
10 discharged and we will provide services, and that's  
11 on a case-to-case basis.

12 COUNCIL MEMBER BREWER: Thank you.

13 CHAIRPERSON RILEY: Thank you, Council  
14 Member Brewer. Council Member Velázquez.

15 COUNCIL MEMBER VELAZQUEZ: I just wanted  
16 to follow up on Council Member Brewer's questions.  
17 How many veterans does your organization currently  
18 support in the city and in the Bronx specifically and  
19 how many of your veterans and their families reside  
20 within my district?

21 MATTHEW MAHONEY: Sure. Right now, we  
22 began this program for veterans only in January of  
23 this year. By the end of this year, we will house  
24 over 500 veterans around the country. We currently  
25 don't house any in the City of New York predominantly

1 because we have focused our attention on where need  
2 is the greatest in the country. To give you an  
3 example, just prior to the pandemic, the federal  
4 government produced a study that called for about  
5 40,000 homeless veterans in the United States, 17,000  
6 of those are on the west coast of the United States.  
7 California alone has almost 12,000 homeless veterans  
8 as opposed to New York state, the entire state, not  
9 just the city, houses right now the count is about  
10 1,600 veterans so there's a real disparity in  
11 difference so this year we are permanently housing  
12 veterans in California. We are about to open a  
13 facility in the next two months in Phoenix, Arizona,  
14 which will house 173 veterans. Right now, my team  
15 literally today is doing a final walk-through of our  
16 Texas property in Houston. We have one opening in  
17 Washington, D.C. hopefully by early next year, and we  
18 have what will be the largest veterans facility of  
19 its kind in Los Angeles which will open sometime next  
20 year and is under construction. In New York, we are  
21 currently working on projects throughout the state,  
22 and we are in the process of reviewing those and  
23 making sure that they are adequate because we want to  
24 provide the absolute best facilities we can for our  
25

2 veterans. I'm sure many folks (INAUDIBLE) can tell  
3 you there are homes available, apartments available  
4 to veterans, but oftentimes they are available in  
5 poor condition or in neighborhoods that are pretty  
6 dangerous so what we're doing is making sure that we  
7 are giving these veterans any apartment, any house  
8 that you or I or our families would be proud to live  
9 in.

10 COUNCIL MEMBER VELAZQUEZ: Can you  
11 describe the application process and, more  
12 importantly, what kind of services do the residents  
13 have?

14 MATTHEW MAHONEY: Sure. The application  
15 process, right now we have hundreds and hundreds of  
16 veterans that reach out to us directly as well as our  
17 service provider which is U.S. Vets, predominantly on  
18 the west coast but operating in 18 cities around the  
19 country right now. They'll be joining us in New York  
20 next year. The process is pretty simple. It's pretty  
21 streamlined. The first thing, the intake form will  
22 identify the status of the veteran, and we work with  
23 the VA to get them into the system, make sure that  
24 they're getting their benefits. The process, though,  
25 for getting someone engaged really depends on the

2 state that we're operating in so in New York City,  
3 for example, we will work with the Department of  
4 Veterans Affairs, Homeless Services, the Council  
5 Members offices, the Borough Presidents, and the  
6 Community Board to identify potential residents.

7 Beyond that, in terms of services, there are services  
8 to help with mental illness, to help with alcohol and  
9 drug addiction, to help with job training and job  
10 placement.

11 COUNCIL MEMBER VELAZQUEZ: Lastly, how did  
12 this relationship start with the applicant? Who  
13 initiated the outreach and what did these  
14 conversations look like?

15 MATTHEW MAHONEY: Sure. They found us.  
16 They initiated the discussion with us. They showed us  
17 the project that they were trying to build, and they  
18 talked to us about our needs. They had heard about  
19 our project that we were doing and asked if we had  
20 need in the Bronx, and indeed we do have need in the  
21 Bronx. We have need in every single borough in the  
22 City of New York because as many veterans that are  
23 homeless, there are so many more that are facing  
24 housing insecurity right now and are one to two weeks  
25 away from homeless which actually fits the definition

2 by the federal government for a homeless veteran so  
3 we know that there are many of our veterans living  
4 paycheck to paycheck in these neighborhoods where we  
5 have a lot of men and women who have served their  
6 country. They reached out to us. We had a couple of  
7 meetings with them. We were definitely interested  
8 because they're going to build the apartments brand  
9 new and also have some space on the first floor for  
10 us so we can have on-site services for our veterans.  
11 We don't want them having to travel long distances to  
12 receive services, and also the proximity to the VA,  
13 we're only about five miles, which in the Bronx and  
14 just like in Staten Island where I live is about a  
15 half hour drive, but we're only about a half hour  
16 from the VA hospital which is also where we start  
17 looking to be within 45 minutes of a VA facility.

18 CHAIRPERSON RILEY: Thank you, Council  
19 Member Velázquez. Thank you to the applicant panel.  
20 We're going to do one more panel of online then we're  
21 going to switch to in-person. Can we have Stephen  
22 Raida (phonetic), Sanford Hales (phonetic), Denise  
23 Dantzler (phonetic), and Oba (phonetic) Watson come  
24 down if you're in the Chambers. Once again, that is  
25 Stephen Raida, Sanford Hales, Denise Dantzler, and

2 Oba Watson come to the Chambers if you're here. Thank  
3 you. Counsel.

4 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
5 next panel we're going to do for online is going to  
6 be made up of Brian Barrett (phonetic), Ann Baller,  
7 John Bruno (phonetic), and Denise Casillici  
8 (phonetic) so we're going to start with Ann Baller  
9 who I know is on the Zoom and the rest of you are  
10 going to call in. Ann Baller.

11 CHAIRPERSON RILEY: You may begin, Miss  
12 Baller.

13 ANN BALLER: Hi. I'm very opposed to the  
14 Bruckner up-zoning. I have lived in my home since  
15 2001 and know that this area lacks the infrastructure  
16 for such a construction project. Let me reiterate.  
17 The schools are overcrowded, the public  
18 transportation is (INAUDIBLE), our sewage system is  
19 old and floods (INAUDIBLE) 45th precinct does not  
20 have enough officers to deal with the amount of  
21 people who live here now and it would be further  
22 stressed with the number of families that would be  
23 moving into the area if this proposal goes through,  
24 and let me now talk about parking. Miss Leo Goodrich  
25 (phonetic) from who states that she is a Commissioner

2 on City Planning tweeted out in July 2022, she says,  
3 "and sometimes unfortunately "character" is co-opted  
4 as a code word for racism, classism, any-ism. I have  
5 seen this when there's a proposal for low-income  
6 housing. The architecture isn't any different neither  
7 is the height or density but character is thrown  
8 around." I disagree Miss Goodrich. The architecture  
9 is most certainly different. The height and density  
10 are most certainly different. We fought for our low-  
11 density zoning in 2004 to stop the over-development  
12 that was destroying this neighborhood. Up-zoning will  
13 bring back the development that we fought so hard  
14 against. Please vote no to the up-zoning. Thank you.

15 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
16 you. The next speaker on this panel will be Brian  
17 Barrett.

18 CHAIRPERSON RILEY: Can we please unmute,  
19 Brian?

20 COMMITTEE COUNSEL MARTINEZ-RUBIO: If we  
21 don't have Brian, can we try John Bruno?

22 If we don't have John Bruno, can we try  
23 Denise Casillici?

24 If you're a caller on this Zoom waiting  
25 to testify on this panel, can you please accept the

2 unmute request from the staff so that we can hear  
3 you?

4 DENISE CASILLICI: Hello. Good afternoon.

5 CHAIRPERSON RILEY: Hello. Is this Denise?  
6 Denise, you can unmute. Hello, Denise.

7 DENISE CASILLICI: Hello. Good afternoon.

8 CHAIRPERSON RILEY: Good afternoon. We can  
9 hear you.

10 DENISE CASILLICI: I'm not accustomed to  
11 public speaking so please forgive me. I'm calling  
12 against the up-zoning. I'm not a property owner or a  
13 business owner in this neighborhood. I've, however,  
14 rented here for over 20 years. It's my home. I do not  
15 feel this is a community-first project. I feel it's  
16 strictly for personal profit for the property owner.  
17 My experiences here in the hospitals, they're  
18 overburdened already. I've waited in emergency rooms  
19 for hours for treatment. The schools are overcrowded.  
20 Our children are in trailers learning. My commute to  
21 work should be a 20-minute commute. It takes me an  
22 hour in local traffic to get from the Bronx to  
23 Yonkers. Our police department, again, overburdened.  
24 I don't see how this is expanding homeownership,  
25 personal homeownership. I don't hear of any plans for

2 that in that. Again, excuse my nervousness, but I  
3 just would like to come out against this up-zoning,  
4 which I think they're hiding behind the VA and the  
5 Tunnel to Towers which are wonderful organizations. I  
6 would fully support them, but I don't think that this  
7 is totally about that. I think it's about their  
8 personal profit. Thank you for hearing me.

9 CHAIRPERSON RILEY: Thank you Denise.

10 COMMITTEE COUNSEL MARTINEZ-RUBIO: Could  
11 either Brian Barrett or John Bruno accept the unmute  
12 request so we can take your testimony? Again, Brian  
13 Barrett or John Bruno.

14 Brian or John, are you there ready to  
15 testify?

16 Chair, it looks like neither of them are  
17 unmuting so we can move on and start the in-person  
18 testimony.

19 CHAIRPERSON RILEY: Thank you. One last  
20 time, Stephen Raida, Sanford Hales, Denise Dantzler,  
21 and Oba Watson. If you're not already here, please  
22 come down.

23 We're going to begin first with Stephen  
24 Raida. Stephen, you may begin.

2           STEPHEN RAIDA: Hello. My name is Stephen  
3 Raida. I'm a lifelong resident of New York City so I  
4 am honored to be here, and I have great respect for  
5 this committee. Good morning. Thank you for giving me  
6 the opportunity to give my testimony of the Throggs  
7 Neck/Bruckner site rezoning.

8           Again, I am Stephen Raida. I am a  
9 lifelong resident of District 13, and I'm a member of  
10 Labors Local 79. I support this project because it  
11 will bring standard-wage jobs to fellow workers like  
12 myself, workers of color, veterans. Forgive me. I'm  
13 nervous.

14           CHAIRPERSON RILEY: Take your time.

15           STEPHEN RAIDA: I am also excited to see  
16 new affordable and free housing for our veterans.  
17 Finally, a program for our veterans in this  
18 community. The project's partnership with a  
19 nationally recognized organization for veterans  
20 housing will provide homes and services specifically  
21 to local Throggs Neck community and veterans and  
22 veterans living with disabilities.

23           People opposed to this project are  
24 complaining about the changes in the neighborhood,  
25 but I've been here all my life and I see constant

2 and, to me, change is inevitable and change is good.  
3 My neighbors are workers, renters, seniors, and  
4 veterans. I should hope that they would be welcomed  
5 here, not kept out and excluded. We cannot let fear  
6 and individual preferences stand in the way of  
7 urgently needed housing and career opportunities for  
8 our community.

9 Thank you, again, for this opportunity to  
10 support this rezoning.

11 CHAIRPERSON RILEY: Thank you, Stephen. If  
12 I can state for the record, could you just state your  
13 name for the record before you testify. The next  
14 person we'll have is Sanford Hales.

15 SANFORD HALES: Good morning. Thank you  
16 for this opportunity to support the Throggs  
17 Neck/Bruckner sites rezoning. I'm a Local 79 member  
18 and a member of District 13. I also live right across  
19 the street from the supermarket. I'm here to support  
20 this project because I support new housing and  
21 economic opportunities in this part of the Bronx. I  
22 cannot think of a better to rezone this commercial  
23 strip than by creating good jobs and affordable  
24 housing for Throggs Neck. It would include affordable  
25 homes for seniors and veterans and also preserve the

2 supermarket and local supermarket jobs along with  
3 other businesses across the street. New development  
4 and density will attract urgent care centers and  
5 local retail, provide opportunities for existing or  
6 new businesses in the neighborhood, and enable the  
7 development to offer space for community needs such  
8 as youth recreation and senior services. I'm a proud  
9 District 13 resident, but I believe if we reap  
10 benefits from being part of New York City we have an  
11 obligation to welcome and house New Yorkers. We  
12 cannot stand in the way of low-income housing,  
13 especially if we want the neighborhood to stay  
14 affordable and accessible for our kids and future  
15 generations. Thank you, again, for this opportunity  
16 to support this project. I'm all for the Bruckner  
17 rezoning. Thank you.

18 CHAIRPERSON RILEY: Thank you. The next  
19 panelist we'll have speak is Oba Watson.

20 OBA WATSON: Just to confirm, my name is  
21 Oba Watson. I represent Local 79, and I appreciate  
22 the opportunity to speak today. To everybody else  
23 good afternoon, and I'd like to say I'm testifying on  
24 support of the Throggs Neck/Bruckner sites rezoning.  
25 I've already stated my name is Oba Watson. I'm a

1 District 13 resident and also a proud member of Mason  
2 Tenders Union which is represented by Local 79. Once  
3 again, I'm supporting this project that will bring  
4 much needed affordable and supportive housing to the  
5 community and allow many local residents to stay in  
6 their community. The lack of housing  
7 disproportionately affects black and brown and low-  
8 income families. This rezoning can advance racial and  
9 economic integration and allow workers like to  
10 continue to earn a living and provide healthcare  
11 coverage for our families, which for me is very  
12 important because I have a severely autistic son. I  
13 know that with development comes with some  
14 opposition, I can't help but think about the working-  
15 class people who will be pushed out if we do not act.  
16 Basically, how would you feel if you were treated  
17 negatively while you were looking for a place to live  
18 in the city so the City Council can also, I know,  
19 address the resident concerns while supporting the  
20 rezoning, good faith discussion, negotiation could be  
21 a productive part to getting to the yes. A diverse  
22 coalition of residents, union members, community  
23 organizations, and class roots groups is ready to  
24 make this project a success and I suggest that we do  
25

2 it. Thank you, once again, for the opportunity and  
3 allowing me to express my support for the rezoning.

4 CHAIRPERSON RILEY: Thank you, Mr. Watson.  
5 Do any Council Members have any questions for this  
6 panel?

7 With that being said, you are now  
8 excused. Thank you so much.

9 The next in-person testimony will come  
10 from Charlene Jackson Mendez, and if I mispronounce  
11 your name please excuse me, Anthony Francisco  
12 (phonetic), Michelle Torriani (phonetic), and Tommy  
13 Messina (phonetic).

14 Once again, I'm sorry if I mispronounce  
15 your name.

16 After this panel, if we could have Moses  
17 Gates, Sinclair, I can't pronounce the last name,  
18 Sinclair, Brendon Cheney, and Peter Bivona. If you  
19 could please come down as well. Thank you.

20 We will begin with Tommy Messina.

21 TOMMY MESSINA: My name is Tommy Messina.  
22 Where do I start? It starts when does the greed stop?  
23 People involved with this project, for one, don't  
24 live here, don't shop here, and don't send their kids  
25 to school there. It's all about money. We all know

1 once this is approved, the landowners are going to  
2 sell the property to unscrupulous developers, turning  
3 a few, and will build with just a few unions but why  
4 not build with building trades, all unions. I was an  
5 electrician for 42 years, and I've seen many times  
6 where people promise to build union then it wasn't  
7 built union so we'll go from there. Without the local  
8 residents and to build the cheapest way possible to  
9 ensure the highest rate of profit. I have lived in  
10 this great community my whole life. I went to Saint  
11 Benedict's which faces Foodtown on Brooklyn  
12 Boulevard, raised four children, some of my grandkids  
13 live here and go to PS14. I, like hundreds of  
14 families in this neighborhood, hold our breath every  
15 time it rains, even Sunday night when the city was  
16 preparing for another torrential storm. Last year  
17 with Ida, I was inundated with four feet of water in  
18 my backyard plus two and a half feet in my garage,  
19 and I was lucky. My neighbors across the street had  
20 water up to their ceiling in the basement. All the  
21 houses across the street from me, I was lucky, and I  
22 was very lucky my sliding doors didn't compromise or  
23 else I would have gotten water up my first floor of  
24 my house. This area does not have the infrastructure  
25

2 to accommodate approximately 500 toilets, 400  
3 bathtubs and showers, 800 sinks, the runoffs of the  
4 building's leaders and gutters, and it just makes no  
5 sense to develop the area. The Bronx has the most  
6 shelters of any other borough and up there with the  
7 most affordable housing. Share the wealth with the  
8 other boroughs. Last week at a rally on Foodtown  
9 property, some idiot called us racist over this. How  
10 dare they call us racist? This community is probably  
11 the most multi-cultured in Bronx county.

12 CHAIRPERSON RILEY: Tommy, if you could  
13 wrap it up real quick?

14 TOMMY MESSINA: Okay. Getting back to  
15 PS14, right now we can't drive down Crosby Avenue  
16 between the hours of drop-off and pickup. I don't  
17 know, neither does any of you, the number of precious  
18 children that will need school. You've got to do the  
19 math, but god forbid, if this project moves forward,  
20 the number of children will be in the hundreds with  
21 no place to go. Nobody even addressed the school  
22 problem here. Thank you.

23 CHAIRPERSON RILEY: Thank you, Tommy.  
24 Next, we will have Michelle Torriani. Excuse me if I  
25 mispronounce your name.

2 MICHELLE TORRIANI: That's fine. Close  
3 enough. Hi, my name is Michelle Torriani. I'm a  
4 homeowner and am emotionally and financially invested  
5 in my community. I want you guys to realize we need  
6 to fix what we have before we build more. New York  
7 City has antiquated sewer and drainage system.  
8 Despite the bellowing of green talking points and  
9 predicted increases in high-level rain events, there  
10 is no comprehensive plan in place to offset inland  
11 flooding. New York City knows of this perilous  
12 condition but refuses to take action and  
13 accountability. In September 2021, Ida brought  
14 damage, destruction, and death to our communities.  
15 After Ida, New York City implemented homeowner aid  
16 was coming. Citing a 100-year-old statute,  
17 Comptroller Lander denied every claim, refused to  
18 give much-needed help to homeowners emotionally and  
19 financially invested in their community. Ironically,  
20 the Comptroller has now proposed plans to legalize  
21 type of dwellings which were scenes of this damage,  
22 destruction, and death. Rainfall continues to bring  
23 high anxiety to our communities. Show one low-density  
24 community in New York City where quality of life has  
25 improved through increased density and population. A

2 housing crisis? How many units are needed to remedy  
3 this crisis? This is a city of hypocrisy, wants less  
4 cars but supports state-sponsored Greenlight New York  
5 that can potentially place 250,000 more drivers on  
6 the road. Has a housing crisis but will not place an  
7 assessment moratorium on the sanctuary city policy  
8 which markedly increases population. A recent New  
9 York Times article indicates the sanctuary city  
10 policy has caused a 13 percent spike in our shelter  
11 population. Please, fix what you have before you  
12 build more. Say no to this unnecessary rezone. Thank  
13 you.

14 CHAIRPERSON RILEY: Thank you, Michelle.

15 Next, we will have Anthony Francisco. Sorry if I  
16 mispronounced your name.

17 ANTHONY FRANCISCO: No, you said it  
18 correctly. Thank you. Members of the Council, I'm a  
19 lifelong resident of (INAUDIBLE) Bay Throggs Neck  
20 Area urging you to vote down the Bruckner up-zoning  
21 proposal. Allowing this project to go ahead as is  
22 will set a negative precedent for all future  
23 construction projects in our neighborhood, which is  
24 under the threat of having at least 33 sites up-zoned  
25 to accommodate new commercial and residential

1 developments. Our community fought hard to make it a  
2 lower-density growth management area in 2004. This  
3 rezoning reversal does not have the support of the  
4 community. The up-zone will overcrowd our schools,  
5 add stress to our infrastructure, and limit the  
6 efficiency of our police departments and fire  
7 departments. Most of all, it will destroy the quality  
8 of life of the tightknit, quite, low-density  
9 communities of (INAUDIBLE) Bay and Throggs Neck. The  
10 CPC approved the up-zone on grounds that there's a  
11 housing crisis in the city. I'm not sure what the CPC  
12 definition of a crisis is, but my definition of a  
13 crisis is when a group of building owners defy local  
14 building laws and ignore the outcry of local  
15 community in favor of their own financial interests.  
16 It's imperative that we encourage developers to work  
17 with the existing residents of the communities they  
18 choose to develop and for the city to find solutions  
19 to the housing crisis that will not create new  
20 problems in its low-density neighborhoods. Vote down  
21 the Bruckner up-zone. Thank you.

23 CHAIRPERSON RILEY: Thank you. Last but  
24 not least, Charlene Jackson Mendez.

2 CHARLENE JACKSON MENDEZ: Thank you,  
3 Tommy. I want to show up here in person today to try  
4 to bring a different face to what some people are  
5 purporting is the Throggs Neck community. I want you  
6 to look at me and my color and, even though some  
7 neighborhoods may have more Irish or Italian than the  
8 other, I just showed up here today and I see my  
9 Italian neighbor, Tommy, and we've worked together on  
10 many different things as part of the Community Board  
11 11 district so we all get along for the most part  
12 very well, and I want the Committee to understand  
13 that as a mom with four children I am heartbroken at  
14 what has happened to our city. My husband and I  
15 worked extremely hard to purchase a property in Van  
16 Nest, which is a poor section of your district, but  
17 we aspire to lift up and become more like Throggs  
18 Neck. It's not about racism. There has to be a place  
19 for the middle class in New York City. We've lost  
20 300,000 productive citizens. I think there's a 30  
21 billion dollar tax deficit that has come from that.  
22 These problems can be solved without destroying  
23 strong communities. We need to attempt to lift  
24 everyone up. My children spent much of their lives in  
25 Throggs Neck. They got a wonderful primary education

2 at the Greek American Institute on Bruckner Boulevard  
3 and my daughter for years participated in the  
4 Performer's Edge Dance Academy in Throggs Neck.  
5 Please support homeownership, support hard work,  
6 support resolving the existing problems with  
7 infrastructure. Thank you very much.

8 CHAIRPERSON RILEY: Thank you to this  
9 applicant panel. You are now excused. Thank you.

10 The next panel I will call up is Peter  
11 Bivona, Brendon Cheney, Sinclair, I'm having a hard  
12 time pronouncing your name Sinclair, and Moses Gates.  
13 Sinclair Hollingsworth. I'm going to begin with you  
14 Sinclair. I'm sorry about that. Sinclair, you may  
15 begin.

16 SINCLAIR HOLLINGSWORTH: Good afternoon,  
17 City Council, and good afternoon to everybody here.  
18 My name is Sinclair Hollingsworth. I'm the Director  
19 of Operations at Kips Bay Boys and Girls Club. My  
20 purpose in being here is to talk about Kips Bay and  
21 our support for the use space that is proposed in  
22 this project. We at Kips Bay serve about 10,000  
23 members a year directly and indirectly. This summer  
24 alone, we had 25 members in summer camp, and we also  
25 placed 1,300 summer youth employment members

1 throughout the city. Kips Bay is more than excited to  
2 explore this partnership if it is approved. The space  
3 can possibly house more than 150 afterschool members,  
4 an additional 100 team members daily. Kips Bay is  
5 currently the community-based organization at the  
6 Throggs Neck Community Center located in the Throggs  
7 Neck Houses. With this opportunity, Kips Bay will be  
8 able to support more youth in the Throggs Neck  
9 section of the Bronx. This will provide an  
10 afterschool service which will continue to focus on  
11 STEM, arts, and recreation with the emphasis on  
12 character and leadership. This will allow working  
13 parents the opportunity to continue to work and not  
14 have to worry about the safety of their children. The  
15 project will allow Kips Bay to have a major impact on  
16 the community and would afford a place for teens to  
17 go to during the evening hours and also provide  
18 first-job experience for the teens in the community.

19  
20 CHAIRPERSON RILEY: Thank you, Sinclair.

21 Next, we'll have Moses Gates.

22 MOSES GATES: Thanks very much. My name is  
23 Moses Gates. I'm Vice-President of Housing and  
24 Neighborhood Planning for Regional Plan Association,  
25 which is a 100-year-old planning, research, and

1 advocacy organization for the New York region. We  
2 take very much a city-wide and region-wide view of  
3 housing and housing development and housing need. As  
4 has been mentioned many times, this is one of the  
5 Council Districts that has contributed the least  
6 amount of affordable housing in the city. If you look  
7 over just a couple districts to the west, Council  
8 Member Salamanca's district, District 17 has  
9 contributed almost 150 times the amount of affordable  
10 housing over the last seven years that District 13  
11 has contributed so it's not just discrepancies on a  
12 large scale between Bronx, Manhattan, and Brooklyn,  
13 it's even on kind of a smaller scale, you can see an  
14 enormous difference in the amount of affordable  
15 housing contributed. In addition, beyond just  
16 affordable housing, the city has grown. We're at 8.8  
17 million people right now. Housing units across the  
18 city since 2010 have grown by about 7.3 percent, but,  
19 in District 13, only by 5 percent. When you are  
20 looking at a growing population, that affects the  
21 infrastructure of the entire city, and it needs to  
22 be, both the infrastructure needs and the population  
23 and the affordable housing needs to be distributed  
24 equitably. This is a project that brings a lot of  
25

2 benefits to the neighborhood unlike a lot of other  
3 neighborhoods that see mostly as-of-right  
4 construction. With this rezoning comes all the things  
5 that were mentioned before, and, overall, when you  
6 look at this not just in a local level but at a  
7 citywide and a regional level, it becomes clear that  
8 this is the kind of project that New York City needs  
9 to more equitably grow our city and our  
10 neighborhoods.

11 CHAIRPERSON RILEY: Thank you. Next, we  
12 will have Brendon Cheney.

13 BRENDON CHENEY: Good afternoon. My name  
14 is Brendon Cheney. I'm Director of Policy and  
15 Communications at the New York Housing Conference.  
16 I'd like to thank the Subcommittee for the  
17 opportunity to testify. Today, the Subcommittee is  
18 considering a proposal for mixed-use housing at the  
19 Bruckner sites in Throggs Neck in the Bronx including  
20 168 affordable apartments with 99 set aside for  
21 seniors and 22 for veterans. While we not weigh in on  
22 the specifics of the proposal, we do want to  
23 articulate that every neighborhood must say yes to  
24 more housing, including more affordable and  
25 supportive housing, if we're going to make progress

1 fighting the affordable housing crisis. New York City  
2 has an affordable housing crisis. The Metro area has  
3 a shortage of 772,000 apartments affordable to very  
4 low-income households while nearly one million  
5 households are rent burdened and more than 68,000  
6 people are homeless in New York City according to the  
7 most recent comprehensive estimate, and every  
8 neighborhood is feeling its crisis including Council  
9 District 13 where the Bruckner sites are located. In  
10 this district, 14.7 percent of households live beyond  
11 the poverty level and 52.9 percent of renters are  
12 rent-burdened while nearly 1,000 New Yorkers who were  
13 in a city shelter at the end of the 2021 last lived  
14 in one of the two overlapping Community Boards. This  
15 district needs affordable housing as much as anywhere  
16 else in the city, but this district is not doing its  
17 share to add affordable housing. Despite the urgent  
18 need, District 13 produced just 58 units of new  
19 affordable housing in total over the last eight  
20 years, the fifth least among all 51 Council  
21 Districts. Communities should debate the specific of  
22 individual projects, but it must be with the goal of  
23 getting to yes. We will never improve our housing  
24 crisis as a city by saying no to housing and telling  
25

2 vulnerable neighbors to pack and find somewhere else  
3 to go. There is widespread support for the city of  
4 yes. We recently joined a letter with more than 90  
5 partners supporting affordable housing in every  
6 neighborhood. We need to powerfully reject the NIMBY  
7 and exclusionary zoning policies that have no place  
8 anywhere in New York City. No neighborhood can be  
9 allowed to simply opt out as they have in the past.  
10 Every neighborhood must do its part to address the  
11 housing crisis.

12 CHAIRPERSON RILEY: Thank you. Next, we  
13 will have Peter Bivona.

14 PETER BIVONA: Good afternoon. My name is  
15 Peter Bivona. I am speaking on behalf of my brother,  
16 Joseph Bivona, the owner of the Throggs Neck Foodtown  
17 and one of the applicants on this project. My  
18 brother, Joe, recently had surgery and is unable to  
19 appear to speak in person but my words represent him  
20 as an applicant. There has been a supermarket for the  
21 community in this location at Throggs Neck for nearly  
22 a century. At the height of the pandemic, the market  
23 was opened 16 hours a day and serving the community  
24 and ensuring continuous employment for 80 employees.  
25 When our neighborhood needed the market, it was

2 there. Contrary to some of the unfortunate rhetoric  
3 that has been out there, we care deeply about this  
4 neighborhood, and we want to see it grow and prosper.

5 What we are proposing is a way to modernize and  
6 upgrade the food market while at the same time  
7 bringing new housing to our community. For the  
8 commercial businesses in this area, it has been a  
9 struggle to operate, especially given the high taxes  
10 that are levied against us. Rebuilding a more  
11 efficient supermarket with housing above it will  
12 allow the supermarket and the family that owns it to  
13 remain in business and stay in the neighborhood.

14 Without such an upgrade, the future of the  
15 supermarket is uncertain. We assembled a great team  
16 of architects, development consultants, and others  
17 who know how to build a quality building in New York  
18 and have been around for quite a bit of time. We want  
19 a project that not only saves the supermarket and  
20 secures its future in Throggs Neck but also to help  
21 this community by addressing the affordable housing  
22 crisis. We want opportunities for young people to  
23 start families here. Our project is aimed at full  
24 spectrum of neighbors from young professionals to our  
25 elders. This is long overdue for our community, way

1 long overdue. There has been little built here in the  
2 last two decades. It doesn't just hurt new families  
3 that want to live there; it hurts those who grow up  
4 there and can't afford to live there. We believe in  
5 this project. We believe it's the right project for  
6 the right time. Say yes to this project. We are proud  
7 to present this to the City Council and respectfully  
8 ask for your support. Thank you.

10 CHAIRPERSON RILEY: Thank you, Peter.

11 Before this applicant panel is excused, myself and  
12 Council Member Velázquez have a couple of questions.  
13 I just have one question for Brendon. You said that  
14 Council District 13 was the fifth least. Do you have  
15 the top five least Council Districts who haven't been  
16 building affordable housing on hand?

17 BRENDON CHENEY: Yeah. Give me one second.

18 The bottom five districts were starting with District  
19 13, 58 units; District 51, 49 units; District 19, 47  
20 units, and this is all total units over eight years,  
21 District 46, 41 units; and then District 23 produced  
22 just 17 units in total over eight years.

23 CHAIRPERSON RILEY: Thank you. Council  
24 Member Velázquez.

2 COUNCIL MEMBER VELAZQUEZ: Continuing on  
3 that conversation, how can this project be more  
4 affordable as you see it? You have 349 units  
5 proposed. Only about 160, right, affordable. How can  
6 it be more affordable?

7 BRENDON CHENEY: I'm not familiar with the  
8 details of the deal. I think our position as an  
9 organization is that like on projects like this that  
10 the local community should certainly negotiate on the  
11 details of the project. I think we always support as  
12 much affordable housing as any project can get, but,  
13 ultimately, our position is that any negotiation  
14 should be with the goal of getting to yes, getting to  
15 as many units as you can but ultimately getting to a  
16 point where that community has more affordable  
17 housing from the project.

18 COUNCIL MEMBER VELAZQUEZ: Have you ever  
19 seen a developer operate in bad faith?

20 BRENDON CHENEY: No.

21 COUNCIL MEMBER VELAZQUEZ: Okay. When  
22 we're talking about affordability, how affordable is  
23 an apartment that will still require a senior to  
24 travel about a mile to a subway?  
25

2 BRENDON CHENEY: I mean the apartment is  
3 still affordable, but I understand your concerned  
4 about the transit and the transportation options for  
5 the senior.

6 COUNCIL MEMBER VELAZQUEZ: Correct. Where  
7 is this priority that you're claiming needs to be in  
8 our district? When we're talking about community,  
9 where do you see that specifically?

10 BRENDON CHENEY: Say that again.

11 COUNCIL MEMBER VELAZQUEZ: When we're  
12 talking about the priorities in my community and the  
13 claim that needs this affordable housing, where in  
14 the district currently do you see the need? Where has  
15 the voice been to say we need additional affordable  
16 housing (INAUDIBLE)

17 BRENDON CHENEY: The need for affordable  
18 housing I think is supported by the citywide need and  
19 the data in the district that shows that there's  
20 residents in the district that are rent-burdened,  
21 that are leaving the district to enter shelter, and  
22 so I think that those data points suggest that the  
23 community should be working as hard as it can to find  
24 places in the community for affordable housing and  
25

2 this is a project right now that we see that would  
3 have affordable housing in it.

4 COUNCIL MEMBER VELAZQUEZ: Perfect. Thank  
5 you. This is for you. How are you?

6 SINCLAIR HOLLINGSWORTH: I'm good.

7 COUNCIL MEMBER VELAZQUEZ: Great seeing  
8 you, Sinclair. Why is your organization interested in  
9 relocating to the proposed commercial site that would  
10 be provided in this project?

11 SINCLAIR HOLLINGSWORTH: I don't  
12 necessarily think of it as a relocation. Kips Bay  
13 stronghold is in the Bronx. We have 10 locations  
14 throughout the Bronx, four standalone community  
15 centers, we're in four DOE school buildings, and two  
16 shelter centers. I think this opportunity allows us  
17 to broaden our scope and also offer opportunities to  
18 members of the community that we would not be able to  
19 serve had we not been in that area. Currently, we  
20 operate the Throggs Neck Community Center. We serve  
21 about 100 kids, and, after school, we open for teens  
22 in the evening and serve about another 100 kids, and  
23 I think this opportunity would allow us to a new  
24 renovated space, have input on design and what works  
25 for us. Kips Bay is a strong proponent of STEM, if

2 you don't know, science, technology, engineering, and  
3 math, and the arts so STEAM is the real acronym, the  
4 arts which also adds the visual, performing arts and  
5 also culinary arts so I think this just allows us to  
6 broaden the scope if this project is approved.

7 COUNCIL MEMBER VELAZQUEZ: Can you talk a  
8 little bit more about the programming that you intend  
9 to offer and what kinds of services would you offer?

10 SINCLAIR HOLLINGSWORTH: Like I previously  
11 stated, in afterschool right now we offer STEAM, we  
12 offer recreation. Character and leadership is a  
13 (INAUDIBLE) component of our entire being, giving  
14 back to the community, supporting the community. For  
15 us, also, it's important to train the local  
16 residents, the teens, we do resume, cover letters. At  
17 the Throggs Neck Community Center now, we support the  
18 community where we had an ESL program during the day  
19 so those types of spaces can be converted to multi-  
20 use spaces during the day, GED programs, skilled  
21 trade programs, and then also allow us to do  
22 afterschool programs and teen services in the  
23 evening.

24 COUNCIL MEMBER VELAZQUEZ: Perfect. Thank  
25 you.

2 CHAIRPERSON RILEY: Thank you, Council  
3 Member Velázquez. This panel is excused.

4 The last in-person panel before we go  
5 back to online will be Mary Jane Musano, Andrew  
6 Chirico, Janine Franciosa, George Havrenek  
7 (phonetic), and John Sorini (phonetic). Please excuse  
8 me today with these names. I am so sorry. If I  
9 mispronounce your names, please correct me.

10 First person we will begin with is John  
11 Sorini.

12 JOHN SORINI: Hi. My name is John Sorini.  
13 I was born and raised in the Throggs Neck community.  
14 I'm a homeowner, business owner, and father of four  
15 children, still in the same community. It's a well-  
16 known fact that the American dream is homeownership  
17 so I have a question. Has the American dream changed  
18 so much since 2004 when your predecessors in this  
19 same Council, New York City Council, along with Mayor  
20 Bloomberg acknowledged that our community deserved to  
21 be down-zoned? This was a validation that the  
22 community was being threatened by overdevelopment.  
23 Here we stand less than 18 years later once again  
24 begging this Chamber to recognize that development  
25 must have its limitations. We are not against

1 development or housing in our community. The  
2 developers are not champions of housing. This is a  
3 for-profit venture by the Throggs Neck Associates. We  
4 have told them time and time again they can build as  
5 many one- and two-family homes as they can fit in the  
6 proposed zone, but they refuse, citing that it would  
7 not be profitable. This is a clearcut situation of  
8 developer greed. By the name of this rezoning, you  
9 are assuming that it's only Bruckner Boulevard that  
10 would be rezoned, but it's an entire community. This  
11 is not a modest 339-unit proposal. The character of  
12 these eight- or five-story buildings will not conform  
13 with our one- and two-story homes in our community.  
14 Bruckner Boulevard is already congested near the I-  
15 95, the most congested highway in America leading up  
16 to the Cross Bronx Expressway. The traffic study done  
17 by the developers was done during November 2020 in  
18 the height of COVID when people were quarantined and  
19 staying home. We ask that before this gets voted on  
20 that the New York City Council mandate that they  
21 should redo their traffic study during a non-COVID  
22 time. Advocates for this project say that Throggs  
23 Neck is not affordable, but yet the new units that  
24 they're building will be less affordable. A one-

2 bedroom apartment will be 1,675 dollars a month, much  
3 higher than what tenants pay in the community  
4 currently. This is a forever decision you will be  
5 forcing on us, and you can't reverse these buildings.  
6 You can't reverse the crowding in our schools. You  
7 can't reverse the traffic. You can't reverse the  
8 failed sewer system that flooded us during Storm Ida.  
9 If this zoning changes, the next contractor can build  
10 as-of-right and will continue to crush the Bronx with  
11 more and more buildings. When will enough density in  
12 the Bronx be enough? Thank you.

13 CHAIRPERSON RILEY: Thank you, John. Next  
14 will be Janine Franciosa.

15 JANINE FRANCIOSA: I am Janine Franciosa,  
16 and I'm a lifelong resident of Pelham Bay. I'm a  
17 Revenue Management Director at a major cable network.  
18 At my job, when I am confronted with an opportunity  
19 that I need to assess, I look for the best way. I  
20 don't just go with the first way. That's lazy, and  
21 that's what this up-zoning proposal is, a lazy  
22 answer, not a sustaining solution. The developers  
23 that wish to up-zone their Bruckner lots are either  
24 bankrupt, cannot fiscally manage a supermarket, or  
25 did nothing with their property for decades. These

1 are hardly the best landlords to manage the city's  
2 vulnerable housing population. I don't envy the  
3 position you are in, but I believe you are misguided  
4 as to the problem you are solving. It's outdated.  
5 This is no longer a time that people want to live in  
6 apartments along major highways. Officials are  
7 realizing the error of passed-over development and  
8 its detrimental impacts in the West Bronx, spending  
9 billions of dollars to fix that and yet we want to  
10 over-develop on the East Bronx in the same erroneous  
11 manner. Let's not be the city that talks out of both  
12 sides of their expressways. After the pandemic,  
13 people want to live in less dense neighborhoods,  
14 which is why our community is in demand. It would be  
15 judicious of this Council to deny this proposal and  
16 let our community instead seek innovative developers  
17 with skills to repurpose already built, unused  
18 commercial space into private residences. As for  
19 these Bruckner lots, if the property owners can no  
20 longer monetize their commercial space after COVID,  
21 they should only be granted a rezone from commercial  
22 to residential that aligns with the single to two-  
23 family homes characteristic to this area. These  
24 developers deserve no more privilege than any other  
25

2 past developer that has followed our zoning laws. Our  
3 community is asking for reasonable change management  
4 that aligns with our infrastructure, not to be  
5 exploited and colonized through greedy agendas.

6 CHAIRPERSON RILEY: Thank you, Janine.

7 Next, we will have Andrew Chirico.

8 ANDREW CHIRICO: My name is Andrew  
9 Chirico. I live in the neighborhood. I live in  
10 Throggs Neck Schuylerville. I grew up here. Our  
11 family moved here in the late '50s because it was a  
12 nicer place to live. This is a low-density  
13 neighborhood. Seventeen years ago when over-  
14 development was taking over parts of the neighborhood  
15 and building out of context, our civic organizations  
16 complained and Mayor Bloomberg listened. He gave us  
17 the new Throggs Neck Zoning Amendment. It was voted  
18 on by the Community Board, the City Planning, the  
19 Borough President Carrion, and the City Council. It  
20 was unanimously approved by all departments. Why  
21 would anybody want to change this? Now, we're  
22 fighting again because of a small group of people who  
23 do not live here and want to change our zoning for a  
24 big payday. High-rise buildings are out of character  
25 for our neighborhood. The infrastructure cannot

2 handle additional population. Our schools and  
3 hospitals are bursting at the seams. Our police and  
4 fire department are understaffed and overworked.  
5 Additional population will destroy this community.  
6 Now, the applicants, the Bivonas that own Foodtown,  
7 the Vecarellas (phonetic) that own Bedagrow  
8 (phonetic), the Marcianos that own the vacant  
9 property west of Tremont, they are lying to us about  
10 their intentions for this property. The Bivonas are  
11 in bankruptcy so to say they have plans to build is a  
12 fantasy. The Vecarellas and the Marcianos kept their  
13 properties vacant and in disrepair for more than 30  
14 years. There have been offers by local real estate  
15 people to rent some of the vacant stores owned by the  
16 Vecarellas and the response was always no. Other  
17 properties... I just have a little bit more.

18 CHAIRPERSON RILEY: Go ahead.

19 ANDREW CHIRICO: Other properties in the  
20 neighborhood remained vacant. If you grant this  
21 variance for the up-zoning, they will put these  
22 properties up for sale before the ink is dried. The  
23 Vecarellas did this in Queens when they bought up a  
24 row of stores, two-story buildings, and flipped it  
25 the minute they got their zoning to go in their

2 direction. They sold that property for 15 million,  
3 and this is fact. You can look it up. Why would you  
4 think they won't do the same thing in the Bronx? This  
5 is all about money, not people, not housing, not  
6 affordability. It's dollars. Remember, every civic  
7 group in the neighborhood including the churches are  
8 opposed to this up-zoning. The residents should  
9 prevail. We live here.

10 CHAIRPERSON RILEY: Andrew, if you could  
11 wrap it up.

12 ANDREW CHIRICO: If you're not familiar  
13 with the neighborhood, I invite you to come to the  
14 corner of Crosby and Bruckner Boulevard and see what  
15 this would be destroying. Thank you.

16 CHAIRPERSON RILEY: Thank you. Very  
17 familiar with the neighborhood. Grew up in the  
18 Northeast Bronx my entire life.

19 ANDREW CHIRICO: Okay. Thank you.

20 CHAIRPERSON RILEY: Next, we're going to  
21 have Mary Jane Musano.

22 MARY JANE MUSANO: Good afternoon. I along  
23 with upwards of 10,500 residents of my community have  
24 signed a petition asking you to vote no. These are  
25 the reasons. In 2004, the City Council voted

unanimously to grant our community a down-zoning.

They did so because we are a transportation desert

and we do not have the services or infrastructure to

support more density. We are proponents of

development, but it must conform to our current

zoning and the developers must be experienced and

reputable. These developers are not. We are

proponents of affordable housing, but at 1,700

dollars a month the government's affordable housing

is not affordable. Most apartments in our one- and

two-family homes are renting for much less. I can

vouch for that statement because I am a small

landlord. Comparing the number of affordable units

available in high-density areas with low-density

areas is incorrect because you are not counting the

huge number of affordable units in one- and two-

family homes. Our contribution is being discounted.

Our contribution is very important. The Bronx has the

highest asthma rates in New York state. Why are we

considering building 34 high rises along I-95? It's

not just four. It's 34 properties. These developers

are bad actors. One is in bankruptcy for millions of

dollars in unpaid obligations. He removed his name as

an owner in bankruptcy court, but on this project

2 says he is an owner. Another received an up-zoning  
3 for properties in another area. That property is  
4 still undeveloped and now he is attempting to flip  
5 it. Another paid a settlement to his workers as a  
6 result of being sued for cheating them out of their  
7 duly earned wages, but his testimony regarding this  
8 project says he treats his workers like family. They  
9 did not seek approval from adjacent property owners  
10 nor did they even notify them that their lots would  
11 be included in this rezoning. They claim to be  
12 offering affordable housing, but they have not  
13 applied to HPD or for funding for senior or veterans  
14 housing. This is a proposal on paper only. The  
15 principals have neglected their properties and let  
16 them sit as eyesores even though they were receiving  
17 offers to buy. We have concerns about this proposal  
18 and we have concerns about the developers that  
19 proposed it. Please vote no.

20 CHAIRPERSON RILEY: Thank you, Mary.

21 Before I go to the last speaker on this panel, I'm  
22 going to do one more in-person and then we're going  
23 to go back to online. I'm going to ask that Aden  
24 Munassar come down, Logan Phares, Roxanne Delgado,  
25 and Austin Celestin come down, please. Thank you.

Next up we'll have George Havranek.

Excuse me if pronounced your name wrong.

GEORGE HAVRANEK: Thank you for the opportunity. My name is George Havranek, and I'm a 66-year resident of my community. For the record, I am nor NIMBY nor YIMBY, I am a MIMBY. I'm a maybe. I'm a maybe when we can talk and speak about things and the TNA LLC has not spoken to the community at all, and that is disconcerting. This leads to two conclusions. I look at investor greed and I look at a war on low-density communities. Our goal from the outset has been basically a what issue, not a who issue. The what issue is preserving our low-density zoning, not who comes in to enjoy our beautiful community. Now diversity is a buzz word that's thrown around with reckless aplomb. How about diversity of living environment and landscape? How can preserving an area's environmental characteristic be deemed racist when organic change is undergoing and we have a demographic that almost mirrors the New York City demographics? CD13 almost mirrors New York City in demographics. Now when we look at some of the actions from the federal government on down, we could look at the 2020 Democratic National Platform, we could look

1 at Governor Hochul's State of the Budget, we could  
2 look at various things by former Speaker Johnson,  
3 former Mayor de Blasio, current Mayor Adams,  
4 Congresswoman Cortez, Senator Biaggi. They have all  
5 expressed distaste with low-density zoning. That is a  
6 fact. Now, when we look at what's going on here and  
7 we looked at the city planning and the recent  
8 Bruckner up-zone text amendment review certification,  
9 Patty Diaz of City Planning coyly stated we want an  
10 R5 context. Now, that is going to set the stage for  
11 as-of-right development that is uncontrollable and  
12 contextual zoning. Now when you look at this project  
13 at its core, on a yard stick, this is 35-3/4-inch  
14 greed about 1/4-inch altruism. I beg you and beseech  
15 you to get these people to the table with us. Let's  
16 sit down and talk. Put this thing, hit the pause  
17 button, let's do something productive here. We could  
18 get this done. We need to communicate. Thank you.

20 CHAIRPERSON RILEY: Thank you, George.

21 Before I excuse, I have one question for you, George.  
22 It doesn't seem like you're totally against this  
23 plan. You just feel like they haven't been responsive  
24 to the community. I just want to clarify.

2           GEORGE HAVRANEK: In fairness, Council  
3 Member Riley, I am never closeminded to anything. We  
4 have to look at everything and look at every avenue  
5 and every angle before we come to a proper decision.  
6 That is just logical thought and behavior, and that  
7 is the way things should be done. You have to  
8 understand this was thrust upon a community during a  
9 pandemic in July of 2021 under a shroud of secrecy.  
10 We uncovered documents that showed the TNA LLC was in  
11 fact already in contact with City Planning, but there  
12 is no amendment or anything in the City Charter to  
13 show that they have to come to the community. City  
14 Planning suggests they come to the community.  
15 Unfortunately, that suggestion was not taken. The TNA  
16 LLC has been disingenuous with the community. As you  
17 can see by all the different variations in their  
18 project, they are just driving their car and amending  
19 their roadway until they hit their pot of gold. That  
20 is their game plan here, and this is not about  
21 anything else to them, about greed, and I cannot come  
22 to any other conclusion and I've looked at this many  
23 different ways. I applaud this Committee, and I  
24 actually have to say I have been a little hard on our  
25 Council Member and I will admit that publicly and I

2 will say I applaud her questioning today in the way  
3 she handled some of these questions today and  
4 presented to these developers that are trying to  
5 monetize our community. I'm a fair man and I'm a  
6 genuine man, I'm an honorable man, and I take pride  
7 in that and I take pride in our community. We will  
8 work with anyone, but they have to be willing to work  
9 with us. We can't get anything done unless we do it  
10 together. They talk about exclusion. That's what  
11 they're doing. They've excluded the community. We  
12 want inclusion because inclusion brings solutions.  
13 They do not want to include us.

14 CHAIRPERSON RILEY: Thank you, George. I  
15 appreciate that. Thank you to this applicant team.  
16 Thank you.

17 The next applicant team I will call up is  
18 Aden Munassar, Logan Phares, Roxanne Delgado, and  
19 Austin Celestin. Excuse me if I mispronounce your  
20 name. We will begin with Austin Celestin. Austin, you  
21 may begin.

22 AUSTIN CELESTIN: Okay. My name is Austin  
23 Celestin. I'm a lifelong New Yorker and a junior at  
24 New York University studying urban design and  
25 journalism. I don't think I need to reiterate the

1 fact that we're in a housing crisis. I don't think I  
2 need to invoke the studies, stats, articles, and  
3 academic papers detailing our lackluster housing  
4 production, rent burden, and agreed upon solution to  
5 address all those problems, which this project does  
6 start to address. What I do need to address is the  
7 misconceptions. The precedence of the zoning history  
8 that so many have invoked over the last 20 years is  
9 not only a very slippery slope to invoke but also  
10 part of the reason we're in this situation in the  
11 first place. The down-zoning stymied the already  
12 minimal pace of development in this area and the  
13 preservation of the character has kept many  
14 perspective working- and middle-income residents out  
15 of the neighborhood and driven some of those natives  
16 out of the area with no means to return. Maintaining  
17 the zoning maintains the status quo. The neighborhood  
18 is not some bubble, but, even if it were, the status  
19 quo has created a difficult environment for many of  
20 the renters in the neighborhood, and the lack of  
21 housing in that area has had impacts on the city at  
22 large. The warranted concerns about lackluster  
23 infrastructure should not be a tool to delay much  
24 needed housing. Those improvements can and should be  
25

1 made in tandem with this development. Sewer  
2 improvements, schools, protected bus lanes, more  
3 funding for the MTA, which would be a good argument  
4 for congestion pricing. The only thing delaying this  
5 housing serves to do is make it more expensive, both  
6 for the builders and the rest of the community.  
7 Affordable housing, affordable senior housing is  
8 something we absolutely cannot say no to. The  
9 Councilwoman is looking for truly affordable and  
10 impactful housing for the community, and that's what  
11 you're getting here, more than one project in the  
12 neighborhood has built in eight years. Every bit of  
13 housing that we can get is housing that we need, and  
14 we don't do ourselves any favors by trying to spend  
15 another year trying to get another iteration. Lastly,  
16 since the opposition has invoked flooding and  
17 sustainability, it is worth noting that this kind of  
18 development that is catered to high-density housing  
19 with apartments that does prioritize cars is much  
20 more environmentally conscious than the existing  
21 urban fabric in Throggs Neck. Thank you.

22  
23 CHAIRPERSON RILEY: Thank you, Austin.

24 Next, we will have Roxanne Delgado.

2 ROXANNE DELGADO: Thank you. Good  
3 afternoon, Council. Roxanne Delgado. I'm a resident  
4 on Pelham Parkway in CD13. Last September, my whole  
5 apartment was flooded. I was in a hotel for over two  
6 months. I could not find an affordable apartment. The  
7 rent that I now pay is 40 percent more than what I  
8 paid in the previous apartment. I am rent-burdened,  
9 and it is stressful. Lack of affordable housing is a  
10 crisis in our community. Less than 60 affordable  
11 housing was built in the last 10 years in the  
12 district. The same lead organizer against this up-  
13 zoning also joined the coalition against Just Homes,  
14 a permanent affordable supportive housing at Jacobi  
15 Hospital surrounded by a wall. Sixty percent of the  
16 units will be for those critically ill or criminal  
17 justice background, 40 percent for residents in the  
18 community. The lead organizers state that they are  
19 not against helping people but within the zoning.  
20 Yet, Just Homes is within the current zoning; yet  
21 they oppose it. I recall when I wanted to help some  
22 horses in a condemned stable in the district on  
23 Pelham Parkway (INAUDIBLE) state they would rather  
24 have neglected horses than affordable housing. This  
25 is our Community Board. Lastly, I wonder why our

2 Community Board continues to go along with  
3 discrimination and self-dealing in Community Board  
4 11. Basically, they play along to get along. I hope  
5 the City Council body votes their conscience and does  
6 not play along to just get along. Lastly, if the City  
7 Council votes against this up-zoning, then it should  
8 vote against the Boston Road up-zoning because the  
9 same up-zoning deals with supermarket and over 300  
10 affordable housing. It is environmentally unjust to  
11 continue placing these affordable housing in just  
12 communities of color or poor people. Every district  
13 should not be exempt. We should all do our fair  
14 share. In closing, I support affordable housing and  
15 also ask you to ban the New York City carriage horse  
16 abuse. Thank you for your time.

17 CHAIRPERSON RILEY: Thank you, Roxanne.  
18 Next, we'll have Logan Phares. Can you please state  
19 your name before you begin? Thank you.

20 LOGAN PHARES: Yes. My name is Logan  
21 Phares, and I serve as the Political Director of Open  
22 New York. Thank you, Chair Riley and Members of the  
23 Subcommittee, for the opportunity to speak today in  
24 support of this project. Open New York is an  
25 independent grassroots pro-housing non-profit. We

1 support this rezoning because there's a dire need for  
2 more housing in the neighborhood and in New York City  
3 as a whole, which the more than 300 homes in this  
4 project would start to address. I believe everyone  
5 knows that New York has a terrible housing shortage,  
6 but let me add some context to this conversation.  
7 Right now, New Yorkers are facing rent increases of  
8 50, 60, 70 percent as rent discounts offered during  
9 the pandemic expire, homelessness is at the highest  
10 rate since the great depression, and there are over  
11 14,000 children who sleep in city shelters every  
12 night. I want to emphasize that this neighborhood  
13 specifically needs more housing. Out of all the  
14 Community Districts in the city, Bronx Community  
15 Board 10 comes in 43rd in terms of new housing  
16 permitted per capita. This might not be a problem for  
17 long-time homeowners but, for anyone looking to find  
18 a new place in the neighborhood, the lack of new  
19 construction is devastating. The 168 affordable homes  
20 that the rezoning would provide are desperately  
21 needed, especially in a Council District that has  
22 only built 58 income-restricted units since 2014. New  
23 York's housing crisis is a crisis of affordability,  
24 of displacement, and for the most vulnerable of  
25

2 homelessness. That's the shadow over the  
3 neighborhood, that's the quality-of-life issue,  
4 that's the infrastructure concern that we should be  
5 most attuned to. We cannot address this crisis  
6 without building more homes, and every neighborhood  
7 must do its part. Our housing crisis doesn't stop at  
8 district lines. Housing, or the lack thereof, in one  
9 neighborhood impacts all New Yorkers. I encourage  
10 Members to keep this in mind and follow the  
11 leadership of the City Planning Commission and Bronx  
12 Borough President Vanessa Gibson and vote  
13 accordingly. Thank you.

14 CHAIRPERSON RILEY: Thank you, Logan.

15 Last, we will have Aden, I'm so sorry if I  
16 mispronounce your last name, Munassar. Just state  
17 your name for the record.

18 ADEN MUNASSAR: My name is Aden Munassar.

19 Thank you, Chair Riley, Councilwoman Velázquez, and  
20 Members of the Subcommittee. I was born and raised in  
21 the Bronx, in the Pelham Bay, Throggs Neck  
22 neighborhood that is part of this rezoning. Through  
23 this rezoning process, I became connected to and a  
24 member of Open New York, which advocates for abundant  
25 housing in our city, and I'm here in support of this

1 application. I grew up just a few blocks from the  
2 proposed project sites on Bruckner, and I lived there  
3 until late 2020. I appreciate the neighborhood and my  
4 social connections even more now that I've lived in  
5 another neighborhood, and I understand just how  
6 desirable a place it is to live in and how lucky I  
7 was to be raised there and to raise my son there.  
8 It's for that reason that I'm excited to support  
9 additional housing opportunities, particularly  
10 affordable ones in the area. If the neighborhood had  
11 had an increased pipeline of affordable homes,  
12 perhaps I wouldn't have had to look elsewhere and  
13 move further away from my son's school, his  
14 grandparents, my friends, and our community. I'm  
15 hopeful that the new buildings could further activate  
16 the street life on East Tremont. The projects replace  
17 vacant land and underused land and they're near an  
18 Express bus stop, and, while a mile away from the  
19 subway might seem a lot, I used to walk that all the  
20 time, and there's the BX 40 and 42, and it seems to  
21 me one of the best places to build new housing in the  
22 area. It's clear to me that the project is badly  
23 needed, and I've heard efforts to address local  
24 concerns. The housing cost in the area, like those  
25

1 across the city, have been skyrocketing and  
2 increasing supply is one tool to address this. It's  
3 not just a Throggs Neck problem. I've heard at local  
4 meetings claims that the existing community wouldn't  
5 be served by this project and that life as we know it  
6 would be destroyed. I can hear the fear, and I've  
7 been open to some of my neighbor's concerns and the  
8 Councilwoman's questions today, which I appreciate,  
9 but I know from personal experience that the lack of  
10 new housing forces even people who grew up in the  
11 neighborhood to make hard decisions about a future  
12 here, let alone families that want to move into it.  
13 The worry over the height of some of the buildings  
14 seems to me misplaced. The tallest one is modest.  
15 These are not towers. Mid-rise buildings are common  
16 in low-density neighborhoods across New York City,  
17 and they serve those communities, not hurt them. I  
18 don't understand why this is so unique. Even so,  
19 these are opportunities for negotiation, not outright  
20 dismissal. The application does not do away with low-  
21 density growth management area, and the neighborhood  
22 is not falling apart. It's a basic truth that we  
23 cannot address the housing crisis without building  
24 more homes. I'm grateful to Mayor Adams and Borough

2 President Vanessa Gibson for their support of this  
3 project, which more than doubles what was built in  
4 the last eight years, and I join them in championing  
5 this project and welcoming more neighbors into this  
6 great community. Thank you.

7 CHAIRPERSON RILEY: Thank you, Aden. I  
8 have one question for you, Aden. You stated that you  
9 left the community in 2020 so you left the community  
10 because there wasn't adequate housing there for you?  
11 Am I correct?

12 ADEN MUNASSAR: Yeah. I mean I wanted to  
13 buy and so for years I had been looking. There just  
14 wasn't anything that was within my budget. There  
15 wasn't anything that was sort of in the conditions  
16 that I was willing to, and there's a lot of basement  
17 apartments and two-family homes, and that was not  
18 appropriate for me or my family so, yes, I did move  
19 because I won an affordable housing lottery unit  
20 through the New York City Housing Connect, and I'm  
21 still in the Bronx but I would love to move back to  
22 the community.

23 CHAIRPERSON RILEY: Okay, and how far are  
24 you currently right now from your son's school?

2 ADEN MUNASSAR: It's like a 15-minute  
3 train ride, like 20-minute train ride.

4 CHAIRPERSON RILEY: How far is this  
5 complex going to be from your son's school?

6 ADEN MUNASSAR: Oh, like a 10-minute walk.

7 CHAIRPERSON RILEY: Okay, thank you. This  
8 applicant panel is now excused.

9 We're going to go back to online for one  
10 panel and then we're going to come back to the in-  
11 room, in-person panel. Thank you. Counsel.

12 SUBCOMMITTEE COUNSEL HUH: Next, we will  
13 hear from Joseph Russo, John Cornille (phonetic),  
14 John Cortese, and Sherrill Cropper. First speaker on  
15 the panel will be Joseph Russo. Mr. Russo, are you  
16 ready?

17 JOSEPH RUSSO: I am. Can you hear me?

18 SUBCOMMITTEE COUNSEL HUH: You may begin.

19 JOSEPH RUSSO: Thank you. I'm Joseph  
20 Russo, the Chairman of Bronx Community Board 10.  
21 Chairman Riley, Council Member Velázquez, and the  
22 Committee, I'm here before you as the duly elected  
23 Chairperson of Bronx Community Board 10 within whose  
24 confines this rezoning request sits. It is my duty to  
25 report to you that our Board reviewed the proposal,

1 undertook extensive constituent outreach, held three  
2 official meetings including the public hearing which  
3 the applicants presented their proposal, and had  
4 various discussion on the matter leading up to the  
5 submittal of the application. In over 30 years of  
6 community service, I've never seen my Board and the  
7 community it serves so united. The Housing and Zoning  
8 Committee voted 13 to nothing against supporting the  
9 application for the rezoning with one recusal, and 96  
10 percent of the full Board voted against supporting  
11 the application for the rezoning. While I recognize  
12 that the Board is purely advisory, we do serve at  
13 your behest as your eyes and ears on the local level.  
14 I trust that our findings will be duly considered as  
15 you make your decision whether to approve this  
16 application. Approving this project puts more  
17 Bronxites at the foot of a major highway which  
18 exacerbates already high asthma rates. Also note that  
19 the applicants included zoning lots within the  
20 application without seeking the acknowledgement or  
21 consent of the fellow property owners in the four-  
22 block stretch. I know I don't have to remind Chairman  
23 Riley or Council Member Velázquez since your  
24 constituents reside within Bronx Community Board 10,  
25

2 but I do need to state for the record since the  
3 applicants and their hired consultants have  
4 consistently tried to portray our position on racial  
5 lines. Our Community Board is 56 percent non-white  
6 and the community itself according to the Census is  
7 53 percent non-white. Much of the testimony you've  
8 heard, particularly from people who don't live in the  
9 community, is our position is race-based. Nothing  
10 could be further from the truth. The community is not  
11 opposed to development or investment. We're not  
12 opposed to affordable housing, senior living, or  
13 veterans housing, but developing (INAUDIBLE)

14 SERGEANT-AT-ARMS: Time expired.

15 JOSEPH RUSSO: Zoning has been in place  
16 for 20 years. The area was zoned accordingly when the  
17 applicants bought the properties and they knew what  
18 they were buying and what it was zoned for. They  
19 gambled with the right consultants like  
20 Constantinople and Vallon Consulting and (INAUDIBLE)  
21 Public Relations they could steamroll the variants  
22 through the Community Board and the city government  
23 and your vote will determine whether or not special  
24 interests run the city government or not. Also, I do  
25 need to stress more than anything else, and you have

1 my written testimony, but just some highlights as  
2 well, even if you believe the current zoning needs to  
3 be revised, Throggs Neck Associates, LLC and this  
4 proposal are not the people or the project to bet the  
5 future of the Bronx on. They have no track record or  
6 experience in major urban development or managing  
7 large-scale apartment complexes. They have a  
8 professional history of bankruptcies and property  
9 flipping. They own a supermarket in the middle of  
10 what they, themselves, call a food desert and they  
11 say they're unable to earn a profit. To date, the  
12 applicants have not taken any tenable steps to apply  
13 for subsidies for senior affordable housing. The  
14 rezoning application contains affordable housing, and  
15 it's entirely theoretical. They have not put much in  
16 the way of putting forth financing for the project.  
17 As they seek to build trust from the community,  
18 they've left storefronts and buildings vacant instead  
19 of leasing to potential businessowners. It would be  
20 irresponsible for you to give them a free pass to  
21 overturn a 40-year process without greater scrutiny  
22 of the applicants, their funding sources, and their  
23 long-term commitment to the community. Throggs Neck  
24

2 deserves better, the Bronx deserves better, and New  
3 York City deserves better. Thank you.

4 SUBCOMMITTEE COUNSEL HUH: Thank you, Mr.  
5 Russo. The next speaker will be John Cornille.

6 JOHN CORNILLE: Hello, guys. Can you hear  
7 me?

8 SUBCOMMITTEE COUNSEL HUH: Yes.

9 JOHN CORNILLE: Okay. Thank you for  
10 allowing me to speak. My name is John Cornille,  
11 resident of Throggs Neck and a lifelong resident of  
12 the Bronx. We have seen this battle for this proposal  
13 raise tensions on both sides, each with their own  
14 endless or unproductive shouts as this is my  
15 neighborhood, which states the obvious, and this is  
16 an empty lot, which is an ignorant statement as you  
17 can call Central Park an empty lot. Those for  
18 building these projects state it will benefit the  
19 lower income, the African American, the Hispanic  
20 American. It really does not. They say it's about  
21 equity. It is not since the same businessperson will  
22 know that equity is ownership. All in Throggs Neck  
23 have worked hard to get these houses. It was not  
24 handed to us. These projects should be reduced in  
25 size, which I've heard already to five, which is

2 great, to keep the neighborhood appeal and the  
3 project should be made to own, which is true equity.  
4 When you own, you protect. When you own, you care.  
5 When you own, you invest. When you own, you have  
6 equity. You have true equity. You want proof? Just  
7 look at the empty lots during the (INAUDIBLE) of the  
8 Bronx in the 1970s. I played in those lots.  
9 (INAUDIBLE) who used to sit on this Council built  
10 houses, built ownership, built equity, true equity. I  
11 know that many are (INAUDIBLE) improvements, but it  
12 should be not at a cost or to degrade any  
13 neighborhood, and I hope that there are people from  
14 the New York City Board of Ed, this will cause  
15 overcrowding in the schools. Environment, common  
16 sense will tell you the carbon footprint will  
17 increase exponentially. Lastly, to close, I ask that  
18 my comments be taken into account and that  
19 Councilwoman Velázquez calls for transparency as she  
20 already has with the transit analysis from 2020 and  
21 others as projects tend to deviate in scope and  
22 scale. Thank you so much. My name is John Cornille.

23 SUBCOMMITTEE COUNSEL HUH: Thank you, Mr.  
24 Cornille. I'm going to remind all witnesses to please  
25 remain in the webinar until you are dismissed as

2 Council Members may have questions. The next speaker  
3 on the panel will be John Cortese.

4 JOHN CORTESE: Good morning. Can you hear  
5 me?

6 SUBCOMMITTEE COUNSEL HUH: Yes.

7 JOHN CORTESE: Good morning. I have been  
8 on this Zoom meeting from the beginning. I see most  
9 of the people that are for this project are non-  
10 residents of Throggs Neck and union members. I have  
11 lived here my entire life. Overdevelopment has a  
12 truckload of issues. Our schools are already  
13 overcrowded. Our children are eating lunch in the  
14 (INAUDIBLE)

15 SUBCOMMITTEE COUNSEL HUH: Mr. Cortese.

16 JOHN CORTESE: ER waits span from two days  
17 to about six days. Our residents lay on uncomfortable  
18 stretchers waiting for an appropriate bed in an  
19 inpatient unit. As a nursing professional (INAUDIBLE)

20 SUBCOMMITTEE COUNSEL HUH: Mr. Cortese,  
21 there appears to be an issue with your audio. We can  
22 no longer hear you.

23 JOHN CORTESE: Sorry. Can you still hear  
24 me?

2 SUBCOMMITTEE COUNSEL HUH: I can hear you  
3 now.

4 JOHN CORTESE: Okay. Thank you. I'm sorry.  
5 I have lived here my entire life. Overdevelopment has  
6 a truckload of issues. Our schools are already  
7 overcrowded. Our children are eating lunch in their  
8 classrooms, not enough room in the cafeteria. Our  
9 hospital ER waits span from two days to about six  
10 days. Our residents lay on uncomfortable stretchers  
11 waiting for an appropriate inpatient bed. As a  
12 nursing professional, I have seen that too many times  
13 in our Bronx hospitals. My 84-year-old dad has seen  
14 that multiple times as well. Our community welcomes  
15 many Section 8, HASA, and programs that help the  
16 homeless coming out of shelters and prison,  
17 affordable housing. We have multiple (INAUDIBLE)  
18 Section 8 residents living here in our community,  
19 HASA residents, and other residents that are on  
20 programs. We welcome everyone. We are a large  
21 diversity community. I spend lots of time cleaning up  
22 the community. I am out there multiple hours a day  
23 cleaning our community because I love my community so  
24 much, and I'm not against affordable housing. We have  
25 it in the community. Come around.

2 SERGEANT-AT-ARMS: Your time has expired.

3 CHAIRPERSON RILEY: Thank you.

4 JOHN CORTESE: Thank you.

5 SUBCOMMITTEE COUNSEL HUH: Thank you. I'll  
6 remind all the witnesses that written testimony can  
7 be submitted by email to  
8 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov) and again remind all

9 panelist to remain in the webinar until they are  
10 dismissed. Next and last speaker, Sherrill Cropper.

11 CHAIRPERSON RILEY: Sherrill, before you  
12 begin, we're going to go back into in-person after  
13 Sherrill so can Harry Celentano come to the front,  
14 Maricella Simon (phonetic), Canida Santiago  
15 (phonetic), and Nelson Velazquez come down. Excuse me  
16 if I mispronounce your name.

17 SUBCOMMITTEE COUNSEL HUH: Do we have  
18 Sherrill Cropper?

19 SHERRILL CROPPER: Hi, everyone. Thank you  
20 very much for the opportunity to testify before this  
21 Committee. My name is Sherrill Cropper, and I'm a  
22 longtime resident of Throggs Neck, and I am very  
23 active in our various community organizations and  
24 efforts to support our family's health and welfare. I  
25 do not wish to take your time repeating the testimony

1 already put forth by my neighbors. However, my  
2 husband has asked that I make this statement, which  
3 would be food for thought. Why is the city actively  
4 seeking 1) congestion pricing, 2) road diets, and 3)  
5 higher tax assessment? Because we're already  
6 overcrowded and cannot support the existing density.  
7 Now I'd like to say I am opposed to this project. I  
8 would like to address some comments made on the  
9 composition of our neighborhood. I am proud to live  
10 in New York City's most blended areas of the Bronx  
11 where people come to buy homes after working  
12 diligently to improve their family's future. A  
13 demographic review will show that we are one of the  
14 most socioeconomic, cultural, racial, and spiritually  
15 diverse areas of the Bronx, and I would guess in the  
16 entire city. We live and work side by side to raise  
17 our families in our one- and two-family homes that  
18 have kept us here in New York City and not seen us  
19 moving away to Long Island, Westchester, and New  
20 Jersey. This is the American dream. Please help us to  
21 keep our current zoning so that we may continue this  
22 honorable and reputable culture of achieving this  
23 dream. I'd like to ask as a final note why is a goal  
24

2 of homeownership not an integral part of the city of  
3 yes? Thank you.

4 SUBCOMMITTEE COUNSEL HUH: Thank you. I  
5 understand that Council Member Velázquez has  
6 questions for this panel. Council Member Velázquez.

7 COUNCIL MEMBER VELAZQUEZ: This is for  
8 Chair Joe Russo. Joe, are you online?

9 JOSEPH RUSSO: Yeah. Can you hear me?

10 COUNCIL MEMBER VELAZQUEZ: Yeah. We  
11 recognize that while the CB voted almost unanimously  
12 to disapprove this project back in May, this project  
13 has changed to include veteran housing and a youth  
14 community facility. How do Board Members feel about  
15 these recent updates, and do these updates the needs  
16 of community members who have come to you to discuss  
17 the initial proposal?

18 JOSEPH RUSSO: When the applicants came to  
19 the public hearing, they talked about veteran housing  
20 and senior housing. That's been part of what they've  
21 talked about so, again, I think the community, my  
22 read on members is that they're in favor of  
23 affordable housing, they're in favor of veteran  
24 housing and senior housing. They're just not in favor  
25 of these applicants, and they're not in favor of the

2 rezoning. The issue is not affordable housing or  
3 senior housing or youth services. Everyone in the  
4 community is in favor of those, but these are not the  
5 right people to do it and destroying the fabric of  
6 the community by building eight-story structures in  
7 the neighborhood of one- and two-story houses is not  
8 the right way to do it. Again, speaking for my  
9 members as best as I can, they're very happy about  
10 seeing affordable housing and senior housing and  
11 veteran housing be part of this proposal but this is  
12 not the proposal that we support.

13 COUNCIL MEMBER VELAZQUEZ: What are the  
14 CB's continuing main concerns as it pertains to this  
15 project?

16 JOSEPH RUSSO: Again, I think the biggest  
17 issues are the infrastructure, again, you've heard  
18 from a lot of my members today, the infrastructure  
19 situation, the transit situation, the height  
20 situation, again they're putting eight-story  
21 buildings in an area that's zoned for two- and three-  
22 story houses. Those are the challenges. Also,  
23 frankly, those are the concerns and also the intent  
24 of the applicants, that they're not investing in the  
25 community. They're looking for a quick buck and they

2 will get the variance and flip. Again, remember,  
3 yeah, this application is not just for four lots  
4 along Bruckner Boulevard. It's for 30 to 40 different  
5 lots, many of which the owners of those lots are not  
6 even for it. The reason one of my members had to  
7 recuse themselves from voting for this is because one  
8 of their lots, which they were not even aware of, is  
9 included in the application so my Chairman of my  
10 Housing and Zoning Committee had to recuse himself  
11 from discussion because he was personally going to be  
12 affected by the application.

13 COUNCIL MEMBER VELAZQUEZ: From your  
14 knowledge and conversations with (INAUDIBLE), the  
15 applicants have not had a conversation with folks  
16 that will be affected with the rezoning directly?

17 JOSEPH RUSSO: My understanding is no,  
18 none of those other landlords have been approached.

19 COUNCIL MEMBER VELAZQUEZ: Okay.

20 JOSEPH RUSSO: And their consent was not  
21 sought.

22 COUNCIL MEMBER VELAZQUEZ: I'm sorry. Can  
23 you repeat that?

24 JOSEPH RUSSO: Their consent was not  
25 sought before the application was filed.

2 COUNCIL MEMBER VELAZQUEZ: Thank you for  
3 sharing. Lastly, what types of communication has the  
4 Community Board had with the development team  
5 throughout this process, who's responsible for  
6 outreach, and has the Community Board reached out to  
7 the developers to discuss additional concerns, needs,  
8 or requests?

9 JOSEPH RUSSO: The applicants were present  
10 at the Housing and Zoning Committee meetings as well  
11 as the public hearing. They had reached out through  
12 the Board and my District Manager, Matt Cruise  
13 (phonetic), reached out to them as well to get as  
14 much information as we could going in, but they have  
15 not taken an active role in coming before us and  
16 discussing any of the challenges or any problems that  
17 we foresaw other than the public hearing process and  
18 the Housing and Zoning Committee process.

19 COUNCIL MEMBER VELAZQUEZ: Will you be  
20 open to additional conversations?

21 JOSEPH RUSSO: Always. As long as this  
22 application is on the table and they want to come and  
23 present options to develop the site and they want to  
24 make that commitment, I'm personally always open.  
25 Again, I can speak for most of my Board Members, I

2 think I've known them long enough, that yeah, we're  
3 definitely always open to discussion and to do that.  
4 Again, the Board is not opposed to any of the  
5 benefits associated with this (INAUDIBLE) We are  
6 opposed to the people who are doing this and to the  
7 request for a zoning change. Develop within the  
8 confines of the zoning that's there. They can easily  
9 do that. They refuse to.

10 COUNCIL MEMBER VELAZQUEZ: Okay. Thank  
11 you, Joe.

12 CHAIRPERSON RILEY: Thank you, Council  
13 Member Velázquez. Thank you, Joe. This applicant  
14 panel is excused.

15 The next applicant panel we'll hear from  
16 is Harry Celentano from Foodtown. Sorry if I  
17 mispronounce your name, Harry.

18 HARRY CELENTANO: That's okay. Everybody  
19 else does too.

20 CHAIRPERSON RILEY: Just repeat your name  
21 for the record and you may begin.

22 HARRY CELENTANO: It's Harry Celentano. I  
23 am the Director of Store Operations for the Foodtown  
24 that's located at 2945 Bruckner Boulevard. I've held  
25 that position for the past 19 years, and I'm also

1 here today speaking to you as a homeowner in that  
2 community where I have also lived for the past 19  
3 years. I am in support of this project, and I'll give  
4 you a few reasons why. Most of the parcels in this  
5 proposal lay on the service road for the Bruckner  
6 Expressway. They're not smack in the middle of a  
7 residential neighborhood. The majority of them, as  
8 many have mentioned today, are not even being used at  
9 all. They're vacant lots and closed down businesses  
10 and why anybody would be against putting any kind of  
11 housing up for people on land like that is beyond me.  
12 Another reason is during the pandemic, we were open  
13 seven days a week. Everybody knows a lot of other  
14 businesses had to close down, and some of them never  
15 opened back up again. A lot of them, many of them  
16 continue to struggle today, and I believe bringing  
17 more families into the community are only going to  
18 help the local businesses in the neighborhood. I'm  
19 going to close with this, that when this proposal  
20 first became public, a group of people got together  
21 and decided that they were going to boycott our store  
22 and they continue to do so today, but it's okay.  
23 We've served this community for 19 years. We continue  
24 to serve this community today, and, once this  
25

2 proposal is approved, we will continue to serve the  
3 community for many years going forward. Thank you.

4 CHAIRPERSON RILEY: Thank you, Harry.

5 Next, we will have Maricella Simon. Please state your  
6 name for the record before you begin.

7 MARICELLA SIMON: Good afternoon. My name  
8 is Maricella Simon, and I have worked at the Throggs  
9 Neck Super Foodtown for 19 years. My husband and  
10 brother-in-law also work at the store. Our store  
11 provides healthy food for the neighborhood, and we  
12 are an important part of this community. During  
13 COVID, we came to work every day and the store stayed  
14 opened under really scary circumstances, and we  
15 continued to serve this community's needs in the  
16 darkest times. We were there for Throggs Neck, and we  
17 hope this neighborhood can be there for us. I have  
18 had a good experience working here, and I know my  
19 boss just wants to keep this store going. Over the  
20 year, the owners of this store have supported the  
21 neighborhood. They have donated generously a local  
22 veteran breakfast, the little leagues, and given out  
23 turkeys to those in need at Thanksgiving. This  
24 proposed redevelopment will help the store remain  
25 here and continue serving this community's food

1 needs. Without it, I fear the store may disappear.  
2 The kind of protests we have seen have been pretty  
3 nasty and honestly scary. Those people are  
4 intimidating their neighbors. There are a lot of  
5 passion here in this community, and it is a special  
6 place but I just do not understand why a couple of  
7 apartment buildings is causing everyone to get so  
8 upset. Apartment buildings are a common part of many  
9 neighborhoods. I don't believe they will destroy this  
10 area. We are talking about lots along the Bruckner  
11 Expressway. Everyone deserves a place to live that  
12 doesn't break the bank, and there is nothing to be  
13 feared by a few apartment buildings. Veteran housing,  
14 apartments for seniors, youth center programs, and  
15 new homes for young families and workers starting out  
16 all seem like good things to me. New family jobs and  
17 businesses coming here will be a positive thing for  
18 this neighborhood. This is New York City. We are  
19 about lots of different people coming together,  
20 working together to create a better city. I hope the  
21 Council will support our jobs and new affordable  
22 housing by supporting this project. Thank you for  
23 taking the time to hear me out.  
24

2 CHAIRPERSON RILEY: Thank you. Before I  
3 call the next person testifying, the next panel that  
4 I will be calling is John Tritt, Aaron Jones,  
5 Christine Culpepper, Jamie Debellis (phonetic), and  
6 Alfred Bastone.

7 The next speaker we'll have is Canida  
8 Santiago. Canida, you may begin. Please state your  
9 name for the record.

10 CANIDA SANTIAGO: Good afternoon,  
11 everybody. My name is Canida Santiago. I'm here  
12 supporting this project from Foodtown Supermarket at  
13 Throggs Neck. I have been working at the Foodtown for  
14 five years, and I'm not only working at the Foodtown,  
15 I am a neighborhood local resident. I am an immigrant  
16 from the Dominican Republic. I have been living in  
17 the United States for 20 years, and I have been  
18 living in the neighborhood since I came to this  
19 country. I have experiences at discrimination, and,  
20 as someone who has experienced that, people opposing  
21 this housing plan seems like discrimination to me. As  
22 a cashier at the supermarket, I have to hear both  
23 sides, people supporting and people opposing, but the  
24 level of intensity among the opposition has been  
25 really crazy. People who support the idea and think

2 that affordable housing will benefit the neighborhood  
3 feel intimidated. The hateful expression has scared  
4 them from coming for work. This has been a great  
5 place to work. Owners treats employees well and  
6 manage a positive work environment. In my five years  
7 of working here, I have never had any complaint about  
8 (INAUDIBLE). Affordable housing is good for everyone,  
9 and I feel that every community should welcome  
10 different housing types and size.

11 SERGEANT-AT-ARMS: Time expired.

12 CHAIRPERSON RILEY: Go ahead and finish.

13 CANIDA SANTIAGO: Affordable housing just  
14 means that working families can have a chance to try  
15 to do better for themselves and their families. Can  
16 you imagine how scary it can be having to choose  
17 between having a meal and paying your rent? How can  
18 supporting our veterans and seniors and building a  
19 new supermarket be a bad place? I only see benefits  
20 from it, and I don't think that this is going to  
21 change our neighborhood. I support this project 100  
22 percent.

23 CHAIRPERSON RILEY: Thank you. Next, we  
24 will have Nelson Velazquez.

2 NELSON VELAZQUEZ: Good afternoon. My name  
3 is Nelson Velazquez, and I'm here to testify in  
4 support of the Bruckner rezoning. This is a very  
5 personal project for me as I grew up in the community  
6 just a few blocks away from Foodtown where I now work  
7 at. I am proud that the store was an important part  
8 of the community at the height of the pandemic and  
9 more. I've had a terrific experience working here,  
10 and it was a good job and always is very fair and  
11 respectful. I am proud of my work, and, more  
12 significantly however, the benefits to this project  
13 will bring to our community. Having grown up here, I  
14 know the value of something like Kips Bay Boys and  
15 Girls Club will mean for young people in the  
16 neighborhood. It's really important we bring  
17 opportunity to the neighborhood for all and that  
18 means programming. It also means affordable, good  
19 housing that is something that we haven't had enough  
20 and desperately need. I can tell you that it's hard  
21 for young people starting their lives to stay in the  
22 community here with just a few responsible options.  
23 Why do we want to make people leave? We should be  
24 creating an environment where all ages of people from  
25 young families to our seniors can set down roots and

2 grow for multiple generations. I'm asking the City  
3 Council to please help us create more opportunities  
4 at Throggs Neck by voting yes for this project.

5 CHAIRPERSON RILEY: Thank you. Council  
6 Member Velázquez has a question for this applicant  
7 panel. Council Member Velázquez.

8 COUNCIL MEMBER VELAZQUEZ: Hi. You had  
9 mentioned community involvement with the supermarket.  
10 Can you elaborate further? You had mentioned some  
11 kind of breakfast, for the young lady next to Harry.  
12 Sorry, I didn't get your name.

13 MARICELLA SIMON: Can you repeat the  
14 question.

15 COUNCIL MEMBER VELAZQUEZ: You had  
16 discussed community involvement and engagement on  
17 behalf of the supermarket. Can you elaborate further  
18 as to what that was? You had said some breakfast that  
19 was hosted.

20 MARICELLA SIMON: Yes. We always give  
21 donations to the church. We give out turkeys during  
22 the time of Thanksgiving. They always donate like  
23 more than 200 turkeys for people that cannot afford  
24 it. We also gave out a whole bunch of masks to the  
25

2 schools we donated for the COVID time. We did a lot  
3 of great things in the supermarket.

4 COUNCIL MEMBER VELAZQUEZ: Okay. I'm  
5 sorry. I just heard something in your testimony about  
6 a breakfast every year that you hosted. That's all. I  
7 also wanted to confirm what that was and get more  
8 information on that.

9 MARICELLA SIMON: Yeah, it's all part of  
10 the donations that my boss always goes into.

11 COUNCIL MEMBER VELAZQUEZ: Thank you so  
12 much. Harry, you had mentioned working there for the  
13 last 20 years. Can you describe your work experience?

14 HARRY CELENTANO: Prior to this?

15 COUNCIL MEMBER VELAZQUEZ: No. While at  
16 Foodtown.

17 HARRY CELENTANO: My work experience has  
18 been great. I came from a chain for 16 years and came  
19 here. We opened this store up, and I've been here for  
20 19 years.

21 COUNCIL MEMBER VELAZQUEZ: How would you  
22 describe the Bivonas and their work ethic?

23 HARRY CELENTANO: Very hard-working. Joe  
24 is there pretty much every day. One of us or both of  
25

2 us are there. We work the store every day, and that's  
3 what we've always done.

4 COUNCIL MEMBER VELAZQUEZ: Have you  
5 discussed a plan as to transitioning for when the  
6 location has to be relocated for development?

7 HARRY CELENTANO: No, not yet.

8 COUNCIL MEMBER VELAZQUEZ: Okay, thank  
9 you.

10 CHAIRPERSON RILEY: Thank you, Council  
11 Member Velázquez. This applicant panel is now  
12 excused.

13 The next applicant panel we'll call up is  
14 John Tritt, Aaron Jones, Christine Culpepper, Jamie  
15 Debellis, and Alfred Bastone. First, we'll have John  
16 begin. John, just state your name for the record and  
17 you may begin.

18 JOHN TRITT: Alfred Jones was for the last  
19 application so he will not be testifying for this  
20 application.

21 CHAIRPERSON RILEY: Okay.

22 JOHN TRITT: Good afternoon, Chairman  
23 Riley and the Members of the Subcommittee and to  
24 Council Member Velázquez. My name is John Tritt. I'm  
25 the Deputy Political Director of 32BJ SEIU, and I'm

2 actually here today not just giving general support  
3 from our union, but I'm reading testimony prepared on  
4 behalf of our Executive Vice President Shirley  
5 Aldebol who is a long-time resident of the district  
6 and the community and it was important to her that we  
7 deliver the statement in her words.

8 Hello, my name is Shirley Aldebol. I'm  
9 the Executive Vice President of 32BJ SEIU. Today, I'm  
10 submitting testimony in favor of the proposed  
11 Bruckner rezoning. That New York City faces an  
12 affordable housing crisis is beyond dispute at this  
13 point. As a Throggs Neck resident of more than 40  
14 years, a woman of color, and an officer with 32BJ, I  
15 see it in my neighborhood and at work every day. Our  
16 members have fought to win strong contracts. Like  
17 millions of other New Yorkers, they are not immune  
18 from inflation and rising rents that are stretching  
19 families and forcing them out of the city. Far too  
20 often, jobs that are available don't come with the  
21 pay, benefits, and training that workers can build a  
22 life on for themselves and their families. We must  
23 and can pursue policies that create both good jobs  
24 and affordable housing. The proposed Bruckner  
25 rezoning accomplishes that. Additionally, 32BJ

2 supports responsible developers who invest in the  
3 communities where they build. I'm happy to report  
4 that the developers of this project have made a  
5 credible commitment to create prevailing building  
6 service jobs at this site. This commitment means that  
7 building workers will have access to family-  
8 sustaining wages, retirement, and quality health  
9 benefits. Additionally, I won't go through all the  
10 details of the affordability and other benefits that  
11 have been listed and talked about at length today,  
12 but the bottom line is that New York City and  
13 especially the Bronx needs family-sustaining jobs and  
14 affordable housing now. I thank the Committee for  
15 allowing me to submit this testimony.

16 CHAIRPERSON RILEY: Thank you, John. Next  
17 will be Alfred Bastone.

18 ALFRED BASTONE: Good afternoon, Council.  
19 I thank you for this opportunity to speak on behalf  
20 of the Throggs Neck/Bruckner sites rezoning. My  
21 name's Alfred Bastone. I've been a Local 79 laborer  
22 now for 13 years. I've been a District 13 resident  
23 for many years. I grew up in District 13. I went to  
24 high school in Lehman. I played football in Pelham  
25 Bay. I played hockey in Throggs Neck. I'm a part of

2 this community. I support bringing in affordable  
3 housing and dignified jobs to my community. I know  
4 what it's like to work low-wage work. I know what  
5 it's like to have financial insecurity in my life. I  
6 know what it's like to have housing insecurity in my  
7 life. I refuse to go back to that, and I refuse for  
8 that to happen. Local 79 changed that for me. It  
9 welcomed me in. It is my family. Now, I have a  
10 dignified career with fair wages and benefits. No one  
11 should be denied a dignified job or dignified  
12 housing. My story is not unique. There's 10,000  
13 members of our union. They have many stories like  
14 this. Everyone deserves a chance no matter where they  
15 came from. Everyone deserves a home and a good job.  
16 Let's bring more opportunities for union jobs and  
17 fair housing to Throggs Neck. You put a sledgehammer  
18 in our hand, you put a hammer in our hand, we get to  
19 work, we'll make something useful for the community  
20 and what they need. Thank you very much.

21 CHAIRPERSON RILEY: Thank you. Next, we  
22 will have Jamie Debellis.

23 JAMIE DEBELLIS: Hello. Good afternoon. My  
24 name is Jamie Debellis and thank you for the  
25 opportunity to testify in support of the Throggs

2 Neck/Bruckner sites rezoning. I'm a District 13  
3 resident. I'm a little nervous.

4 CHAIRPERSON RILEY: It's all right. Take  
5 your time.

6 JAMIE DEBELLIS: I'm excited to see new  
7 permanently affordable housing for Throggs Neck that  
8 is greatly needed. This will benefit local residents  
9 like myself, families, and allow us to stay in the  
10 neighborhood that we love. I believe that everyone  
11 should have access to a home, especially renters and  
12 low-income families of color who suffer the most from  
13 lack of housing. I don't want to be pushed out of my  
14 home, and I don't want that for anyone else. I've  
15 lived here in the neighborhood my whole life, and  
16 I've lived in the same home for 18 years with my  
17 grandparents, and there's no affordable housing  
18 anywhere. I'm afraid that I'm one bad tragedy away  
19 from losing my home, being pushed out of the  
20 neighborhood, and I love my neighborhood so much. It  
21 makes me happy just walking. I'm really afraid for  
22 myself and other people who can't sustain themselves  
23 through the increase of rent, increase of being able  
24 to live, and with this rezoning, I feel like that  
25 will help some of the issues. Thank you.

2 CHAIRPERSON RILEY: Thank you for your  
3 testimony. You did great. The next testimony we'll  
4 hear is Christine Culpepper.

5 CHRISTINE CULPEPPER: Good afternoon and  
6 thank you, Council Members for this opportunity to  
7 testify in support of the Throggs Neck/Bruckner sites  
8 rezoning. My name is Christine Culpepper, and I am a  
9 District 13 resident and a Local 79 member, 23 years  
10 with Local 79. I'm here to support this rezoning and  
11 the affordable housing and union jobs that it will  
12 bring to our community. We need the housing to  
13 protect the vulnerable families at risk for  
14 displacement. We need housing for seniors and  
15 veterans to protect communities that have experienced  
16 high rates of COVID. We need jobs with health  
17 benefits. Denied employer-paid healthcare from  
18 workers and their families puts lives at risk. Lack  
19 of housing will also put our community health at  
20 risk. This project's affordable housing opportunities  
21 are especially important and dear to me for our local  
22 seniors who are living in poverty. Our district has  
23 very high rates of senior residents. There will also  
24 be a veterans housing component to this created with  
25 a focus on local Throggs Neck community veterans with

2 disabilities. I was able to find a pathway to a union  
3 career and economic stability with Labor Local 79,  
4 and I believe in holding the door open behind me for  
5 other people to come and have that same opportunity.  
6 I challenge everyone to open up their minds and their  
7 hearts and hold that door open for others in our  
8 community to get a fair chance for a good home and  
9 good jobs. Thank you, again, for the opportunity to  
10 support this rezoning. I just want to reiterate for a  
11 lot of people who have pushed back on the idea that  
12 some of us are here and we don't belong to the  
13 community I have very strong ties to the community. I  
14 have family members and friends who live in the  
15 community. My children all went to school in the  
16 community. I do lots of shopping in the community.  
17 Thank you very much.

18 CHAIRPERSON RILEY: Thank you, Christine.  
19 I believe Council Member Velázquez has questions for  
20 this applicant panel. Council Member Velázquez.

21 COUNCIL MEMBER VELAZQUEZ: This is for  
22 both Local 79 and 32BJ. What is your presence in  
23 Community Board 10?

24 JOHN TRITT: I don't know off the top of  
25 my head what our overall numbers are in Community

2 Board 10, but I believe in the Council District we  
3 have about 1,870, 1,860 members.

4 ALFRED BASTONE: I'm not particularly  
5 familiar the complete composition of our numbers in  
6 Community Board 10, but there's certainly a density  
7 of individuals there that will benefit throughout  
8 CD13 altogether.

9 COUNCIL MEMBER VELAZQUEZ: If you can  
10 please follow up with us after with that number,  
11 that'll be helpful. Also, have you connected with  
12 Community Board 10 to discuss your role in the  
13 project or seek assistance in establishing a role?

14 JOHN TRITT: We were active in the  
15 Community Board process from the beginning. I was  
16 personally at every hearing, including hearings where  
17 we were told there was going to be public testimony,  
18 I signed up, wasn't allowed to testify so we've been  
19 there. We've been part of the process since the  
20 beginning and publicly testified there and publicly  
21 testified at the Borough President's hearing as well  
22 so we've been active and engaged in the Community  
23 Board process from the beginning.

24 ALFRED BASTONE: In relationship to CD13  
25 and Community Boards, we do participate in a number

2 of them, particularly in the (INAUDIBLE) Community

3 Board member. In regards to this particular project,

4 the dynamic has been recent, our engagement in it.

5 We've been gathering petitions, we've been talking to

6 people in the community, particularly, however, in

7 terms of our active engagement and dynamic, recently

8 there have been in terms of opposition a lot of

9 toxicity in terms of our presence there, which has

10 not been helpful, but, of course, we're always

11 willing to meet people where they're at.

12 COUNCIL MEMBER VELAZQUEZ: So no real

13 conversations with Community Board 10 as of yet? Just

14 wanted to clarify.

15 ALFRED BASTONE: Me, as an individual, I

16 have not had any...

17 COUNCIL MEMBER VELAZQUEZ: And Local 79,

18 when did they start because you said just recently so

19 when did they start engaging with the applicant?

20 ALFRED BASTONE: I'm unfamiliar with that

21 particular dynamic.

22 COUNCIL MEMBER VELAZQUEZ: Okay, but for

23 you then personally with Local 79 and the engagement

24 with the applicant, how long has it been?

25

2 ALFRED BASTONE: I imagine those  
3 conversations have been happening a while with our  
4 market development department; however, I am, as an  
5 individual who is a Local 79 member rank and file for  
6 the most part of my life, I'm not familiar with the  
7 exact question of conversation that led up to the  
8 agreement with the developer.

9 COUNCIL MEMBER VELAZQUEZ: If you can get  
10 back to us, two things, I would love for you to sit  
11 down with Community Board 10, the District Manager  
12 himself, and the Chair, Joe Russo, and Matt Cruise  
13 just to describe what the agreement that you have  
14 come with the applicant just so that they are updated  
15 with the process and so the Community Board can  
16 understand what is going on and your position in it.

17 Can you explain, and this is for both  
18 again, what are the benefits associated with union in  
19 this process?

20 JOHN TRITT: One thing about being a  
21 member of 32BJ and a building service worker, the  
22 comparison to being a member of our union and  
23 building service workers that are non-union, it's  
24 night and day. The comparison between the wages, the  
25 conditions, the benefits, they're really two

1 different worlds. To be a member of 32BJ with these  
2 jobs ultimately will produce wages that are  
3 prevailing wage or above, fully funded family  
4 healthcare so, if you're a member of 32BJ, we have  
5 fought for decades to ensure that there is a  
6 healthcare standard that is completely employer  
7 funded so our members aren't paying premiums and all  
8 the rest. Not just the difference between that for  
9 union workers and non-union workers in our particular  
10 industry, the difference between our members and  
11 white-collar workers, it's profound. That's one  
12 thing. Also, folks that would be employed in this  
13 business and become a member of our union would also  
14 have access to our training fund so you might be a  
15 super, you might be a porter, (INAUDIBLE) you want to  
16 continue for the rest of your career which is work  
17 that has value and we very much want to continue if  
18 you want that, but you also have access to our  
19 training fund to come and cross-train for all  
20 different types of employment in our training fund  
21 and that is a wide section of skills that you can  
22 either use for career advancement or just for the  
23 benefit enrichment of your life. I don't want to go  
24 on all day about the difference between union and  
25

2 non-union, but, in particular for building service  
3 workers, the jobs that will be created as a result of  
4 this development, and often folks that are employed  
5 are local so they can have folks that live in the  
6 community, have a short commute to work, spend their  
7 union wages in the community they live in. We have  
8 members that have to commute from the Poconos. If you  
9 want to live in the Poconos, that's fine, but we  
10 shouldn't feel that folks to commute into good union  
11 jobs from outside the city so that's why we're here  
12 today, very much trying to fight against that trend,  
13 fighting on behalf of our members that live in the  
14 Council District but also just across the city, and  
15 we feel that this is very much a local concern and a  
16 local issue and we appreciate that, but, as we know  
17 as folks that live in New York City, we live in an  
18 ecosystem that is connected, and that's why we are  
19 giving this the full support and attention that we're  
20 giving it today.

21 ALFRED BASTONE: In regards to Local 79,  
22 our benefit here is very clear. First of all, one,  
23 it'll bring union jobs, our position and stake in  
24 here. Any part of the industry that has actually a  
25 very low union density. Affordable housing, generally

1 developments in the Bronx actually feature nearly no  
2 union composition so that's an issue that we've been  
3 trying to address in question of like what we are  
4 doing. This development obviously brings 32BJ to the  
5 table, strong union, Local 79, 10,000 members strong,  
6 and simultaneously it's doing work that is of a  
7 social value that we believe in. I think nearly 70  
8 percent or maybe a little over of our membership is  
9 New York City residents, most of them being renters,  
10 having an affordable housing production that features  
11 us in the building process is a step forward in  
12 building the working class and building the middle  
13 class. This is our clear dynamic and our desire here.  
14 Simultaneously speaking personally as a laborer from  
15 this area, I've been a lifetime resident of the  
16 Bronx, was born and raised. Ultimately, it comes down  
17 to you look throughout the Bronx. There are  
18 developments happening in the western part of the  
19 Bronx, in South Bronx which are hovering over train  
20 lines. This is a low-density area. There's an  
21 immediate need that New York City residents have, and  
22 we want to fulfill that need by putting us to work.

24 COUNCIL MEMBER VELAZQUEZ: What has your  
25 level of conversations with the developers been like

2 and have you advocated for other labor groups to join  
3 in on this development.

4 ALBERT BASTONE: Again, in terms of like  
5 how I could answer these questions, you would have to  
6 talk more directly to our Market Research Department.  
7 As, again, as a mostly rank and file member...

8 COUNCIL MEMBER VELAZQUEZ: Are they  
9 available to speak?

10 ALBERT BASTONE: What?

11 COUNCIL MEMBER VELAZQUEZ: Are they  
12 available to speak or can we get a deliverable of  
13 when these...

14 ALBERT BASTONE: I'm pretty sure they are  
15 willing to speak.

16 COUNCIL MEMBER VELAZQUEZ: No, are they  
17 here present? Okay, perfect.

18 ALBERT BASTONE: Yes.

19 COUNCIL MEMBER VELAZQUEZ: Are you  
20 registered already to speak?

21 CHAIRPERSON RILEY: If you want to come  
22 over and answer, just state your name for the record,  
23 and we're just going to need you to fill out a slip  
24 as well. Thank you.

2 OONA ADAMS: I'm Oona Adams. I am the  
3 Assistant Director of Organizing for Laborers Local  
4 79. We've worked with the developer team for about a  
5 month to secure a memorandum of understanding which  
6 guarantees local hire for local residents from our  
7 Community District 13 members. I'll have to get back  
8 to you on the numbers. I think there are around 300-  
9 ish in district and so we have finalized an MOU  
10 signed by our Mason Tenders District Council and the  
11 Development Team. Was there another question?

12 COUNCIL MEMBER VELAZQUEZ: Yes.  
13 Specifically, as we're talking about and as John had  
14 mentioned earlier about the strength in union  
15 development, both during construction and after, will  
16 you advocate for other labor groups to join in as  
17 well? Have those conversations happened? If not, will  
18 you have them?

19 OONA ADAMS: So we advocate on behalf of  
20 the members of Laborers Local 79 because we have a  
21 residential rate which allows us to build affordable  
22 housing and because we have a deep commitment to  
23 local and community hire and target hiring for  
24 traditionally disadvantaged communities, and we  
25 would, of course, encourage anybody to build union

2 and staff union. I think it's always the best way for  
3 any development to build economic growth for a  
4 community so, of course, we would always say yes, we  
5 encourage that, but, no, we are not going to be  
6 leveraging a developer and telling them they must  
7 make any project 100 percent anything. New York City  
8 in the affordable housing industry has become an open  
9 shop environment, and that is not good news for the  
10 people of our city, but that is currently where we  
11 are.

12 COUNCIL MEMBER VELAZQUEZ: Thank you.

13 John, do you want to answer that?

14 JOHN TRITT: Similarly, the optimum  
15 situation for us would always be that the building is  
16 completely constructed union and operated union, but  
17 we recognize that there are numerous factors that go  
18 into negotiations between any particular trade and  
19 the developer. I will say this, I'm in constant  
20 contact with folks across different various trades,  
21 and I can tell you today that I have not heard any  
22 account of any conversations happening in bad faith  
23 or feelings. Now, I haven't talked to everybody, but  
24 (INAUDIBLE) that I have not heard any evidence of  
25 these developers operating in bad faith or anything

1 like that. There are a large no factors that go into  
2 whether or not ultimately an MOU can from a  
3 particular trade or not, but to Oona's point, I think  
4 it's a very good one, that especially in the  
5 affordable housing construction and operation  
6 frankly, there's an increasing trend in it operating  
7 open shop and so to get to a point where this project  
8 can be approved and built by the Laborers and  
9 operated by 32BJ, that is very much pushing back  
10 against that trend, a trend that's been growing for  
11 years. At any rate, if you don't get to a point where  
12 there's 100 percent union construction, the fact that  
13 the Laborers are involved and they are a part of  
14 constructing this project is bucking against the  
15 trend as opposed to a scenario where it otherwise  
16 would be built 100 percent union.  
17

18 COUNCIL MEMBER VELAZQUEZ: Just to  
19 confirm, you have an agreement, correct?

20 JOHN TRITT: It's in writing. 32BJ as a  
21 rule, we will not be in support in any public way and  
22 any official capacity if we don't have a signed  
23 agreement that the jobs are going to be good jobs and  
24 that's ironclad, enforced vigorously, and so that  
25

2 happened before we even showed up to the Community  
3 Board.

4 COUNCIL MEMBER VELAZQUEZ: Can you present  
5 us with a copy of that because we've been asking for  
6 that and have not received one?

7 JOHN TRITT: Yeah, I'd be happy to walk  
8 your team through it.

9 COUNCIL MEMBER VELAZQUEZ: Okay. Perfect.  
10 Then can you also walk the Community Board through  
11 that as well?

12 JOHN TRITT: Yeah, I will not do that by  
13 myself. I'll have to check back with our crew to see  
14 to commit to that.

15 COUNCIL MEMBER VELAZQUEZ: I appreciate  
16 that. Same for Local 79.

17 OONA ADAMS: Sure. Not to get too  
18 technical here, but we sign collective bargaining  
19 agreements with employers on jobs and because, of  
20 course, the developers are not going to be the direct  
21 employers of construction workers, we can't sign a  
22 contract with them so what we do with development  
23 teams is we work through an MOU, a Statement of  
24 Principles with the understanding that when the  
25 construction contracts are let, they will be let to

2 signatory contractors, and we would be happy to talk  
3 about how we work with MOUs, what we believe the  
4 community benefit is, and what we include in every  
5 MOU which is really pushing for deep affordability,  
6 pushing for local jobs, and pushing for jobs  
7 specifically for traditionally disenfranchised  
8 communities.

9 COUNCIL MEMBER VELAZQUEZ: Perfect, and  
10 can we also get a copy of that because we have asked  
11 and have yet to receive a copy?

12 OONA ADAMS: Has anyone asked us? I hadn't  
13 heard that we'd been asked, but yes, I will check  
14 with our Counsel and get back to you about that.

15 COUNCIL MEMBER VELAZQUEZ: Perfect. Thank  
16 you.

17 OONA ADAMS: My pleasure.

18 CHAIRPERSON RILEY: Thank you, Council  
19 Member Velázquez. This applicant panel is excused.  
20 Thank you so much.

21 The last in-person panel will be William  
22 Bollinger, Nelson Velazquez, I believe he testified  
23 already though, Angel Diaz, Michael Cass, Frank  
24 Balaqua (phonetic), and Ankar Dulal (phonetic).  
25 Please excuse me if I mispronounce your name.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Just  
3 another announcement. If there's any others here in  
4 Chambers that would like to testify today, could you  
5 please come down and see one of the Sergeants so you  
6 can fill out and submit a slip so you can testify.  
7 Thank you.

8 CHAIRPERSON RILEY: Thank you. First,  
9 we'll begin with William Bollinger. If I mispronounce  
10 your name, excuse me. Just state your name for the  
11 record then you may begin.

12 WILLIAM BOLLINGER: Hello. My name is  
13 William Bollinger. I've been doing real estate  
14 development in the Bronx since the early '90s,  
15 primarily affordable housing. I'm working with the  
16 development team as a development consultant in this  
17 capacity on this project. I think it's a great  
18 project or I wouldn't be involved in it. I'm a firm  
19 believer in affordable housing because I've seen how  
20 it's made a difference in people's lives personally.  
21 It provides dignity, and it gives people an  
22 opportunity to have stability, kids to go to school  
23 in the neighborhoods, for long-term residency, and  
24 the parents, themselves, mostly often sometimes  
25 single parents, a chance to be able to get a stable

1 job and to be able to raise a great family and  
2 contribute back to the neighborhood. With respect to  
3 this development in general, I know there's been a  
4 lot of discussion about infrastructure. There's no  
5 doubt that many parts of New York City including this  
6 area could use infrastructure improvements. On the  
7 macro level, certainly the sewer systems, but I just  
8 want to go back a little bit to what the engineer was  
9 talking about and just kind of simplify that process.  
10 Right now, as an example, if there's a rain event and  
11 you dump a bathtub full of water on the Foodtown  
12 parking lot on the roof, that water's going to rush  
13 right into the sewer system and just go right down  
14 into the system. If there's a rain event happening at  
15 that same time, that same bathtub full of water is  
16 going to not probably go in the sewer system,  
17 possibly go into the neighbor's yard and down into  
18 their backyard. With the new development, these  
19 projects then have detention tanks so that same  
20 bathtub full of water gets put into a big detention  
21 tank and then gets slowly released into the sewer  
22 system, so ironically, I know it's counterintuitive,  
23 by developing on this site you actually are going to  
24 put less stress on the sewer system than what happens  
25

2 right now from that same sight when there's a major  
3 rain event. Again, thank you for the opportunity to  
4 testify and I appreciate it.

5 CHAIRPERSON RILEY: Thanks, William. Next,  
6 we'll have Angel Diaz.

7 ANGEL DIAZ: Good afternoon. For the  
8 record, my name is Angel Diaz. Thank you, Mr.  
9 Chairman Riley, for this opportunity to speak my  
10 piece. Good afternoon to the Council. My name is  
11 Angel Diaz. I'm a 14-year member of LIUNA Local 79  
12 and a long-time resident of District 13. This  
13 project, the creation of affordable housing for  
14 families, affordable housing for seniors, and veteran  
15 housing will only serve to benefit our community. Our  
16 district, District 13, has one of the highest rates  
17 of residents over the age of 65 living in poverty,  
18 and all of our neighbors in Throggs Neck deserve to  
19 live with dignity. Our elderly relatives should not  
20 have to leave this neighborhood, and we shouldn't  
21 have to ask other elders to not come to this  
22 neighborhood to live. Everybody should have an  
23 opportunity to experience what is Throggs Neck. Our  
24 children deserve the expanded access to youth  
25 wellness and recreation centers that this rezoning

1 will bring. This project will also create union jobs  
2 that bring family wages and health coverage, sustain  
3 families in our community and help grow families in  
4 our community. I stand against any opposition that  
5 seeks to push out low-income families, any people of  
6 any color, race, or ethnicity, or any hard-working  
7 New Yorkers out of any community, let alone my  
8 community. We should be welcoming people and not  
9 shunning people away. In closing I'll say this,  
10 Throggs Neck is one of the few communities in New  
11 York that serves like a beacon of light. We have very  
12 few communities, Riverdale, we've got Morris Park.  
13 I'm from 138th Street. Millbrook Projects. My mother  
14 worked hard to move me to Gun Hill Road. It took a  
15 lot for me to get a place in District 13, and I'm  
16 lucky that I have Local 79 that allows me the  
17 opportunity to cover my family. My kids go to private  
18 school, and I'm very happy my girl goes to Scanlan.  
19 My son graduated (INAUDIBLE). It's hard for people to  
20 have access to that, and just because people can't  
21 afford to pay for it doesn't mean they shouldn't have  
22 that opportunity to do it and experience it. Thank  
23 you.  
24

2 CHAIRPERSON RILEY: Thank you, Angel.

3 Next, we'll have Michael Cass.

4 MICHAEL CASS: Hi. My name is Michael  
5 Cass. I'm a resident of Council District 13, and I  
6 support the Bruckner sites rezoning. Since 2014, our  
7 Council District has built only 58 units of  
8 affordable housing, the fifth smallest amount  
9 citywide. If we're going to solve the housing crisis,  
10 all communities must build more, including our own,  
11 and this rezoning is the best opportunity to add  
12 housing. It effectively doubles the amount of new  
13 affordable housing in our district and includes  
14 senior and veterans housing and new amenities which  
15 will improve the quality of life of existing  
16 residents. No part of this proposal is viable under  
17 existing zoning. When folks demand no rezoning,  
18 they're saying that even the three-story building for  
19 our veterans is too big. We need to get our  
20 priorities straight. In the City Planning hearing,  
21 Chair Garodnick pointed out that the rental vacancy  
22 rate in our district constitutes a housing emergency.  
23 An emergency. We can't afford pretext. We need to get  
24 to yes. The merits are too strong. The City Planning  
25 Commission report found that the rezoning is

1 appropriate, the sites are well-served by  
2 transportation with multiple bus lines including  
3 Express Bus, the subway is a short ride away, it is  
4 not a transit dessert. The Borough President's report  
5 stated that she didn't believe the proposal would  
6 dramatically impact the local infrastructure. Given  
7 the buildings dedicated for seniors and veterans, she  
8 concluded they are unlikely to significantly burden  
9 the area's school and traffic. Of course, the City  
10 Council should still make investments, but, again,  
11 there's no excuse not to pass this. I've been  
12 following this rezoning for more than a year. I've  
13 heard every lie against this project to spread fear,  
14 that it's going to bring crime, destroy property  
15 values, that they were building "drug houses," all on  
16 camera. It got to the point that our Council Member  
17 couldn't appear at the Community Board because of  
18 threats. The Community Board Member who had the  
19 courage to vote yes on the project said that she felt  
20 unsafe expressing her opinion. It's shameful, and we  
21 can't afford to be silent. I never stopped speaking  
22 up, and now I'm here today joined by a diverse  
23 coalition of local residents, union members, and  
24 advocates to ask the City Council to stand up, send a  
25

2 message, and to pass the Bruckner sites rezoning.

3 It's time to be a city of yes. Thank you.

4 CHAIRPERSON RILEY: Good job, Mike. Next,  
5 we will have Frank, Frank, I'm not even going to mess  
6 up your last name, I'm so sorry. Is Frank here? Is  
7 Frank present? Okay, we'll move on. The next person  
8 we'll have is Ankar Dalal.

9 ANKAR DALAL: Ankar Dalal, yes. Thank you.  
10 My name is Ankar Dalal. I'm here to testify in favor  
11 of the Bruckner rezoning. I first learned about the  
12 project through Open New York, which is a grassroots  
13 pro-housing non-profit, and I've come to support it  
14 because it will include hundreds of new homes  
15 including nearly a hundred desperately needed below-  
16 market rate homes that include apartments set aside  
17 for seniors and veterans. While the Mayor, the  
18 Borough President, and the City Planning Commission  
19 have all supported this plan, the local Council  
20 Member has expressed some concern supporting the  
21 project unless it garners local support, provides  
22 local housing and jobs, has union support, and has  
23 real affordability. Let's get the easy ones out of  
24 the way. Union support. You saw it today. Local 79  
25 and 32BJ have rallied in favor of the project. Local

1 jobs. In her report recommending approval, the  
2 Borough President noted that this project will bring  
3 476 new jobs to the neighborhood. Local housing with  
4 real affordability. There are 94 below-market rate  
5 units in this project including dozens set aside for  
6 seniors and veterans. Some opponents have expressed  
7 concern that setting aside what will be almost half  
8 of the project for some sort of below-market  
9 supportive housing isn't sufficient, but it's a  
10 little hard to take that criticism seriously when  
11 those same opponents are currently fighting against  
12 the nearby Just Homes project in Morris Park which is  
13 entirely low-income and supportive housing. It makes  
14 you think that even 100 percent affordable housing  
15 wouldn't be welcome here. Now, we get to the hard  
16 one, local support. There is an angry group of local  
17 residents who are up in arms against this project.  
18 You heard from them today. Would any proposal satisfy  
19 them? Despite the Community Board President saying  
20 that the neighborhood supports new housing, history  
21 indicates they don't. In a 2020 report, the Citizens  
22 Budget Commission noted that Bronx CB10 is in the  
23 bottom of city community districts in terms of  
24 providing new housing units in the past decade. Are  
25

2 we surprised? The applicant earlier testified that  
3 supporters have been threatened with hanging and have  
4 been hosed down with water and told they do not  
5 belong there. Let that sink in. This isn't Alabama in  
6 1959. This is New York City in 2022, and people are  
7 hearing that. I'm from an immigrant family so that's  
8 why this is personal to me. Our family started our  
9 life in New York City, in Queens, but I don't think  
10 my family would be able to start again New York City  
11 if they moved to America today because we say no to  
12 new housing too frequently. We need to be a city that  
13 learns how to say yes again. Yes to new neighbors,  
14 yes to new homes, yes to new businesses. Please  
15 support this project.

16 CHAIRPERSON RILEY: Thank you, Ankar.

17 Last, Frank Balaqua. Frank Balaqua, going once, going  
18 twice. All right. Thank you to this applicant panel  
19 for your testimony. We truly appreciate it.

20 We have one more panel with more person  
21 testifying in person then we're going to go back to  
22 online. I would like to call up Tafadar Sourov.  
23 Excuse me if I mispronounce your name. You could  
24 state your name for the record then you may begin.

2 TAFADAR SOUROV: Hi, my name is Tafadar  
3 Sourov, and I'm an organizer for Laborers Local 79.  
4 I'm a lifelong Bronx resident who lives in Council  
5 District 13, and I represent hundreds of members in  
6 District 13 alone, including 2,000 members throughout  
7 the Bronx. Everything that the Bruckner rezoning  
8 project offers is badly needed means of creating  
9 housing affordability and equity in Throggs Neck  
10 along with good union jobs. We're talking about a  
11 project that includes veterans housing, senior  
12 housing, youth center, and a modernized supermarket,  
13 all things that are going to benefit the  
14 neighborhood, its residents, its small businesses,  
15 the elderly that call it their home, the youth who  
16 are the future, and the working people. With a crisis  
17 of affordability in this city pushing neighbors and  
18 loved ones out of communities they grew up in and  
19 cherish, it's our responsibility to embrace inclusion  
20 and affordable housing. For the last two weeks, I've  
21 helped collect 500 petition signatures from neighbors  
22 in our district who feel the dire need for affordable  
23 housing and good jobs. These are the working people  
24 who aren't out on the streets loudly trying to build  
25 a wall around the community. The silent majority who

2 are struggling to provide for their loved ones that  
3 the City Council has a responsibility to stand up  
4 for. Especially when intimidation and threats are  
5 keeping many folks from speaking up for what they  
6 feel in their hearts to be right and good for the  
7 district. If infrastructure and traffic were the real  
8 concerns, then why is there so much racially charged  
9 vitriol hurled at workers and residents who have  
10 bravely spoken up in favor of this development. The  
11 project confronts us with the question of what kind  
12 of a district, borough, and city we believe in. Do we  
13 live up to the words that are carved on the Statue of  
14 Liberty or are we giving into the fearmongering of  
15 the sort that we had to watch on tv every day for  
16 four years since 2016. Last week, someone  
17 counterprotesting our press conference accused a  
18 Mexican American union brother of mine of stealing  
19 lawn signs and then said maybe it was someone who  
20 looks like him, and, right in front of this  
21 Committee, we've heard rhetoric about sanctuary  
22 cities thrown around to smear affordable housing. We,  
23 Laborers Local 79, implore the City Council to rezone  
24 Bruckner Boulevard and create all of the benefits  
25 this project offers for the residents and businesses

2 and workers of Council District 13. Thank you very  
3 much.

4 CHAIRPERSON RILEY: Thank you so much. You  
5 said you have 500 petition signatures?

6 TAFADAR SOUROV: That's what's in the  
7 magic little red folder.

8 CHAIRPERSON RILEY: Would you be able to  
9 give that Council Member Velázquez?

10 TAFADAR SOUROV: Yes.

11 CHAIRPERSON RILEY: If you want to make  
12 copies, that's fine. Yeah, you can make copies and  
13 then you can have it, all right. No problem. Thank  
14 you so much for your testimony today.

15 Counsel, we will move back to online  
16 testimony. Thank you. If you're in-person and did not  
17 get an opportunity to testify, please see one of our  
18 Sergeants-at-Arms so you can fill out a slip and  
19 you'll be able to testify. Thank you.

20 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
21 you, Chair. We'll continue calling panels online. The  
22 next panel will be Petra Cruz, Carole DeChiara,  
23 Catherine Donnelly, and Teresa Hernandez. The first  
24 panel will be Petra Cruz.

2 CHAIRPERSON RILEY: If you are leaving,  
3 please do not congregate in here. You can have your  
4 conversation outside. Thank you.

5 Miss Cruz, you may begin. Can someone  
6 please unmute Petra Cruz, please? Miss Cruz, you may  
7 begin. Miss Cruz, can you hear us? Can someone please  
8 unmute Miss Cruz, please?

9 COMMITTEE COUNSEL MARTINEZ-RUBIO: If  
10 you're getting an unmute request, could you accept  
11 the request so we can hear you? Looks like she's not  
12 unmuting so we're going to move on to Catherine  
13 Donnelly. Catherine, are you there?

14 CATHERINE DONNELLY: Hello, can you hear  
15 me?

16 CHAIRPERSON RILEY: Yes, we can hear you,  
17 Catherine. You may begin.

18 CATHERINE DONNELLY: Hi. Good afternoon  
19 and thank you for allowing me to speak. I've heard a  
20 lot of great testimony, both pro and against, and I  
21 am against the up-zoning. Like some of my  
22 constituents, I do believe that we do need affordable  
23 housing but creating this kind of housing in the  
24 environment that we're in at the moment in a  
25 neighborhood that needs a lot of structural updating,

2 I think it's irresponsible. I think that most of us  
3 do want to help our fellowman to have better housing  
4 (INAUDIBLE) neighborhood because it was low-density  
5 because it gave us a piece of living like we were in  
6 an upstate kind of a place and we want to keep that  
7 community. Our community is quite diverse and the  
8 fact that we're being called racists and (INAUDIBLE),  
9 so many outliers say that we've said horrible things.  
10 It's untrue because I've been at all of these events  
11 and we do not call people racist or we don't say bad  
12 things to people, but we do want our community to  
13 stay within its normal zone. We are okay with  
14 building but within the zone that we have. We want to  
15 have people be able to build wealth by buying homes  
16 and we find nothing wrong with that. I'm hoping that  
17 you guys consider everything that everybody's saying  
18 and let's find a medium ground that we could all live  
19 with and get the community involved because we have  
20 not been involved with this process other than going  
21 to these meetings and talking but not knowing  
22 anything so I'm willing to listen and I'm willing to  
23 have an open mind to other things, but in the way  
24 that it's presented at this moment, I am not for it.  
25 That's all I have to say. Thank you so much.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
3 you. Next, we're going to call on Carole DeChiara.

4 CAROLE DECHIARA: Good afternoon, City  
5 Council Members. It's a privilege to speak with you  
6 today. My name is Carole Dechiara, and I am a public  
7 servant. I would like to get back to the facts of the  
8 project and let's get off the rhetoric of outrageous  
9 claims of racism. The community is not racist and  
10 that's not what we're about. I'd like to go back to  
11 the traffic study that is listed in the environmental  
12 assessment that was held during the fall of 2020  
13 during COVID when the traffic flow was considerably  
14 less. New York City Department of Transportation at  
15 that time had ceased all traffic studies during this  
16 period. Why? They knew that it would inaccurately  
17 reflect their projects. If a city agency cannot and  
18 did not allow this, how can the Planning Commission  
19 and our City Council accept this study to be  
20 accurate? I find this traffic study is false and it  
21 fails to address our community's concerns plus it did  
22 not include a new trucking distribution center which  
23 is only a quarter of a mile away. At the very least,  
24 a new traffic study should be provided to the  
25 community and to the Council. They need to prove that

2 our traffic is not going to be impacted anymore than  
3 we already have along I-95. The majority of this  
4 community is against this project, not because we're  
5 against affordable housing, senior housing, or  
6 veterans. We welcome them all. The community is  
7 asking for new development to stay within the current  
8 zoning and give the middle-class housing who are  
9 often left behind and forgotten. Just like others who  
10 have testified, I had four feet of sewer water in my  
11 basement, and I would like to know how, when our  
12 sewers will be upgrade. What fiscal year? This isn't  
13 about how many showers people take. This is about  
14 climate and the city plans to address our failing  
15 system. These storms are not going to stop. They're  
16 only going to intensify. I am curious what kind of  
17 services for veterans will be provided.

18 SERGEANT-AT-ARMS: Your time is expired.

19 CAROLE DECHIARA: Does this include a drug  
20 treatment center because this has not been discussed  
21 with the community and the Board.

22 CHAIRPERSON RILEY: Thank you.

23 CAROLE DECHIARA: Council Member  
24 Velázquez, don't be fooled by the union workers  
25 today.

2 CHAIRPERSON RILEY: Excuse me, Carole.

3 CAROLE DECHIARA: All of their union  
4 workers and hired non-union workers.

5 CHAIRPERSON RILEY: Thank you, Carole.

6 CAROLE DECHIARA: This happened within the  
7 last few years. I'm asking the Council to please  
8 consider what the community needs and wants. I thank  
9 you for the time.

10 CHAIRPERSON RILEY: Thank you, Carole.

11 CAROLE DECHIARA: Thank you.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
13 you, Carole. The next speaker will be Teresa  
14 Hernandez.

15 TERESA HERNANDEZ: Hi. Thank you. Good  
16 afternoon, everyone. I am speaking today in  
17 opposition of the Bruckner up-zoning. I am a  
18 professional who has lived in this area from teenage  
19 years, young adult, and now in my late 30s. I've  
20 purchased a property here. It's something that I  
21 aspire to. I didn't want to move to a high-rise  
22 congested Bronx neighborhood. I like that Throggs  
23 Neck is different than other neighborhoods of the  
24 Bronx. It has its own feel, community, and I would  
25 like to see that continue, but I'm also in opposition

2 as a researcher and sociologist. We're taught that in  
3 order to prove your theory, you must first disprove  
4 other theories or arguments and in this case I have  
5 not heard from the Throggs Neck Associates, LLC why  
6 this cannot be done perhaps at a smaller scale but  
7 within the current zoning regulations. It was asked  
8 before about why this veterans project is being  
9 included in the proposal and plan, and I wonder the  
10 same. This building seems to meet the current zoning  
11 regulations and it seems that it's a part of the plan  
12 for ulterior motives and to actually get this pushed  
13 through and not because it's actually needed in the  
14 sense of the proposal. It's needed and can be done.  
15 There's the land space. Why can't it be separate, and  
16 I question the ethics behind this inclusion, and it  
17 further makes me opposed to the up-zoning and what  
18 this is actually (INAUDIBLE) for. Further, it doesn't  
19 just affect Bruckner.

20 SERGEANT-AT-ARMS: Your time expired.

21 TERESA HERNANDEZ: It's the whole  
22 neighborhood. It's neighborhoods close by (INAUDIBLE)  
23 effect of changing the regulations for that space,  
24 other areas of our community will be impacted down  
25 the line.

2 CHAIRPERSON RILEY: Thank you, Teresa. You  
3 can submit the rest of your testimony to us online.  
4 Thank you.

5 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
6 next panel will be Jonathan Beuttler, Marc Greenberg,  
7 Patrick Boyle, and Polina Bakhteiarov, and I'm sorry  
8 if I'm mispronouncing your names. Jonathan Beuttler  
9 is the first speaker.

10 JONATHAN BEUTTLER: Hello. This is  
11 Jonathan Beuttler, consultant for the project, part  
12 of Radson Development and Real Builders. I'm speaking  
13 pro this project. In working with the applicant, the  
14 applicant has been genuine in selecting the  
15 population for affordable housing. We, as the  
16 consultant to the applicant, have submitted the  
17 application to the Department of Housing Preservation  
18 and Development on May 25. We've received subsequent  
19 followup from the housing agency and have submitted  
20 pro formas including our financial summaries and  
21 request for subsidy through the SARA program. We  
22 thank the developer for their commitment to providing  
23 more than the required affordable housing per their  
24 zoning application and look forward to the  
25 development of senior housing at this site.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
3 you, Jonathan. Sorry I mispronounced your last name.  
4 The next speaker is Marc Greenberg.

5 MARC GREENBERG: Thank you. Let me just  
6 first say I really appreciated the hearing and the  
7 tone of the hearing and the work of the Committee  
8 Chair and Councilwoman. My name is Marc Greenberg.  
9 I'm happy to present my remarks to the New York City  
10 Council Subcommittee on Zoning on the  
11 Bruckner/Throggs Neck rezoning project, and I'm here  
12 to speak in favor of the project. I'm the Executive  
13 Director of the Interfaith Assembly on Homelessness  
14 and Housing. For over 35 years, we have worked in  
15 partnership with communities of faith across our city  
16 in affirming the values common to all great faith  
17 traditions of standing in solidarity with those among  
18 us who are in need and building communities that  
19 serve all our sisters and brothers. I am pleased to  
20 offer this testimony today along with my colleagues.  
21 New York City has become an unaffordable city for far  
22 too many of its people. Just as we have risen to meet  
23 past challenges, New York City can conquer the  
24 unaffordability challenge as well. With so many of  
25 our fellow New Yorkers paying close to half or more

2 of their income for rent and tens of thousands unable  
3 to afford housing at all, we can and we must do  
4 better. The households, just like our own, are those  
5 that we're looking to house, our sisters and brothers  
6 who are veterans and seniors, and it is in a  
7 community like this one where people of good faith  
8 and goodwill can embrace the most fundamental human  
9 values of decency and respect, recognizing the sacred  
10 in each other that our city will show its true  
11 greatness. It is in communities like this one where  
12 the city can show its true greatness. As it is  
13 written in the Judeo-Christian scripture in Isaiah  
14 58, those among you shall build the old waste places,  
15 you shall raise up foundations of many generations,  
16 and you shall be called to repair...

17 SERGEANT-AT-ARMS: Your time's expired.

18 MARC GREENBERG: Streets to dwell in. I'm  
19 pleased to stand here in solidarity with the  
20 community.

21 CHAIRPERSON RILEY: Thank you, Marc.

22 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
23 next speaker is Polina Bakhteiarov.

24 POLINA BAKHTEIAROV: Thank you, Chair  
25 Riley, Council Member Velázquez, and Members of the

2 Subcommittee on Zoning and Franchises for hosting  
3 this important hearing today. My name is Polina  
4 Bakhteiarov, she/her/hers pronouns, and I'm here to  
5 testify in support of the Bruckner rezoning. As a  
6 Bronx Community District 9 resident, I've lived in a  
7 neighborhood almost identical in housing density and  
8 character to Throggs Neck. Yet, between 2014 and  
9 2021, 1,345 housing units were constructed in my  
10 Council District, District 18, compared to just 58  
11 housing units in Council District 13. This type of  
12 inequitable development furthers centuries of housing  
13 discrimination based on race and income, which leads  
14 to all the diminished life opportunities that  
15 accompany concentration of poverty. Professionally,  
16 I've worked affordable housing developments for over  
17 a decade, and I cannot stress enough the importance  
18 of building more housing now. Our national housing  
19 emergency is the result of under-development in the  
20 face of continued population growth and, thus,  
21 demand. Locally, according to the NYU Furman Center,  
22 we built 185,000 new multi-family units across the  
23 five boroughs between 2010 and 2020. Yet, our  
24 population grew by 629,000 people over the same  
25 period. Just on this crisis, we need to build housing

1 for all incomes, increasing overall supply to meet  
2 demand and stabilize pricing. Of course,  
3 infrastructure is important, but increasing sewer  
4 capacity, expanding transportation options, and  
5 enhancing community amenities must happen in parallel  
6 to development, not in sequence. We must build more  
7 housing now to catch up to the demand of our city's  
8 ever-growing population, and, while the 349 units  
9 proposed as part of the Bruckner rezoning are a drop  
10 in the bucket of what is needed and the project is  
11 far from perfect, perfection is the enemy of  
12 progress. In closing, I ask you to please support the  
13 Bruckner rezoning and ensure that each Council  
14 District contributes its fair share, not only to our  
15 city's housing production but to combatting historic  
16 racial and economic segregation. Thank you for your  
17 time, and this concludes my testimony.

18  
19 CHAIRPERSON RILEY: Thank you.

20 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thanks,  
21 Polina. The next panel will be Marianne Hughes, John  
22 Comacsai (phonetic), Louis Gosco (phonetic), and  
23 Patrick McManus. Marianne Hughes is the first.

24 CHAIRPERSON RILEY: Is Marianne there?  
25

2 COMMITTEE COUNSEL MARTINEZ-RUBIO:

3 Marianne, are you there? Can we move on to John

4 Comacsai? John, are you there? John, are you there?

5 Chair, it appears that our sound got cut out. Can you

6 guys hear me on the Zoom? Hold on. Let us check with

7 our audio people here. Hold on.

8 CHAIRPERSON RILEY: Can you hear us now?

9 Are we back up? Yes, it looks like we're back up.

10 COMMITTEE COUNSEL MARTINEZ-RUBIO: All

11 right. Apologies for that. Let me double check our

12 panels to see where we are. I believe Marianne

13 Hughes, if you're on the panel we were trying to get

14 you on. Can you hear us and can you unmute? Marianne

15 Hughes, last chance. I see we have Patrick in the

16 Zoom. Can we unmute Patrick McManus and let him

17 testify first for this panel?

18 CHAIRPERSON RILEY: Yes, Patrick, we can

19 hear you. You may begin. Patrick, you may begin.

20 COMMITTEE COUNSEL MARTINEZ-RUBIO:

21 Patrick, we can see you, but we're not sure we can

22 hear you. While Patrick tries to fix his sound, we're

23 going to try John Comaksai.

24 PATRICK MCMANUS: Can you hear me now?

25

2 CHAIRPERSON RILEY: Yes, we can hear you,  
3 Patrick.

4 PATRICK MCMANUS: Yes, hello.

5 CHAIRPERSON RILEY: Yes, we can hear you,  
6 Patrick. Go ahead.

7 PATRICK MCMANUS: Hello. Can you hear me?

8 CHAIRPERSON RILEY: Yes, we can hear you,  
9 Patrick. You may begin.

10 PATRICK MCMANUS: Hello. Can you hear me?

11 CHAIRPERSON RILEY: I don't think you can  
12 hear us, Patrick, but we can hear you.

13 PATRICK MCMANUS: Hello.

14 SERGEANT-AT-ARMS: Can you hear us?

15 CHAIRPERSON RILEY: Can you hear us,  
16 Patrick?

17 PATRICK MCMANUS: Hello. Can you hear me?  
18 I cannot hear you.

19 CHAIRPERSON RILEY: Yes, we can hear you,  
20 Patrick. Can you hear us? Okay, looks like Patrick is  
21 having some technical difficulties. Can we move on to  
22 John, please?

23 COMMITTEE COUNSEL MARTINEZ-RUBIO: John  
24 Comaksai, if you are there, can you accept the unmute  
25 request?

2 Also, Louis Gosco, looks like John is not  
3 there either. Louis Gosco, if you're there, can you  
4 accept the unmute request?

5 Last chance for Marianne Hughes on this  
6 panel. If not, we're going to move on to the next  
7 panel, and we'll come back to these speakers if we  
8 can get to them.

9 All right, we're going to move on to the  
10 next panel. Salvatore Franchino, Jesse Lang, and  
11 Steven Morales. Is Salvatore Franchino available?

12 SALVATORE FRANCHINO: Hello. Can you hear  
13 me okay?

14 CHAIRPERSON RILEY: Yes, we can hear you,  
15 Salvatore.

16 SALVATORE FRANCHINO: Great. Hello all.  
17 I'm Salvatore Franchino. I've lived in the city since  
18 2010 and I currently reside in Jennifer Gutierrez's  
19 district. Since 2010, I've lived in six different  
20 apartments and three college dorms so searching for  
21 stable affordable housing is very personal for me. I  
22 support the Bruckner rezoning because it offers 94  
23 subsidized homes that would otherwise not exist. It  
24 would offer hundreds more market rate homes which are  
25 critical to slow displacement pressure by offering

1 homes for the middle class. It further desegregation  
2 efforts by diversifying the neighborhood with above  
3 average incomes and that's disproportionately white.  
4 It would also offer space for a grocery store. I know  
5 Council Member Althea Stevens in particular cares  
6 about food access and combatting food deserts so I  
7 know this proposal certainly helps, and, unlike the  
8 opposition to this proposal, I support our troops and  
9 I support our seniors. This project has homes set  
10 aside for lower-income vets and seniors, and, so if  
11 you oppose this project because it's not affordable  
12 enough or you have some goofy aesthetic  
13 disagreements, please know that you are willingly  
14 blocking the creation of affordable homes for two  
15 very, very vulnerable groups so if we choose to block  
16 every project by letting perfect be the enemy of the  
17 good or by valuing architectural opinions over  
18 affordable housing, then the city will be less  
19 vibrant and our homelessness crisis will only get  
20 worse. Please, let's approve this rezoning, build  
21 some homes, and make sure that we have an open New  
22 York for all who want to live here. A special note to  
23 Council Member Velázquez, it's your job to ensure  
24 infrastructure and schools for your district. It is  
25

2 not the builders' job to do every single thing under  
3 the sun so, if there's not adequate infrastructure,  
4 if there's not adequate school space in your  
5 district, that failure is on you, not the builder, so  
6 please don't point fingers and blame them for things  
7 that are out of their control. Yielding my time.  
8 Thank you very much.

9 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
10 you, Salvatore. The next speaker is Jesse Lang.

11 JESSE LANG: Hi, can you hear me?

12 CHAIRPERSON RILEY: Yes, we can hear you.

13 JESSE LANG: Great. My name is Jesse Lang,  
14 and I am speaking in support of this application. I  
15 am somebody who generally new housing, both market  
16 rate and affordable, so I'm happy to see that this  
17 application provides both to the community which is a  
18 community that is in need of this type of housing. I  
19 am also somebody who, I have lived in New York City  
20 for a while and during my time here I have had my own  
21 issues with housing affordability. I started my time  
22 living here being severely rent-burdened. I was lucky  
23 enough to move out of that position and be able to  
24 afford my apartment, but, due to the housing  
25 shortage, I am actually going to be rent-burdened

2 again when my lease renews this fall, and that is  
3 something that I attribute directly to the housing  
4 shortage and the city's failure to build housing.

5 Moving onto this proposal, I believe that this is a  
6 good proposal. I actually believe it's a very good  
7 proposal and addresses a lot of the housing needs of  
8 the community. I have also seen that the developer  
9 has really addressed all of the reasons for the  
10 opposition that the opponents to this project have  
11 brought up today. I don't know if they weren't  
12 listening during that portion of the application or  
13 if they just couldn't join for that, but, throughout  
14 this time, I've seen that they really have been  
15 making concessions and improving upon what their  
16 original application was so I think that the  
17 opponents have been moving the goalposts in bad faith  
18 throughout this. In the beginning, they were saying  
19 that there was too much affordable housing; now,  
20 they're saying that there's not enough. It seems that  
21 all they care about is making sure that this fails.  
22 However, personally, I've been impressed by how those  
23 who have spoken in support today have answered  
24 questions from Council Member Velázquez and how those  
25 involved in the application have really gone above

2 and beyond, like really above and beyond what is  
3 normally...

4 SERGEANT-AT-ARMS: Time expired.

5 JESSE LANG: In this process and have made  
6 a lot of improvements, have addressed some of the  
7 infrastructure concerns, have addressed a lot of the  
8 concerns that have been raised and have made this  
9 something that is very good for the community and is  
10 something that I believe will make the community more  
11 affordable for those who do live here, those who want  
12 to live here, those who are aging in the community,  
13 veterans returning from service, and will really help  
14 to prevent displacement in the long run. I know that  
15 the Bronx is...

16 CHAIRPERSON RILEY: Thank you.

17 JESSE LANG: Is a borough that has very  
18 high risk of displacement throughout the majority of  
19 the borough so I think that it's very, very important  
20 that the Bronx continue to develop new housing  
21 everywhere, particularly in neighborhoods...

22 CHAIRPERSON RILEY: Thank you, Jesse.

23 COMMITTEE COUNSEL MARTINEZ-RUBIO: Our  
24 next speaker is Steven Morales.

2 STEVEN MORALES: Good afternoon and thank  
3 you, Committee Members and Chair Riley, for hearing  
4 all this testimony today. My name is Steven Morales.  
5 I'm a resident of Council District 13. I'm a member  
6 of Open New York. I'm proud to join Mayor Adams and  
7 Borough President Gibson in support of the Bruckner  
8 Boulevard rezoning. My family has lived in the Bronx  
9 since the 1920s when my great grandmother fled  
10 poverty and persecution in Eastern Europe. In 1969,  
11 they moved to Co-Op City where I grew up, and, in  
12 2019, I had the good fortune to buy a co-op apartment  
13 in Pelham Parkway. I'm grateful that a hundred years  
14 ago my family was able to take our shot at the  
15 American dream in the Bronx. I'm certain that we were  
16 able to do because when we came here we found  
17 abundant, stable affordable housing. I am sure that  
18 many others in our community, whether they are  
19 Eastern European, Italian, Irish, Mexican, Dominican,  
20 or from wherever else, have had similar experiences.  
21 Why am I telling you about my family's history?  
22 Because it illustrates what access to housing can do  
23 for families and for communities. This Bruckner  
24 Boulevard project will provide our community with  
25 much needed new affordable homes at a time when rents

1 are at all-time high. It would also include our  
2 senior citizens and veterans who face increased  
3 struggles in a strained housing market. How can we as  
4 a community slam the door in the faces of those who  
5 have sacrificed for us? It's not only seniors and  
6 veterans who will benefit from this project. New  
7 housing brings additional customers to patronize our  
8 businesses, workers that are sorely needed in today's  
9 labor market, new members for houses of worship and  
10 local community groups, and, most importantly, it  
11 allows families the opportunity to live in a place  
12 they can afford and will allow our city to make one  
13 more dent in the ongoing housing crisis. With this  
14 project, as with many others like it in our city, the  
15 Council has a choice. Move our neighborhood and our  
16 city forward by making it more welcoming, more  
17 accessible, and more affordable for future  
18 generations or remain stuck in the past and putting a  
19 virtual gate around our community. I say if there are  
20 neighbors who want to live in a suburban gated  
21 community, they are more than welcome to move to one,  
22 but the Bronx that I know is open to all. For our  
23 seniors, for our veterans, for the future of the  
24

2 Bronx and our city, I urge you to support the  
3 Bruckner Boulevard rezoning. Thank you very much.

4 CHAIRPERSON RILEY: Thank you.

5 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
6 next panel will be Peter Mousseau (phonetic), Dennis  
7 Navarro, John Olivo, and Carol O'Malley. Peter  
8 Mousseau will be the first speaker.

9 PETER MOUSSEAU: Can you hear me?

10 CHAIRPERSON RILEY: Yes, we can hear you,  
11 Peter.

12 PETER MOUSSEAU: Okay, my name is Peter  
13 Mousseau. I've been living in the Bronx for 65 years,  
14 and I've been living in the Throggs Neck community  
15 for 64. First of all, I was not going to come on  
16 because it seems like anyone who is opposed to this  
17 program has been labeled as a racist and do not want  
18 to live with those of different nationalities. My  
19 grandparents came here from Chile. My grandfather  
20 learned the language, he worked hard, had several  
21 heart attacks working in order for his children to  
22 get ahead in life, and I've worked 14-hour days in  
23 order to get where I am in a home in the Bronx. I  
24 heard one person said if you want to live in the  
25 suburbs, go to the suburbs. This area of the Bronx

2 was a suburb to begin with so we are the suburbs.  
3 Secondly, with the way that it goes, we have had  
4 problems with electricity and other utilities in this  
5 area that have never been updated and have been  
6 neglected by the city. Whenever there is a blackout  
7 or there's a big storm, we're blacked out for two or  
8 three days. Also, we don't want to keep people out.  
9 We want people to have housing, and we are a diverse  
10 community. We want to keep the community the way it  
11 is, which is a suburb and a place that is a pleasure  
12 to live in, a place that people can get better at and  
13 can come in and live and enjoy the best of New York.  
14 Basically, the fact of the matter is that we are not  
15 racist. Two things I'd like to bring up is I don't  
16 like the way that they're only doing 22 homes for  
17 veterans. I disagree with the fact that they put the  
18 veterans home in there, and it has nothing to do  
19 with..

20 SERGEANT-AT-ARMS: Time expired.

21 PETER MOUSSEAU: Veterans.

22 CHAIRPERSON RILEY: Thank you, Peter.

23 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
24 next speaker will be Dennis Navarro.

25 CHAIRPERSON RILEY: Dennis, are you there?

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can we  
3 try then Carol O'Malley or John Olivo?

4 CHAIRPERSON RILEY: Carol or John, if  
5 you're there, please accept the unmute button and you  
6 may begin.

7 JOHN OLIVO: Hi, this is John Olivo. Can  
8 you hear me?

9 CHAIRPERSON RILEY: Yes, we can hear you,  
10 John. You may begin.

11 JOHN OLIVO: I've resided in the Throggs  
12 Neck section of the Bronx for 45 years. I've been the  
13 President of the 400 Block Calhoun Avenue Association  
14 for 20 years. To say we have seen tremendous growth,  
15 the majority of homes have always been two-family  
16 homes. East Tremont and Bruckner Boulevard have  
17 always been one of the busiest intersections in the  
18 Bronx. I would like to remind those concerned today  
19 of two incidents that took place in this area. A few  
20 years ago, a car crashed into the store at the corner  
21 of East Tremont and Bruckner Boulevard and totally  
22 decimated that store so you can imagine a high-rise  
23 with that happening with so much traffic traveling at  
24 great rate of speed on Bruckner Boulevard trying to  
25 catch lights. At this point, I'd like to remind you

2 of another. A few years ago, a friend of our family  
3 lost a boyfriend one block west of Bruckner  
4 Boulevard. He was riding his bike and got hit by a  
5 vehicle on the westerly direction. This received such  
6 a great public outcry that they converted both  
7 sections into one-way lanes so that they bikes can  
8 get through on the other lane. Can you imagine having  
9 a high-rise building there, a block from there, and  
10 people going to work in the morning. Everyone  
11 understands this was done in the name of safety, but  
12 it has brought on such great frustration from every  
13 morning driver on their way to work. Can you imagine  
14 the accidents that will increase? This has been  
15 labeled by the Department of Transportation as one of  
16 the most deadliest intersections in the city.  
17 Finally, I'm sure that the contractors will tell you  
18 that they will install the (INAUDIBLE) infrastructure  
19 structure plumbing system. Unfortunately, that sewer...

20 SERGEANT-AT-ARMS: Time expired.

21 JOHN OLIVO: Antiquated...

22 CHAIRPERSON RILEY: Thank you, John.

23 JOHN OLIVO: This high-rise project sounds  
24 like a beautiful project, but I ask you today to  
25 reconsider based on these and other factual concerns.

2 Thank you for your consideration. My last point is I  
3 spent 37,000 dollars on Hurricane Ida just a few  
4 months ago, and it's tough. Thank you for your time  
5 and thank you for your job and your service. God  
6 bless. Bye-bye.

7 CHAIRPERSON RILEY: Thanks, John.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO: Last  
9 chance for either Dennis Navarro or Carol O'Malley.  
10 If you're on the call, can you unmute?

11 CHAIRPERSON RILEY: Carol, can you hear  
12 us?

13 CAROL O'MALLEY: Yes, I can hear you.

14 CHAIRPERSON RILEY: You may begin.

15 CAROL O'MALLEY: Okay. I'm a resident of  
16 Throggs Neck, and I was born in the Pelham Bay area  
17 and now what is being proposed has already taken  
18 place around Pelham Bay and Buhre Avenue. If you look  
19 around and see the results of that, all you see is  
20 overcrowding and lots of traffic and there seems to  
21 be a lot of disrespect for the area, a lot of garbage  
22 around, things that we've never experienced in our  
23 community. When I think of all the families here in  
24 Throggs Neck, I can understand why we want to keep  
25 our community the way it is because the way we are

1 living brings a lot, I don't want to say I'm against  
2 low-income housing and bringing the veterans and the  
3 seniors, but I'm just worried about the  
4 infrastructure like everyone else and the flooding  
5 and the electrical panels. Everything is overloaded  
6 as it is. Why can't we fix the problems that are here  
7 now rather than start bringing more into our  
8 neighborhood. I'm just voicing my opinion and my  
9 feelings. Thank you for listening.  
10

11 CHAIRPERSON RILEY: Thanks, Carol.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Dennis  
13 Navarro, if you're there can you please unmute?

14 CHAIRPERSON RILEY: Dennis, can you please  
15 our unmute button?

16 COMMITTEE COUNSEL MARTINEZ-RUBIO: Doesn't  
17 sound like he's... We're going to move on, Chair, to  
18 the next panel.

19 The next panel will be Brian Barrett  
20 (phonetic), Charles Palumbo (phonetic), Yvonne  
21 Phillips, and Joseph Baney (phonetic). Brian Barrett,  
22 I understand you're a caller so remember to press  
23 Star 6 to unmute. Brian, are you there?  
24  
25

2 I see Joseph Baney is in the room so  
3 Joseph, can you unmute so we can take your testimony?  
4 Joseph.

5 JOSEPH BANEY: Yes, can you hear me?

6 COMMITTEE COUNSEL MARTINEZ-RUBIO: I can  
7 hear you. We can hear you. Go ahead.

8 JOSEPH BANEY: Hi. How are you? How are  
9 you doing today? Okay. I just want to say a lot of  
10 the residents have settled here, especially in the  
11 last 15 years. They did so because of the zoning  
12 protections we enjoy. Many of us came here from more  
13 dense parts of the Bronx, and the difference in  
14 quality of life is palpable, the difference in  
15 opportunity is palpable. Now, when you take a look at  
16 this, even putting aside the merits and lack thereof  
17 of this particular project, I just want to ask a  
18 question. In 2021, one of the developers behind the  
19 Bruckner up-zoning, he got approval to up-zone 6819  
20 (INAUDIBLE) Boulevard. Now that rezoning was granted  
21 in order that a multi-family mixed-use project would  
22 be constructed just like here (INAUDIBLE) Now that  
23 the rezoning has been granted, it seems he's looking  
24 to flip the now up-zoned but still undeveloped  
25 property for 14,900,000 dollars. Now why is that

1 important? I think it's important because not a  
2 single principal known to be associated with this  
3 project has any track record when it comes to  
4 developments of this size and scope. That was  
5 admitted to by Miss Jaclyn Scarinci, their own  
6 attorney. As recently as May 2022, Peter Bivona, a  
7 purported principal of this project, (INAUDIBLE). The  
8 reason I say purported is Mr. Bivona, Peter here,  
9 represented himself as an owner and control person of  
10 the Foodtown property and business to the press, the  
11 Borough President, and the City Planning Commission,  
12 but he disclaims such ownership at a bankruptcy  
13 court. Peter is in bankruptcy over millions of unpaid  
14 personnel wages. You have to ask yourself, can these  
15 people, even if you support this, do you think they  
16 can actually execute or is this just a speculative  
17 rezoning so they can then flip the property. It seems  
18 that somebody applying for a Mastercard is vetted to  
19 a greater extent than these particular would-be  
20 developers. At least that's how it seems to me.

22 SERGEANT-AT-ARMS: Time has expired.

23 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
24 you, Joseph, for your testimony. We're going to move  
25

2 on to Patrick McManus. I believe you're on the call  
3 right now. Patrick, are you there?

4 SERGEANT-AT-ARMS: Time has begun.

5 PATRICK MCMANUS: Yes, hello. Can you hear  
6 me?

7 COMMITTEE COUNSEL MARTINEZ-RUBIO: We can  
8 hear you.

9 PATRICK MCMANUS: Okay, yes, hi. My name  
10 is Patrick McManus. I'd like to comment a little bit  
11 on the union support here. I am a retiree of 32BJ and  
12 a former district shop steward. I'd like to address  
13 these unions that are coming out and supporting this  
14 project. I'd like to remind them that once the Bivona  
15 family purchased the A&P and converted it, they  
16 immediately removed the store from the union, and now  
17 the unions are out here supporting this. Earlier, the  
18 meeting seemed to turn into a promotion for good-  
19 paying union jobs. Okay, between the Bivona family  
20 and also the Marciano family, another developer on  
21 this project, they have two operating businesses  
22 within New York City that they refuse to unionize. If  
23 they want to promote good-paying union jobs, I ask  
24 why are they not unionizing the businesses that they  
25 already own in New York City while seeking the

2 support of these unions? (INAUDIBLE) I submitted to  
3 the Borough President on another subject a study done  
4 by the Municipal Arts Society of New York City that  
5 closely examined the up-zoning of Long Island City  
6 and Downtown Brooklyn and two decades after the  
7 projects were completed, the census showed that they  
8 resulted in whiter, more expensive neighborhoods with  
9 the affordable housing stock in those areas declined  
10 by as much as 40 percent so this project is not about  
11 affordable housing. It is about the personal greed of  
12 the developers, and I implore the City Council to  
13 look into the study. I tried to upload it to you  
14 guys, but the file was too big. It's done by the...

15 SERGEANT-AT-ARMS: Time has expired.

16 PATRICK MCMANUS: It was done in 2018 by  
17 the Municipal Arts Society, and it's an in-depth  
18 examination of up-zoning projects around New York  
19 City. Thank you for your time.

20 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
21 you, Patrick. I'm going to call on, next I believe we  
22 have Brian Barrett on the line. Brian, can you accept  
23 the unmute request? I know you're calling from your  
24 phone so if you do a Start 6 that should unmute you.  
25 It looks like Brian is having technical issues so

2 this is a good time to remind those of you who are  
3 awaiting to testify, two things, if you want to  
4 submit your testimony in writing to us you can do so  
5 by emailing us at [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov) or  
6 we always do a last call for those of you who may  
7 have lost your place in line so you can raise your  
8 hand and we can identify you and we can bring you in  
9 to testify. From now on, I'm going to keep calling on  
10 the names so the next speakers I'm going to call on  
11 are Kathleen Gallagher, Eddie Santiago, and Robert  
12 Walpole. Can we do Kathleen Gallagher first?

13 Kathleen, are you there? Can we try Rosalie Oddo?

14 CHAIRPERSON RILEY: Rosalie, are you  
15 there? We can see you, Rosalie. We just can't here  
16 you.

17 COMMITTEE COUNSEL MARTINEZ-RUBIO:

18 Rosalie, we can see you. Can you hear us?

19 ROSALIE ODDO: Can you hear me now?

20 CHAIRPERSON RILEY: Yes, we can hear you  
21 now.

22 ROSALIE ODDO: Okay. Hi, my name is  
23 Rosalie Oddo (INAUDIBLE). I just wanted to state that  
24 I've been in the neighborhood (INAUDIBLE) born and  
25 raised in East Harlem and my paternal uncle moved

1 into the neighborhood in 1958 so I was born at the  
2 end of 1958 so from 1958 to present we've been in the  
3 neighborhood. In 1977, my parents moved out of Harlem  
4 and bought a home on Crosby Avenue. I'm first-  
5 generation Italian American. My parents emigrated  
6 from Italy in 1954 with two brothers, and I'm the  
7 youngest of five. I'm in favor of the vets, three of  
8 my brothers are Army vets and the housing for the  
9 elderly, but I'm not in favor of the volume that they  
10 want to put there and I think it would be a wise  
11 decision if everyone would go to the area while  
12 school's in session and just witness the volume of  
13 traffic and as a parent, my oldest child is 42 years  
14 old, I have witnessed the change like the  
15 overcrowding in the schools where the school  
16 playgrounds have been downsized because of the  
17 increase of student enrollment, and I also witnessed  
18 the flooding that we've had with all the recent  
19 storms. I think we should really work on what's there  
20 now, fix it before we move on to other things. As far  
21 as affordable housing and all that, my parents  
22 struggled. They came, worked hard, they started with  
23 two children, my two brothers were immigrants, and  
24 then the family grew to five, I mean seven...

2 SERGEANT-AT-ARMS: Time has expired.

3 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
4 you, Rosalie. Can we call on Eddie Santiago next?

5 EDDIE SANTIAGO: Hello. Can you hear me?

6 CHAIRPERSON RILEY: Yeah, we can hear you,  
7 Eddie. You may begin.

8 EDDIE SANTIAGO: I didn't even know I was  
9 going to be part of this, but I just wanted to tell  
10 something real quick. I'm a veteran of the Marine  
11 Corps. I've been here in Throggs Neck for about seven  
12 years, and I'm strongly opposed to this up-zoning. I  
13 feel it will affect everybody, our kids, everybody in  
14 the neighborhood, if you already see what's happening  
15 in the neighborhood where a lot of people renting the  
16 houses out to people who don't care about the  
17 neighborhood. You work hard all your life and, as a  
18 veteran, the VA gives us a lot of benefits that we  
19 can use in purchasing properties and using VA home  
20 loans and using actual (INAUDIBLE) they give you in  
21 order to work, find a decent home, and actually try  
22 to be a homeowner, but I just feel putting those  
23 houses in our area is going to affect the community a  
24 lot and I just don't think it's fair for somebody  
25 who's worked hard all their life and their parents to

2 work to pass it down to the kids and other kids you  
3 see in these schools getting affected. We're  
4 overcrowding. There's hardly any parking. There used  
5 to be parking easy, like people sometimes they leave  
6 their cars (INAUDIBLE) because there's no street  
7 cleaning rules and it's not fair to the homeowners  
8 and the veterans and the senior citizens who are  
9 already here. We already have a couple of senior  
10 citizen and rehab places in the area, of which I  
11 think do the community well, and I just think this  
12 will affect our neighborhood negatively. It's one of  
13 the last good areas. When you think of the Bronx,  
14 everybody sees the Bronx, oh my god, the Bronx, and  
15 this is one of the last good areas. I just think we  
16 could do it in another place. Leave our community  
17 alone and just let us try to build on what we have  
18 with the floods and we had to come out of pocket,  
19 contacting our insurances and stuff. As a veteran,  
20 I've come from a military family. I just think we  
21 could find other ways to help the community, just not  
22 in our area. That's it.

23 CHAIRPERSON RILEY: Thank you, Eddie.

24 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
25 I'm trying to check with our intake team who our next

2 speaker should be. Hold on. Robert Walpole, if you're  
3 in the Zoom and you're available to speak, can you  
4 accept the unmute request? Robert, are you there?

5 CHAIRPERSON RILEY: Robert, if you can  
6 hear us, please accept the unmute button and you may  
7 begin.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO: We can  
9 move on to our next panel. Deborah Taska (phonetic),  
10 Denise Szekely, I'm sorry if I'm mispronouncing your  
11 name, and Frankie Ortiz. Deborah Taska will be our  
12 first speaker.

13 CHAIRPERSON RILEY: Deborah, can you  
14 please accept the unmute button and you may begin?  
15 Deborah, are you there?

16 DEBORAH TASKA: They signed me up?

17 CHAIRPERSON RILEY: Yes, they signed you  
18 up, Deborah. Are you there?

19 DEBORAH TASKA: Hi. Can you hear me?

20 CHAIRPERSON RILEY: Yes, we can hear you.

21 DEBORAH TASKA: Oh my goodness. I don't  
22 know who signed me up, but I'm a Throggs Neck  
23 resident. I'm here 58 years. Beautiful place to live.  
24 It's got its issues right now. We have a lot of  
25 congestion, and we have some problems that we need to

2 address ourselves so before we make any more changes

3 to our neighborhood, I think we need to fix what's

4 going on right now. Our schools are congested. My

5 grandkids couldn't even go to the schools in their

6 area because it was a lottery. They had like an all-

7 zone school when they weren't even allowed to go to

8 the schools near their neighborhood. Now, I don't

9 know, with PS14 being across the street from

10 Foodtown, I know the traffic, everything that was

11 going on back then, it's only going to get worse. I

12 know with Hurricane Ida, that was a big problem with

13 the sewer system. I had a lot of family members,

14 friends, they had to pay thousands of dollars out of

15 pocket, no help from the city, so I don't understand

16 how we have to bring more stuff in with developers

17 trying to just congest what we have here now and

18 making it worse. We need to fix our problems here.

19 It's a beautiful place to live, and we welcome

20 everybody, but, please, let's take into consideration

21 the problems that we have going on now. Nobody wants

22 to hear it, but they just want to build. As for

23 Foodtown, the owner, he just want to flip and leave.

24 He doesn't care about. He never cared about the

25 workers in his store. He went non-union. He got rid

2 of the butchers' union. He got rid of the deli union.  
3 He hired all low laborers. I know people that worked  
4 there. My nephew worked there. He cheated him out of  
5 his pay. These are people that want to come in and  
6 want to try to develop and figure out...

7 SERGEANT-AT-ARMS: Time expired.

8 CHAIRPERSON RILEY: Thank you, Deborah.

9 DEBORAH TASKA: My time is out?

10 CHAIRPERSON RILEY: Yes, your time is up.  
11 Thank you, Deborah. You can submit the rest of your  
12 testimony online. Thank you.

13 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
14 next speaker is Denise Szekely.

15 DENISE SZEKELY: Hi. My name is Denise  
16 Szekely. I do not believe that neighborhood  
17 infrastructure can support this project for many of  
18 the reasons that others have stated. While the  
19 proposed development consists of only four buildings,  
20 the proposed area encompasses additional lots that  
21 will be subject to change in zoning if it passes.  
22 This will set a precedent for future real estate  
23 investors to buy up land in adjacent areas and apply  
24 for similar zoning changes. Doing so would open the  
25 floodgates to more new construction of large

1 developments that will strip the area of its current  
2 character and quasi-suburban feel that has drawn many  
3 New Yorkers to move here from more dense areas. I was  
4 born and raised in this neighborhood. I went to PS71,  
5 IS192, and Lehman High School. After living in other  
6 parts of this city in Brooklyn and Queens for 11  
7 years after college, I moved back here to raise my  
8 family. We are a diverse, well-integrated community  
9 of hard-working people who support growth within the  
10 current zoning because its low density allows  
11 residents to have homes in an area where we can walk  
12 to stores and parks but also have space of our own  
13 that the infrastructure can support. I would urge the  
14 City Council to insist that we address the existing  
15 infrastructure issues before approving zoning changes  
16 that would add further strain to our community. I  
17 don't need to remind anybody here what happened last  
18 year during Hurricane Ida or this July when we had  
19 two rainstorms within the same week that flooded  
20 basements and cars. As to affordable housing, this  
21 project is a way for the Bivonas to expand their  
22 profits, and they're including Mandatory Inclusionary  
23 Housing because it is mandatory. They are required to  
24 include a percentage of units below market value.  
25

2 They added senior and veteran housing to this  
3 proposal to make it more palatable to the housing  
4 activists. This isn't a bad requirement, but no one  
5 should be fooled into thinking that the developers  
6 have put forth this proposal because of their  
7 philanthropic in affordable housing. If they truly  
8 want to provide the much-needed affordable housing  
9 for our community, let them do so within the current  
10 zoning. Thank you.

11 CHAIRPERSON RILEY: Thank you for  
12 testifying, Denise, under extreme circumstances. I  
13 know how you feel. Thank you so much. We appreciate  
14 it.

15 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
16 next speaker will be Frankie Ortiz.

17 FRANKIE ORTIZ: Hello.

18 CHAIRPERSON RILEY: Yes, we can hear you,  
19 Mr. Ortiz.

20 FRANKIE ORTIZ: One second. Can you still  
21 hear me?

22 CHAIRPERSON RILEY: Yes, we can hear you.  
23 You may begin.

24 FRANKIE ORTIZ: Okay. I didn't plan on  
25 speaking today, but, while I'm here, I'm going to

2 share my experience. I grew up in the projects in  
3 what's called Spanish Harlem now, and I moved over  
4 here to my current house 23 years ago and I thank God  
5 I'm living the American dream. This neighborhood has  
6 not changed much since I initially moved here, and  
7 there are so many wonderful things about this  
8 neighborhood. I am not against affordable housing as  
9 you can tell. I grew up in what you would term  
10 affordable housing. What we're against is changing  
11 the dynamics here. You guys can still build some  
12 housing, affordable housing, at the current  
13 structure, one- to two-story housing. We don't need  
14 five- to eight-story buildings around here in my  
15 opinion. It would take away from the charm of this  
16 neighborhood. We have many issues here. We have  
17 flooding. I, also, got water in my basement last  
18 year, had to go out of pocket as many of my neighbors  
19 have, and this would just exacerbate the traffic and  
20 the parking conditions around here so I hope you guys  
21 really hear what we're trying to say and keep this  
22 neighborhood the way it is.

23 SERGEANT-AT-ARMS: Time expired.

24 FRANKIE ORTIZ: Okay. Thank you for  
25 listening and have a good day.

2 CHAIRPERSON RILEY: Thank you, Frankie.

3 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
4 next speaker on this panel is Kevin Deloya  
5 (phonetic).

6 CHAIRPERSON RILEY: Kevin, if you can hear  
7 us, please accept the unmute button and you may  
8 begin.

9 KEVIN DELOYA: Hi, this is Kevin Deloya.  
10 Just making sure you can hear me.

11 CHAIRPERSON RILEY: Yes, we can hear you.

12 FRANKIE ORTIZ: Just short and sweet, I  
13 feel New York City needs more housing. I feel that  
14 this side of the Bronx has not done its part, and I'm  
15 very local to the location and I'm okay with this. I  
16 say that this is a positive move by the city, even  
17 though there's some negative things about the  
18 construction and maybe the owners of it, but I think  
19 that building more housing of any kind in our area is  
20 needed and we're behind the eight ball. Thank you  
21 very much.

22 CHAIRPERSON RILEY: Thanks, Kevin.

23 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
24 we're going to move on to the next panel. We're going  
25 to try Kathleen Gallagher again, Josh Goodman, John

2 Dope (phonetic), and Laurie Rinaldi. Kathleen  
3 Gallagher. Hold on, Chair, it looks like I'm getting  
4 a message that Kathleen dropped off so we'll try Josh  
5 Goodman.

6 CHAIRPERSON RILEY: Mr. Goodman, if you  
7 can hear us, please accept the unmute and you may  
8 begin.

9 JOSH GOODMAN: Hi, can you hear me?

10 CHAIRPERSON RILEY: Yes, we can hear you.

11 JOSH GOODMAN: Excellent. Good afternoon.

12 My name is Josh Goodman, and I am testifying today in  
13 support of the Bruckner Boulevard rezoning proposal.  
14 This project would add sorely needed housing in CB10  
15 which in the past decade has lost 400 housing units  
16 on net while the population increased by 1,400  
17 people. At the same time, the proportion of  
18 households in CB10 that are rent-burdened has climbed  
19 from 40 percent to 57 percent. The answer to this  
20 problem is clear. We need to build more housing of  
21 all sorts. The alternative to this project is  
22 inaction, zero income-restricted units, zero ADA  
23 accessible apartments for seniors, and zero housing  
24 for veterans, and we all know the (INAUDIBLE) when it  
25 comes to the housing. We're living it right now.

1 Secondly, while I certainly hope that Councilwoman  
2 Velázquez ultimately supports this project, I think  
3 that this proposal should pass irrespective of  
4 whether she does or not. For too long, we've given  
5 effective veto power to small groups of highly  
6 motivated opponents of development, and, as a result,  
7 we've repeatedly found ourselves unable to accomplish  
8 things that unquestionably good for the city.

9 Everyone agrees there should be more housing  
10 somewhere, but if every community has even a handful  
11 of (INAUDIBLE) opponents to every project nothing  
12 gets built anywhere. That's how we've ended up where  
13 we are right now. Opponents to this project invoke  
14 hazy terms like neighborhood character that,  
15 depending on when you're speaking, might mean that  
16 there are either too few or too many affordable units  
17 being proposed but somehow never quite the right  
18 number. Some people say that renters would not fit in  
19 in an area with many homeowners while others say that  
20 their property values would be hurt as if that is the  
21 interest that the city should prioritize over all  
22 others, including the ability of struggling New  
23 Yorkers to be able to afford a home. If somebody is  
24 uncomfortable with an eight-story building going in a  
25

2 vacant lot next to a highway, I think that might just  
3 be the price we need to pay in order to make our city  
4 (INAUDIBLE) affordable for everyone. Please don't let  
5 perfect be the enemy of good. Regardless of  
6 Councilwoman Velázquez's recommendation, I  
7 respectfully urge you to vote in favor of this  
8 project. Thank you for your time in this marathon  
9 hearing.

10 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
11 you. The next speaker will be John Dope. Sorry if I  
12 mispronounce your last name.

13 CHAIRPERSON RILEY: John, if you can hear  
14 us, please accept the unmute button and you may  
15 begin.

16 JOHN DOPE: Hello. This is John. Can you  
17 hear me?

18 CHAIRPERSON RILEY: Yes, we can hear you,  
19 John.

20 JOSH GOODMAN: Thank you very much. My  
21 name is John, and I am speaking against the Bruckner  
22 Boulevard up-zoning, not because I' against new  
23 construction but I think any new construction should  
24 adhere to the low-density zoning that exists. I've  
25 lived in this community for over 30 years, and it has

1 changed both in its nature of retail and the people  
2 who live here. Our community though has become more  
3 diverse than ever, which I feel is our strength. My  
4 feeling is that people come to this community for the  
5 same thing, a neighborhood feel, not a big city feel  
6 of high-rise buildings. The fear is that this  
7 proposal, if approved, it will open the door for any  
8 (INAUDIBLE) construction in our community. As far as  
9 residential development, as a senior and a veteran, I  
10 understand the need for affordable housing, but any  
11 proposals should be done with the appropriate care  
12 given to the existing community, not through up-  
13 zoning. Again, there are also many infrastructure  
14 problems considered, schools overcrowding, police and  
15 fire department coverage, and things of that nature.  
16 I feel that if this is accepted the way it is, we  
17 will have many more issues (INAUDIBLE) I thank you  
18 for giving me the time to speak with you and have a  
19 good day.

21 CHAIRPERSON RILEY: Thank you, John.

22 COMMITTEE COUNSEL MARTINEZ-RUBIO: Do we  
23 have Laurie Rinaldi.

24

25

2 CHAIRPERSON RILEY: Laurie, if you can  
3 hear me, please accept the unmute button and you may  
4 begin. Laurie, are you there?

5 LAURIE RINALDI: Hello. Good afternoon.

6 CHAIRPERSON RILEY: Good afternoon. We can  
7 hear you. You may begin.

8 LAURIE RINALDI: Good afternoon, Board. I  
9 wasn't expecting this. I'm here at work with one of  
10 my colleagues. We work and live not far from Throggs  
11 Neck. I've lived in Throggs Neck my whole life. One  
12 of my neighbors, I was very proud of him, got on the  
13 Zoom meeting and said something I found very  
14 interesting about equity. I am opposed to the up-  
15 zoning. I'm going to be real honest to the panelists  
16 and the group here. I don't know a lot about what's  
17 going to happen to Throggs Neck. I'm not thrilled  
18 that there's going to be so many apartments and so  
19 much more congestion. I do also commute to work in  
20 the Castle Hill Avenue section of the Bronx from my  
21 Throggs Neck home, and a drive that normally in the  
22 past would've taken 10 or 15 minutes currently, now  
23 that COVID is hopefully over with, it now takes about  
24 20, 25 minutes, and I'm being quite honest. I see  
25 things happening where children cross the street over

2 there at PS14 that are endangering now, and my  
3 children are grown. I had one child that went to  
4 Saint Benedict's and one that went to a public school  
5 in the area. I was fortunate. My children never  
6 experienced the congestion of what's going on right  
7 now. I am opposed to it. I think people that are  
8 going to rent, I'm going to say something one of my  
9 friends and colleagues at work don't think is the  
10 politically correct thing to say, but people that  
11 don't own, I don't think they're going to show the  
12 respect and value of their places. I'm just being  
13 honest, and I hope it doesn't get me in trouble. I  
14 appreciate you letting me speak. I do hope that, my  
15 dad is a veteran of the Vietnam War..

16 SERGEANT-AT-ARMS: Time expired.

17 LAURIE RINALDI: And I think veterans need  
18 a shot. Pardon me?

19 SERGEANT-AT-ARMS: Time has expired.

20 LAURIE RINALDI: I thank you for giving me  
21 time and good luck to the people that do need low-  
22 income housing and the veterans and the seniors and  
23 the children of Kips Bay, very good organization..

24 CHAIRPERSON RILEY: Thank you, Laurie.

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
3 next set of speakers will be Alex Bee (phonetic),  
4 Vincent Mundial (phonetic), and Sameera Balanka. Alex  
5 Bee.

6 CHAIRPERSON RILEY: Alex, if you can hear  
7 us, please unmute and you may begin.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can we  
9 try Vincent Mundial? I see you're a caller so you  
10 just need to press Star 6 on your phone to unmute.

11 CHAIRPERSON RILEY: Vincent, if you can  
12 hear us, please press Star 6 on your phone to unmute  
13 and you may begin. Good afternoon, Vincent, are you  
14 there? Vincent, if you're there, please press Star 6  
15 to unmute.

16 COMMITTEE COUNSEL MARTINEZ-RUBIO: Looks  
17 like Vincent is having technical issues. How about  
18 Sameera Balanka? Are you on the call?

19 CHAIRPERSON RILEY: Sameera Balanka, if  
20 you can hear me, please press Star 6 and you may  
21 begin.

22 SAMEERA BALANKA: Hello.

23 CHAIRPERSON RILEY: Hey, Sameera, we hear  
24 you.

2 SAMEERA BALANKA: Hi. Thank you for taking  
3 my call. First, I would like to indicate that I am  
4 not a union representative, I am not Open New York  
5 for all, I'm not a developer, I'm not a YIMBY and I'm  
6 not a NIMBY. I am a true longstanding resident of  
7 Throggs Neck. These past several years, there has  
8 been a significant increase in population,  
9 overcrowded school, traffic, public transportation,  
10 and long hospital waits. Hurricane Sandy as many  
11 others have mentioned and Ida have destroyed many of  
12 our community members. Many of the neighbors'  
13 basements reached five feet of water from sewage  
14 backup. It is no surprise that this community's  
15 infrastructure needs to be updated and nothing has  
16 been done but you want add additional development  
17 that will exacerbate the already neglected sewer  
18 system. This makes no sense. Have you done a valid  
19 land assessment? The traffic buildup, especially at  
20 the proposed location, is at a standstill during  
21 school release, pickup, and from crossing highways  
22 avoiding traffic by entering the local streets  
23 causing the backup on 95 and other surrounding  
24 highways. Don't forget that we have a 840,000 square  
25 foot warehouse blocks from this location that has

1 just completed, and it will add hundreds of truck  
2 traffic that no one has mentioned. This warehouse is  
3 also bringing in thousands of permanent jobs in this  
4 community. Let's not forget about the permanent jobs  
5 that this development is bringing, the warehouse. I  
6 don't understand why the city needs to build up and  
7 is so focused on overcrowding communities that the  
8 schools, hospitals, police, and fire department  
9 cannot manage. Are you building another hospital or  
10 school, to add more MTA buses to this community? We  
11 are an inclusive community. We have NYCHA, Senior,  
12 (INAUDIBLE) three shelters. Myself and my community  
13 are all for affordable. I, myself, lived in NYCHA. My  
14 mother lived in a senior building right on Randall  
15 Avenue, but we advocate for low-density zone and work  
16 on the infrastructure. Even the recommendation that  
17 was made by our one-time...

18  
19 SERGEANT-AT-ARMS: Time expired.

20 SAMEERA BALANKA: Borough President Miss  
21 Gibson indicated to lower the floors from eight to  
22 five but that wasn't followed through. I truly hope  
23 that you have our back (INAUDIBLE) and don't allow  
24 developers to smash through a longstanding community  
25

2 zone, not every size fits all. Thank you for  
3 listening.

4 CHAIRPERSON RILEY: Thank you.

5 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can we  
6 try Vincent Mundial one last time? Vincent, can you  
7 unmute? Now, we're going to move because it looks  
8 like Vincent is still having trouble to a caller that  
9 is identified in the Zoom as Michael. Michael, if  
10 you're there, can you unmute?

11 CHAIRPERSON RILEY: Michael, if you can  
12 hear us, please accept the unmute request and you may  
13 begin. Michael, if you can hear us, please accept the  
14 unmute request and you may begin. Okay.

15 COMMITTEE COUNSEL MARTINEZ-RUBIO: It  
16 looks like Michael is not unmuting so I think we're  
17 going to move on to the portion of the hearing where  
18 we're going to do a last call so that those of you  
19 who are still in the Zoom and have not yet testified  
20 will have the opportunity to raise your hands so  
21 staff can identify you. Some of you are identified in  
22 the Zoom as unknown caller, so if that's the case  
23 please make sure when you're unmuted that you can  
24 tell us who you are, your name and last name would be

2 appreciated, before your testimony. Chair, if we can  
3 do a last call now?

4 CHAIRPERSON RILEY: We will do a last  
5 call. We are going to proceed in the next 30 seconds.  
6 If you are here in the Chambers or on the Zoom link  
7 and you want to testify regarding the Bruckner  
8 rezoning application, please notify us as soon as  
9 possible. We will stand at ease for 30 seconds.

10 COMMITTEE COUNSEL MARTINEZ-RUBIO: It  
11 looks like Joseph Baney and Marianne Hughes are on  
12 with their hands raised so if Joseph or Marianne are  
13 here, please accept the unmute request.

14 Sorry, Chair. It looks like Joseph  
15 already testified. We're going to move on to Marianne  
16 Hughes.

17 CHAIRPERSON RILEY: Marianne, if you can  
18 hear us, please accept the unmute button and you may  
19 begin.

20 MARIANNE HUGHES: Hi. Can you hear me?

21 CHAIRPERSON RILEY: Yes, we can hear you.

22 LAURIE RINALDI: Okay. Thank you for  
23 accepting my call. I missed it before. My name is  
24 Marianne Hughes and I'm a lifelong member of the  
25 community here at Throggs Neck. I'm not going to

1 reiterate what everybody else has said already, but  
2 in 2004 the area was voted as a low-density area and  
3 New York City determined the area to have reached its  
4 peak development. I'm not really sure why all of a  
5 sudden we have to discuss this again. The area hasn't  
6 changed. The infrastructure hasn't changed. The  
7 issues have increased, but nothing has changed in the  
8 area. The other thing I just wanted to mention that  
9 in front of the Bronx County, the Bivonas stated that  
10 they wanted to leave a legacy to their children. I  
11 don't believe that that is a reason to up-zone the  
12 area. We all want to leave a legacy to our children.  
13 That, to me, just means greed. Also, I just wanted to  
14 bring up that there's an area along Gun Hill Road  
15 that used to be a golf place and across the street  
16 from that is also an abandoned diner. Those two areas  
17 would be wonderful for development for low-income  
18 housing. Just one last thing, everybody keeps saying  
19 affordable housing. I don't believe that 1,600+ for  
20 one-bedroom is affordable, and I also when is  
21 affordable going to become unaffordable after that.  
22 Thank you for listening to me. I know you had a long  
23 day. Have a great evening.

2 CHAIRPERSON RILEY: Thank you, Marianna.

3 Do we have anybody in the Chambers or online who wish  
4 to testify who didn't testify already. Please use the  
5 raise hand function if you're online, and, if you're  
6 in the Chambers, please find a Sergeant-at-Arms.

7 Thank you.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO: We're  
9 taking testimony from those of you have not testified  
10 already so if you have testified and you are raising  
11 your hand, we only take testimony once per caller so  
12 other than those who have testified, are there any  
13 others have not yet testified that wish to testify,  
14 please raise your hand now.

15 CHAIRPERSON RILEY: There being no other  
16 members of the public who wish to testify on  
17 Preconsidered LUs relating to ULURP numbers C 220007  
18 ZMX and N 220008 ZRX relating to the Bruckner sites  
19 rezoning proposal, the public hearing is now closed  
20 and the items are laid over.

21 That concludes today's business. I would  
22 like to humbly thank everyone who participated in  
23 this hearing today. I believe that everyone stated  
24 how they feel regarding many of these projects and we  
25 all showed respect to each other which was very, very

1 important. I would like to thank Council Member  
2 Velázquez who is still here, listened to every  
3 testimony regarding this project and has been a real  
4 pioneer for her community with trying to get the best  
5 negotiation and the best solution regarding this  
6 project so thank you, Council Member Velázquez.

8 I would like to thank the members of the  
9 public, my Colleagues, Subcommittee Counsel, Land Use  
10 and other Council staff, and the Sergeant-at-Arms for  
11 participating in today's meeting.

12 This meeting is hereby adjourned. Thank  
13 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 September 20, 2022