

SUBCOMMITTEE ON ZONING AND FRANCHISES

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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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Wednesday, January 29, 2025  
Start: 11:37 P.M.  
Recess: 12:30 P.M.

HELD AT: 250 Broadway - Committee Room,  
16th Floor

B E F O R E: Hon. Kevin C. Riley, Chair

COUNCIL MEMBERS:

Shaun Abreu  
David M. Carr  
Kamillah Hanks  
Francisco P. Moya  
Yusef Salaam  
Lynn C. Schulman

SUBCOMMITTEE ON ZONING AND FRANCHISES  
A P P E A R A N C E S

Raymond Levin,  
Herrick Feinstein LLP, Counsel to Applicant

Steven Bari,  
JPB Realty

Anatole Ashraf  
Chairperson of New York City Queens  
Community Board 2

Eric Narburgh,  
Vice Chair Woodside - Arts & Cultural Affairs

Dr. Rosamond Gianutsos,  
First Vice Chair of New York City Queens  
Community Board 2

Frank St. Jacques,  
Associate with Akerman LLP, Representing Rezoning  
Applicant

Andrew Esposito,  
Apex Development

2 SERGEANT LOUIS: Mic check, mic check, this is the  
3 mic check on the Subcommittee on Zoning and  
4 Franchises, today's date is January 29, 2025, the  
5 16th Floor Committee Room, recorded by Walter Louis.

6 SERGEANT AT ARMS: Good morning, good morning,  
7 welcome to the New York City Council Hearing on the  
8 Subcommittee on Zoning and Franchises. At this time,  
9 please silence all electronics and do not approach  
10 the dais, I repeat, please do not approach the dais.

11 If you have not signed up to speak yet and are  
12 testifying, you may fill out a witness slip at the  
13 back of the room with the Sergeant at Arms.

14 Chair, you may begin.

15 CHAIRPERSON RILEY: (GAVEL SOUND) (GAVELING IN)

16 Good morning, everyone, and welcome to the  
17 meeting of the Subcommittee on Zoning and Franchises.

18 I am Council Member Kevin Riley, chair of this  
19 subcommittee. I am joined remotely by Council Member  
20 Moya and in person by Council Member Schulman,  
21 Council Member Salaam, Council Member Carr, Council  
22 Member Abreu, Council Member Won, and Council Member  
23 Narcisse.

24 Today, we are scheduled to hold two votes and two  
25 public hearings. Starting with the votes, the first

2   one concerns a mixed-use residential development  
3   known as 2185 Cole (sic) (**\*Transcription Note: Coyle**)  
4   Street in Sheepshead Bay, Brooklyn.

5           The second vote concerns an application for  
6   another mixed-use residential development known as  
7   438 Concord Avenue in the South Bronx.

8           Today's hearing concerns one application to  
9   develop a mixed-use residential building in  
10   Whitestone, Queens. The other hearing concerns the  
11   demapping and conveyance of an area adjacent to a  
12   highway entrance in Long Island City.

13           I will now go over the hearing procedures.

14           This meeting is being held in hybrid format.  
15   Members of the public who wish to testify may testify  
16   in person or through Zoom.

17           Members of the public wishing to testify remotely  
18   may register by visiting the New York City Council's  
19   website at [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse) to sign up.

20           And for those of you here in person, please see  
21   one of the Sergeant at Arms to prepare and submit a  
22   speaker's card.

23           Members of the public may also view a livestream  
24   broadcast of this meeting at the Council's website.

2 When you are called to testify before the  
3 subcommittee, if you are joining us remotely, you  
4 will remain muted until recognized by myself to  
5 speak. When you are recognized, your microphone will  
6 be unmuted.

7 We will limit public testimony to two minutes per  
8 witness. If you have additional testimony that you  
9 would like the subcommittee to consider, or if you  
10 have written testimony you wish to submit to the  
11 subcommittee instead of appearing in person, please  
12 email it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

13 Written testimony may be submitted up to three  
14 days after the hearing is closed. Please indicate the  
15 LU number and/or the project name in the subject line  
16 of your email.

17 We request that the witnesses joining us remotely  
18 remain in the meeting until excused by myself as  
19 Council Members may have questions.

20 Lastly, for everyone attending today's meeting, I  
21 remind members of the public that this is a formal  
22 government proceeding and that decorum must be  
23 observed at all times. As such, members of the public  
24 are asked not to speak during the hearing unless you  
25 are testifying. The witness table is reserved for

2 people who are called to testify. No video recording  
3 or photography is allowed from the witness table.

4           Further, members of the public may not present  
5 audio or video recordings as testimony, but may  
6 submit transcripts of such recordings to the Sergeant  
7 at Arms for inclusion in the hearing record.

8           I just want to state for the record that we have  
9 been joined by Council Member Hanks.

10           The first proposal we are voting on today is to  
11 approve with modifications LUs 208 and 209 relating  
12 to the 2185 Coyle Street Rezoning proposal in Council  
13 Member Narcisse's district.

14           The proposal seeks to develop a mixed-use  
15 residential building with a supermarket in Sheepshead  
16 Bay.

17           The proposed development will have over 400  
18 apartments, and between 20 to 25% will be permanently  
19 affordable.

20           The proposal consists of two actions:

21           The first is a Zoning Map amendment to change an  
22 existing R4 residential District to a set of a higher  
23 density contextual residential District, R6A, R7A,  
24 and R7X with a C2-4 commercial overlay.

1           The second action is a Zoning Text Amendment to  
2 map a mandatory inclusionary housing area over the  
3 rezone area. We are recommending modifications to  
4 reflect the actual height of the proposed building  
5 and to ensure the bulk... the project matches receipt  
6 excuse me... The bulk to project matches recent  
7 Rezoning along Coyle Street and Avenue V.

8           The modification will replace the requested R7A  
9 District with an R6A District along Coyle Street and  
10 the requested R7X District with an R7D District along  
11 Avenue V.

12           Under these revised districts, the proposal would  
13 still generate over 400 apartments and be able to  
14 contain a supermarket.

15           The other modifications we are recommending is to  
16 remove Option 2 and add the deep affordability  
17 option. This will make 20 to 25% of the proposed  
18 apartments permanently affordable. The deep  
19 affordability option will restrict the affordable  
20 apartments to families making up to 40% of the area  
21 medium income, which is approximately \$62,000 for a  
22 family of four.

23           I'm going to now give the floor to Council Member  
24 Narcisse to give some remarks on this project.  
25

1  
2 COUNCIL MEMBER NARCISSE: Good morning. I want to  
3 start by saying thank you, uhm, Brian and the team,  
4 Paris, for helping me out through this process.

5 When I came to, uhm, as a council member, I know  
6 sometimes you have to make tough and difficult  
7 decision. Good morning, y'all. Good morning. Thank  
8 you.

9 I have carefully considered this proposal in  
10 consultation with our local stakeholders, which is,  
11 uhm, most of the folks around community 15... We  
12 strongly... Community Board 15. We strongly believe  
13 that modifying the zoning, uhm, the zoning district  
14 is necessary to ensure that the height permitted by  
15 zoning more closely aligns with the proposed  
16 development.

17 While this modification results in a kind of  
18 split very slight reduction in the overall square  
19 footage of the project, it still allows a 9-story  
20 development future, a supermarket, and over 400 much  
21 needed housing units in our community.

22 We know we're in our housing crisis, and I have  
23 to say thank you for you, Richard. You've been a  
24 gentleman, and thank you for going through the  
25 process. I know we've come to a difficult time right



1 now. There is a problem that we need to address  
2 because we want to make sure like last hearing, I  
3 said, I trust you, but then again, when the community  
4 that elects me to represent them talks, I have to  
5 listen. So I just want to say thank you for even  
6 bringing the project to our district.  
7

8 This adjustment strikes a balance between  
9 responsibility... responsible developers and  
10 maintaining the character of our community. With this  
11 appropriate modification, my community, and the  
12 support.... I support I mean, I support the proposal.

13 Let me let me be clear. I support it with the  
14 modification just because I want to strike that  
15 balance where they build trust between community and  
16 government.

17 So I want to say thank you again for doing this  
18 project. We are in a housing crisis, and we need  
19 that more than ever. So thank you again. Thank you,  
20 Chair.

21 CHAIRPERSON RILEY: Thank you, Council Member  
22 Narcisse.

23 The second vote is to approve of modifications  
24 LUs 210 and 211 relating to the 438 Concord Avenue  
25 proposal in Deputy Speaker Ayala's district.

1           The proposal seeks to develop a mixed-use  
2 residential building in the South Bronx. The proposed  
3 development will have approximately 87 apartments, of  
4 which 24 will be permanently affordable.

5           The proposal consists of two actions:

6           The first is a Zoning Map Amendment to change an  
7 existing manufacturing M1-2 District to a mixed-use  
8 M1-4/R7D District.

9           The second action is a Zoning Text Amendment to  
10 map a mandatory inclusionary housing area. We are  
11 recommended to remove Option 2 and add the deep  
12 affordability option. This will make 20 to 25% of the  
13 proposed apartments permanently affordable, similarly  
14 to the Coyle Street project.

15           Deputy Speaker Ayala supports this proposal based  
16 on the recommended modifications.

17           I will now hand it over to counsel... Do we have  
18 any council members with any questions?

19           I now call for a vote to approve with  
20 modifications, LUs 208 and 209, relating to 2185  
21 Coyle Street Rezoning Proposal. And to approve of  
22 modifications LUs 210 and 211 relating to 438 Concord  
23 Avenue Rezoning proposal.

24           Counsel, can you please call the roll?  
25

2 COMMITTEE COUNSEL: Chair Riley?

3 CHAIRPERSON RILEY: Aye.

4 COMMITTEE COUNSEL: Council Member Moya?

5 COUNCIL MEMBER MOYA: I vote aye.

6 COMMITTEE COUNSEL: Council Member Abreu?

7 COUNCIL MEMBER ABREU: Aye.

8 COMMITTEE COUNSEL: Council Member Hanks?

9 COUNCIL MEMBER HANKS: I vote aye.

10 COMMITTEE COUNSEL: Council Member Schulman?

11 COUNCIL MEMBER SCHULMAN: I vote aye.

12 COMMITTEE COUNSEL: Council Member Salaam?

13 COUNCIL MEMBER SALAAM: I vote aye.

14 COMMITTEE COUNSEL: Council Member Carr?

15 COUNCIL MEMBER CARR: Aye.

16 COMMITTEE COUNSEL: By a vote of 7 in the  
17 affirmative, 0 opposition, and no abstentions the  
18 items are approved with modification as described by  
19 the chair, and all items are referred to a full Land  
20 Committee.

21 CHAIRPERSON RILEY: Thank you, Counsel.

22 I will now open the public hearing on LUs 231 for  
23 the 49-39 Van Dam Street Demapping Proposal in  
24 Council Member Won's district.

2           The proposal seeks to demap and have the city  
3 conveyed to an applicant an area next to an onramp  
4 for the I-495 West.

5           For anyone wishing to testify on this item  
6 remotely, if you have not already done so, you must  
7 register online by visiting the Council's website at  
8 council.nyc.gov/landuse.

9           For anyone with us in person, please see one of  
10 the Sergeant at Arms to submit a speaker's card.

11           If you prefer to submit written testimony, you  
12 can always do so by emailing it to  
13 landusetestimony@council.nyc.gov.

14           I would now like to give the floor to Council  
15 Member Won to give remarks on this project.

16           COUNCIL MEMBER WON: Thank you so much, Chair  
17 Riley.

18           Good morning, everyone. This hearing focuses on  
19 an application to demap a DOT owned property in Long  
20 Island City, the address is 49-39 Van Dam Street, to  
21 allow the parcel to be transferred to private  
22 ownership. Queen's Community Board, the Chair is  
23 here, the Executive Board is here, and I believe  
24 other members are here to testify, has voted against  
25 this Land Use action citing the following concerns:

1           The first concern is the dwindling supply of city  
2 owned land and green space particularly in Long  
3 Island City and Sunnyside, which this area is in and  
4 has no remaining green space except for this specific  
5 parcel, which could be used for green infrastructure  
6 and stormwater management.  
7

8           Second concern that they have raised is  
9 uncertainty about the developer's long term  
10 intentions for this site. The applicant says that  
11 they plan to develop an outdoor dining space on the  
12 parcel. The parcel is in an industrial area and is  
13 inside a curved... curve of an expressway onramp.

14          The community board skepticism is understandable  
15 given the location of the parcel and lack of  
16 commercial restaurants in the area and foot traffic.

17          The applicant has expressed that the DOT has done  
18 a poor job of maintaining the site and says that  
19 private ownership would resolve this problem.

20          I share the community board's concern about the  
21 precedent that this would set. While the  
22 circumstances are in which that they may make sense  
23 for the public land to be become private owned, I  
24 believe that the goal must be to public benefit, and  
25 it is not clear to me that this Land Use action would

1 deliver the maximum public benefit. And we want to  
2 make sure that we're also working with DOT to resolve  
3 the problem that private owner has pointed out about  
4 poor maintenance.  
5

6 Community board 2 has called for the DOT to  
7 ensure adequate site maintenance and security, which  
8 they... it is under their jurisdiction, and I support  
9 them on this call.

10 The purpose of this hearing is to allow the  
11 Council to examine this proposed Land Use action and  
12 consider the potential impacts on the community as  
13 well as the potential impacts beyond the direct  
14 community, given that the selling of the land...  
15 public land to a private developer to solve the issue  
16 of public property neglect could set a precedent for  
17 future transactions involving all of our public land  
18 across the city. Thank you so much.

19 CHAIRPERSON RILEY: Thank you, Council Member Won.

20 I will now call the applicant panel for this  
21 proposal, which consists of Raymond Levin and Steven  
22 Bari.

23 Counsel, please administer the affirmation.

24 COMMITTEE COUNSEL: Please raise your right hand  
25 and state your name for the record.

1 MR. RAYMOND LEVIN: Raymond Levin.

2 MR. STEVEN BARI: Steven Bari.

3 COMMITTEE COUNSEL: Do you affirm to tell the  
4 truth and nothing but the truth in your testimony  
5 today, and respond honestly to council member  
6 questions?  
7

8 PANEL: Yes

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

13 And now the applicant team may begin, I just ask  
14 that you please restate your name and organization  
15 for the record. You may begin.

16 COMMITTEE COUNSEL: And can you please make sure  
17 your mic is on?

18 MR. RAYMOND LEVIN: Is it on now?

19 COMMITTEE COUNSEL: Yes, it is, okay.

20 CHAIRPERSON RILEY: Yes.

21 MR. RAYMOND LEVIN: Good morning. I think it's  
22 still morning. I'm Raymond Levin, I'm with the Law  
23 Firm of Herrick Feinstein, counsel to the applicant  
24 here.  
25

2                   Steve Bari is the property owner who is seeking  
3 to purchase an adjacent vacant city-owned lot. Next  
4 slide, please.

5                   The lot is sandwiched between the onramp to the  
6 Queens Midtown Expressway. It curves around and is,  
7 uh, as you can see in the slide, it is on the right  
8 hand side. On the left hand side is the property that  
9 Steve owns. It includes two warehouse buildings  
10 with... separated by an open area that's been used  
11 for parking.

12                  The property Steve's owned since 1988. Next. Next  
13 slide, please.

14                  The city lot is covered with weeds and trees. It  
15 has been that way for some time. Next, please.

16                  The remains of illegal dumping, you can see on  
17 this... in this slide, uh, this is between the... on  
18 the right is the embankment that holds up the curved  
19 ramp onto the highway, and the left is, uh, is the  
20 wall of one of the warehouses. This area has also  
21 seen squatters and some illegal activity. Next,  
22 please.

23                  The site is virtually invisible from the street.  
24 This is Van Dam Street. You can see the two warehouse  
25 buildings that our client owns. And the trees in the



1 background is the city parcel, which is not visible  
2 from this street. Next, please.

3  
4 This is Borden Avenue, which, uh, runs underneath  
5 the expressway. It continues to the right. To the  
6 left is the sort of a alleyway to get to the city  
7 parcel, uhm, between the blank wall of the warehouse  
8 and the blank wall that's holding up the ramp onto  
9 the highway. Next, please.

10 The this positioning of the property allows for  
11 use for activities that people don't want to be seen.  
12 You know, where they seek to avoid public view. There  
13 no way to see it from either, uh, either street.

14 During three public hearings on this project, uh,  
15 both the request to acquire the property and the  
16 outdoor dining plan, uh, there were no speakers  
17 offering a testimony in opposition.

18 While we respect the Community Board's desire to  
19 maintain the lot in City ownership, we believe the  
20 City will be better served by its transfer. As  
21 discussed in testimony at City Planning Commission,  
22 the City will benefit financially through the receipt  
23 of the purchase price and ongoing real estate taxes  
24 plus payroll and sales taxes associated with the  
25

2 restaurant business to be established in the  
3 repurposed where warehouse buildings.

4           The City will benefit from sustainable drainage  
5 plan overseen by the owner of the adjacent buildings,  
6 which are the only properties threatened by flooding.

7           The patio area will be covered with permeable  
8 material and regraded to facilitate proper drainage.

9           The reuse of the city lot includes over a third  
10 of its area, will be landscape with trees and  
11 plantings from The Parks Department's approved list.  
12 These will be primarily located along the  
13 semicircular ramp edge of the property.

14           There has been skepticism expressed about Steve's  
15 restaurant plan and use of the lot. His family has 40  
16 years in the restaurant business and has owned the  
17 adjoining buildings for over 35 years. They are not  
18 speculative developers. They are long term owners and  
19 managers of multiple properties in the city. Next  
20 slide, please.

21           Thank you for hearing us out, and we are here to  
22 answer any questions.

23           CHAIRPERSON RILEY: Thank you for your  
24 presentation.

1                   How do you plan to mitigate the safety risk and  
2 noise of the outdoor seating area for vehicles using  
3 the on ramp?  
4

5           MR. RAYMOND LEVIN: Well, I guess there are two  
6 things. In terms of the noise and whatever, there are  
7 gonna be plantings which are gonna be along the edge  
8 of our property... of the property we're hoping to  
9 buy. So there are gonna be trees and plantings along  
10 the edge, which will mitigate some of the noise.

11           I think some of the noise may have mitigated  
12 itself because of the congestion pricing. This is,  
13 uh, this ramp is an on ramp into the city. So, anyone  
14 who gets on, it's got \$9.00 to pay at the other end.

15           So that's where... in terms of security of the  
16 lot, we will put up a we will put up a fence. I mean,  
17 right now, the City has not done that. So we will...  
18 we will do it. We will ensure that, uh... (CROSS-  
19 TALK)

20           CHAIRPERSON RILEY: A fence where?

21           MR. RAYMOND LEVIN: At Borden Avenue and at the  
22 edge of our warehouse building that's the furthest  
23 north.

24           CHAIRPERSON RILEY: (INAUDIBLE) Borden Avenue  
25 (INAUDIBLE)

(PAUSE)

MR. STEVEN BARI: I can speak to the fencing, uh, Council Member.

CHAIRPERSON RILEY: Okay.

MR. STEVEN BARI: So, just for (INAUDIBLE) I'm Steven Bari, I'm owner of the properties adjacent to this lot.

The fencing, in conjunction with access that DOT needs to maintain the fence, uh, maintain the ramp, which is about 15 feet from the ramp itself. So there's gonna be a semicircular area that they would need to access. The security, uh, perimeter would be from that 15 point... 15 foot area. So that's where the fencing would begin.

The tree line would begin either before or after that depending on, uh, negotiation with the DOT and what they would like to do with the space.

CHAIRPERSON RILEY: Okay. How long have you owned this property?

MR. STEVEN BARI: Forty years. In fact, I had my first communion there. My father had a pizzeria at the location, and I could've had it at any location that my dad had a pizzeria, and that was the location I chose.

1           CHAIRPERSON RILEY: And what are the businesses on  
2 the other side?  
3

4           MR. STEVEN BARI: So, there's two... on the  
5 opposite lot?

6           CHAIRPERSON RILEY: Opposite side of the lot,  
7 yeah, excuse me.

8           MR. STEVEN BARI: So, our warehouses, uh, have  
9 always been... one is a commercial tenant that does  
10 warehousing. It's kind of like a Chinese Fresh  
11 Direct. And then the other tenant at 4965 is a  
12 commissary kitchen for Chinese restaurants at the  
13 moment.

14          CHAIRPERSON RILEY: Okay. Have you ever had any  
15 correspondence with DOT, uh, regarding the squatters  
16 or this garbage that you saw on this other lot or try  
17 to work with the community to resolve this issue?

18          MR. STEVEN BARI: The history of our engagement  
19 with any city services regarding that lot has been  
20 pre-311.

21          So we were making calls to whatever city agency  
22 we would, uh, before that, but everything should be  
23 on the record with 311 in terms of any complaints  
24 that we've made. They range from, more importantly,  
25 just squatters on the area, homeless, and

1 particularly in the colder weather, like this cold  
2 snap that we had last, uh, two weeks. There was  
3 someone there on the lot. And two weeks ago, there  
4 was someone who actually was driving up on the  
5 sidewalk trying to park their car in this lot area.  
6 And, you know, we had to call the police, uh, the  
7 109th Precinct, if I'm not mistaken, and they didn't  
8 know what to do. So it it's a weird area where  
9 multiple different agencies are convening, because  
10 it's city, state, and, obviously, police in regards  
11 to that. But, you know, we've reached out through 311  
12 in most cases.

14 CHAIRPERSON RILEY: Okay, thank you. Council  
15 Member Won?

16 COUNCIL MEMBER WON: My main question was for the  
17 DOT on how helpful they have been, and it seems like  
18 you do have record of communicating with them to  
19 clean up and also for DSNY to come clean up the trash  
20 or the littering. And, uhm...

21 MR. STEVEN BARI: If I can just speak to the DOT's  
22 maintenance of the area, it's evident that it has not  
23 been taken care of. The overgrown trees, as you can  
24 refer in the (UNINTELLIGIBLE), are weeds. They've  
25 been growing there for 40, and they cover, uh, the

2 ramp. So if you're driving on the ramp, and I invite  
3 anybody to take a trip, they're covering the entire  
4 ramp, so... for visibility purposes.

5           COUNCIL MEMBER WON: Do you have records of  
6 your...

7           MR. STEVEN BARI: For 311? The 311 has all...

8           COUNCIL MEMBER WON: of the 311 reports?

9           MR. STEVEN BARI: of our records.

10          COUNCIL MEMBER WON: Okay. How many reports have  
11 you guys made now?

12          MR. STEVEN BARI: Over the years? I couldn't  
13 quantify. Over hundreds.

14          COUNCIL MEMBER WON: Okay, and they have not been  
15 responsive at all?

16          MR. STEVEN BARI: In terms of what we have  
17 responded to? I mean, I can't say, because, again, I  
18 don't know. In particular, all of those instances are  
19 DOT related.

20          COUNCIL MEMBER WON: And what about for DSNY for  
21 illegal dumping on the site?

22          MR. STEVEN BARI: in terms of that, I'm... it  
23 depends because the accessibility to the area. For  
24 example, there was a homeless person there who  
25 created an encampment. It went to DSNY, and then it

1 moved to DOT, and then it moved to Homeless Services,  
2 back to DSNY, and then someone, DSNY, and then  
3 someone eventually, I believe DOT, got two garbage  
4 trucks to haul away the encampment.  
5

6 COUNCIL MEMBER WON: Mm-hmm.

7 MR. STEVEN BARI: And this was pre-COVID, so this  
8 is 2018.

9 But, again, because of the location of the area,  
10 the ramp itself not being really part of the city...

11 COUNCIL MEMBER WON: Mm-hmm.

12 MR. STEVEN BARI: And nobody wants to take  
13 ownership of it. So if there is an issue, there is no  
14 way to resolve it.

15 COUNCIL MEMBER WON: Well, it sounds like they  
16 were responsive because they removed the homeless  
17 encampments.

18 MR. STEVEN BARI: The homeless, uh, resolving an  
19 issue after years of neglect, and that encampment  
20 built up over time. It wasn't that it suddenly  
21 appeared one day, and then it was removed that same  
22 day. It was years, in some cases, decades of activity  
23 on the premises.

24 COUNCIL MEMBER WON: Have you contacted elected  
25 officials that overlap with that site, like a state



1 senator, state elect, uh, state assembly member, the  
2 congress member, or the city council member for that  
3 site to help you with the maintenance of the site?  
4

5 MR. STEVEN BARI: It's not our business to  
6 maintain a site that's not ours to maintain. And more  
7 importantly, in regards to our, uh, being adjacent to  
8 the property, we've been flooded because the area is  
9 not permeable. As grassy as that may look in any of  
10 those pictures, the area has decades of garbage  
11 layered on top of the soil. And if you ask any, uh,  
12 officer that's had to go back there, the number one  
13 thing they tell us is be careful, there's a lot of  
14 drug paraphernalia and syringes there.

15 So with that being said, I can't, uh, attest to  
16 its maintenance because it's not... we're the  
17 adjacent property owner. If we're saying this as a  
18 neighbor to neighbor, it's not been maintained.

19 MR. RAYMOND LEVIN: (INAUDIBLE)... (CROSS-TALK)

20 COUNCIL MEMBER WON: It's just confusing for me to  
21 follow that logic because you're saying that you want  
22 to demap and become the owner of it, but as a  
23 neighbor to it, you don't want to be bothered by it.

24 But it's clear to us, as a local council member,  
25 we have multiple sites. For example, we have an MTA-

1 owned site, uhm, in Long Island City, that we have  
2 had DHS go out to, DSNY go out to, and communities  
3 have volunteered to clear... clean up the site from  
4 drug, uh, drug paraphernalia, as well as homeless  
5 encampments where multiple nonprofits have come  
6 together to clean up that site.

7  
8 So now that it's on our map for us, for our  
9 awareness with the community board, I have no doubt  
10 that other people would, if notified, that they  
11 would get the agencies involved, then there would be  
12 oversight and accountability to make sure that the  
13 agency is doing its job to keep that clean.

14 MR. STEVEN BARI: And...

15 MR. RAYMOND LEVIN: The site is not visible from  
16 the street. So to the extent that there are things  
17 going on back there, whether it's clean or not clean,  
18 they're not gonna be visible. Oh, sorry? It's not on?

19 UNKNOWN: (NO MIC) We can't hear you...

20 MR. RAYMOND LEVIN: Oh, sorry? Is it on now?

21 Oh my god. Okay. Uhm, so the fact that the site  
22 is not visible from the street, whether the police  
23 car drives by on Borden Avenue or Van Dam Street,  
24 they're not gonna see what's going on back there.

1           If it's clean, that's very nice. But that doesn't  
2  
3 solve some of the other illegal problems that that  
4 have occurred back there.

5           But beyond all of that, the question and the  
6 reason that we're here is to make it usable and so  
7 that our business can expand into that space so that  
8 we can take control over it on a day to day basis,  
9 not every once in a while, when someone calls.

10          So it's, uh, we understand... we understand the  
11 concern, but this piece of property is bounded by  
12 warehouse buildings, by a ramp; across the street is  
13 a is a mini storage. To the north is a Dunkin'  
14 Donuts. There's a Tesla dealership. This is not part  
15 of a residential area at all. It's part of a of an  
16 IBZ, an industrial area. So the... we are... we're  
17 looking to acquire it not so much for the purpose of  
18 making it nice and neat, but for the purpose of our  
19 business.

20          COUNCIL MEMBER WON: Okay. So am I understanding  
21 correctly that the main motivation for acquiring or  
22 demapping this is for your market opportunity for  
23 your business growth?

24          MR. RAYMOND LEVIN: Yes, he...  
25

1           MR. STEVEN BARI: Correct. So...

2           COUNCIL MEMBER WON: Okay...

3           MR. STEVEN BARI: Uhm, if I can just, uh,  
4 Councilwoman, this area in Long Island City has a  
5 history of restaurant spaces and, uh, event spaces  
6 that are both identified by its commercial aspect and  
7 its commercial history, and this would be one of  
8 those locations. The Creek & The Cave is one example  
9 that used to be in the area and unfortunately closed  
10 during COVID. And another, uh, great spot in Long  
11 Island City that melded high end and, uh, its  
12 industrial heritage was M. Wells, which just closed  
13 in December. And we would be taking a note out of  
14 those playbooks in order to develop an area for the  
15 space.  
16

17          COUNCIL MEMBER WON: Okay. I just want to make it  
18 clear that the community board wants to work with the  
19 community and the agencies to maintain and keep the  
20 public space green and want to use it.

21          What you have been saying is that you need to  
22 acquire for... because of the lack of maintenance,  
23 but it's clear that it's not for maintenance issues,  
24 but it's for your own business growth and your profit  
25 opportunities that you want to acquire the land.

2 MR. STEVEN BARI: If I can just speak to the  
3 concept. Van Dam Street and Borden Avenue is probably  
4 one of the most high frequent areas by cars. It's  
5 highly visible, and anybody who's coming into the  
6 city is passing by Borden Avenue and Van Dam. So,  
7 naturally, it has a lot of just self marketing from  
8 that perspective.

9 So any space there is going to bring in  
10 attention. So creating a space, an event space, a  
11 restaurant space there and utilizing that back lot  
12 area, which we refer to it as, uh, for outdoor dining  
13 would not only facilitate that, but really bring  
14 something to the area that would be appealing to  
15 customers.

16 COUNCIL MEMBER WON: I don't have any other  
17 further questions.

18 CHAIRPERSON RILEY: Thank you, Council Member Won.  
19 Are there any more council members with questions  
20 for this panel?

21 There being no more questions for this panel, the  
22 panel is excused.

23 PANEL: Thank you.

24 CHAIRPERSON RILEY: Thank you.

2                   Counselor, are there any members of the public  
3 who wish to testify remotely or in person regarding  
4 the demapping proposal?

5                   COMMITTEE COUNSEL: Yes, Chair, we have three  
6 people in person who would like to testify and one  
7 person online.

8                   CHAIRPERSON RILEY: For the members of the public  
9 here to testify, please note that witnesses will  
10 generally be called in panels of three. If you are a  
11 member of the public signed up to testify on the  
12 proposal, please stand by when you hear your name  
13 when being called and prepared to speak when I say  
14 you can begin.

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

21                  Members of the public will be given two minutes  
22 to speak. Please do not begin until the Sergeant at  
23 Arms has started the clock.

24                  The following individuals who signed up to  
25 testify should not come to the witness table:

2   Rosamond, I'm so sorry, I can't pronounce your last  
3   name.

4                   COUNCIL MEMBER WON: Rosamond Gianutsos.

5                   CHAIRPERSON RILEY: Rosamond Gianutsos. Thank you,  
6   Council Member. Eric Narburgh, and can you help me  
7   out with this one?

8                   COUNCIL MEMBER WON: Anatole Ashraf

9                   CHAIRPERSON RILEY: Anatole Ashraf. Alright, thank  
10   you.

11                  (PAUSE)

12                  CHAIRPERSON RILEY: Chair, we will start with you.

13                  CHAIR ANATOLE ASHRAF: Good morning, everyone.

14                  Thanks, thank you, Council, thanks for having us.

15                  So, my name is Anatole Ashraf, I'm the current  
16   chair of Queens Community Board 2, which oversees  
17   this location.

18                  First, I'd like to just reiterate, Community  
19   Board 2's position. We voted to disapprove this  
20   application. We voted 26 to 6, 26 in favor. Again,  
21   the main three reasons were the potential loss of  
22   public land in the area with limited green space, the  
23   importance of retaining city-owned property for  
24   future public use, including possible stormwater  
25

1 management infrastructure, and number three,  
2 uncertainty about the plans of the applicant.

3  
4 But, that said, the fact that, you know, we are  
5 here passionately to speak in favor of keeping this  
6 patch of land, what it... to keep it what it is, if  
7 not, you know, develop it, or at least maintain it  
8 ourselves, just goes to show that, we need our  
9 taxpayer land, our public land, to remain green. We  
10 desperately need green space in our district. It's...  
11 one of the fastest growing neighborhoods in the world  
12 is Long Island City, and we have no... we have very  
13 little green space in the area.

14 And, even if we can't, uhm, build on top of...  
15 even if... even if we can't maintain this or develop  
16 it into something, you know, people can go to more  
17 frequently, just letting it be stormwater, soakage,  
18 uh, just letting it be what it is, is more valuable  
19 than losing it to, uh, especially for a private  
20 profit.

21 And, you know, it's NYC, most importantly, it's  
22 LIC. There'll be no shortage of interested parties to  
23 build and develop elsewhere in our district.

24 And we're... we're fighting a small business, but  
25 that said, we... it's much more critical for us to



2    have this piece of land be what it is, if not a  
3    little greener. Thank you.

4                   CHAIRPERSON RILEY: Thank you.

5                   Eric?

6                   Yeah, I was going to ask him that question after,  
7    but I'll ask you at the end.

8                   VICE CHAIR ERIC NARBURGH: Hi, my name is Eric  
9    Narburgh, I've been a resident of Council District 26  
10   for 17 years, uh, worked there for 10 years, and I've  
11   been a member of the community board for three.

12                  I speak in favor of retaining the land under City  
13   control. We're concerned about the lack of public  
14   green space in the district, which is vital for land  
15   and air quality.

16                  The image at the beginning of the slides  
17   illustrated it, but for... to add more detail, we are  
18   very short of green space in the district - 26% of it  
19   is mapped as green space compared to 40% citywide,  
20   and none of that is natural green space.

21                  At a time when the neighborhood is in the process  
22   of rezoning and redevelopment, and as we continue to  
23   face the undeniable implications of climate change, I  
24   urge city agencies to preserve and steward green  
25   space, not relinquish it. Work with non profits and

1 volunteers in our community who are very interested  
2 in preserving green space in the district.

3  
4 On CB 2, we regularly hear from our residents in  
5 Blissville who suffer from stormwater flooding and  
6 neglect in response to their concerns about safety.  
7 Data reflects that air quality is poor in the area  
8 due to heavy manufacturing and traffic emissions from  
9 the LIE and entrance to the Midtown Tunnel. Trees and  
10 greenery would mitigate that. And I volunteer with  
11 Community House to check-in on older adults in the  
12 district, and I hear from them directly about how  
13 poor air conditions affect their mobility and quality  
14 of life.

15 As we look to the future, we need to consider  
16 what is best for the safety and well-being of the  
17 community and the sustainability of our land.

18 The City should retain this green space and  
19 properly maintain it for the long term maximum  
20 benefit of the public. Thank you.

21 CHAIRPERSON RILEY: Thank you.

22 Rosamond?

23 FIRST VICE CHAIR ROSAMOND GIANUTSOS: My name is  
24 Rosamond Gianutsos, I am an over 50-year resident of  
25 District 26, and I'm here... I'm on the community

1 board, I'm actually the first vice chair, but our  
2 chair has spoken well for the board. And I honestly,  
3 I wish... I went over to this site on Sunday. I rode  
4 over there with my bike. Thank goodness, because  
5 there was no place that I could really have, you  
6 know, provisioned for parking. So I don't know what  
7 kind of, uh, resident, you know, restaurant business  
8 they anticipate having and having people get there.  
9 There's no public transit nearby and so on, and there  
10 are no trees anywhere other than on this particular  
11 lot.  
12

13 They say it's not visible from the street. I'm so  
14 sorry that the PowerPoint show that I developed to  
15 explain, and what I saw, is not that... I can't show  
16 it to you. You can clearly see the trees. It's  
17 quite... it appears quite clean actually. Of course,  
18 in the winter, there are no leaves. I did see one  
19 sheet of plastic with some person or somebody or  
20 something going on far in the distant, but it is very  
21 visible from that offramp from the north side.

22 And, uh, it's so important for us, as I have been  
23 on the community board now for five years, we can't  
24 get Land Use and rezoning, uh, applications, and we  
25 are always saying, well, what can we do to bring more

2 green there? These things are not weeds that are  
3 growing. I mean, you can't see them. They're quite  
4 developed. Now they may not be, uh, officially  
5 planted trees, and, yes, you could do a certain  
6 amount of cleanup and landscaping.

7           I've heard also from some of the architects who  
8 are members of our board saying we desperately need  
9 to put some kind of fence. (TIMER CHIMES) So please  
10 don't approve this.

11           CHAIRPERSON RILEY: Thank you, so much for your  
12 testimony.

13           I have some questions. So, I just want to  
14 clarify, you said 26 to six approve this project or  
15 disapprove this project?

16           CHAIR ANATOLE ASHRAF: Disapproved. We voted...

17           CHAIRPERSON RILEY: You voted...

18           CHAIR ANATOLE ASHRAF: The motion was  
19 disapprove...

20           CHAIRPERSON RILEY: To disapprove...

21           CHAIR ANATOLE ASHRAF: So, "yes" meant "no".  
22 Sorry...

23           CHAIRPERSON RILEY: Alright, just wanted to  
24 clarify that for the record.

25

1                   SUBCOMMITTEE ON ZONING AND FRANCHISES                   37  
2           My next question is, being... How long have you  
3 been the chair of this committee?

4           CHAIR ANATOLE ASHRAF: This is my second year.

5           CHAIRPERSON RILEY: Your second year?

6           CHAIR ANATOLE ASHRAF: Yeah.

7           CHAIRPERSON RILEY: Are you familiar with...

8           (CROSS-TALK)

9           CHAIR ANATOLE ASHRAF: And, sorry, I have been a  
10 member since 2019.

11          CHAIRPERSON RILEY: Alright, perfect. So, have you  
12 been a part of any correspondence with any city  
13 agencies to take care of this specific location?

14          CHAIR ANATOLE ASHRAF: I personally have not but,  
15 my board members, uh, CB2 members, definitely have,  
16 uhm, some of them have, uh, from what I recall, have  
17 corresponded with DOT. And it has been, uh, it's not  
18 ,you know, one of the top locations, but there are  
19 Blissville people and people from the Blissville  
20 neighborhood that are very close ,you know, the  
21 adjacent neighborhood to this, uh, are very well  
22 aware of this. And they have always voiced concern  
23 for... not specifically for this piece of land  
24 always, but the overall ,you know, greenery of this  
25 area.

2 CHAIRPERSON RILEY: Okay.

3 CHAIR ANATOLE ASHRAF: Yeah.

4 CHAIRPERSON RILEY: Council Member Won?

5 COUNCIL MEMBER WON: I was just gonna say it, I  
6 don't personally have any constituent service  
7 requests for this site. But now that it has become an  
8 issue for our community, I have heard from community  
9 board members requesting that we put pressure on DOT  
10 and write a letter to make sure that DOT takes it  
11 seriously. Because we have multiple sites that DOT  
12 owns in our district that they have been slow to keep  
13 up on their maintenance, but once we have written a  
14 formal letter from the City Council, they have been  
15 able to clean it up. So now we will start the cleanup  
16 process.

17 CHAIRPERSON RILEY: Thank you, Council Member Won.

18 And, Ms. Rose...

19 FIRST VICE CHAIR ROSAMOND GIANUTSOS: Dr. Roz is  
20 what they call me.

21 CHAIRPERSON RILEY: Dr. Roz, you have written  
22 testimony, I believe, a PowerPoint, you are able to  
23 submit that to us (INAUDIBLE)...

24 FIRST VICE CHAIR ROSAMOND GIANUTSOS: I  
25 (INAUDIBLE) that to you.

2 CHAIRPERSON RILEY: Yeah, so we are able to view  
3 it as well, okay?

4 FIRST VICE CHAIR ROSAMOND GIANUTSOS: Just tell me  
5 how so... You don't have to do it right now.

6 CHAIRPERSON RILEY: You do it online, but we will  
7 give you the information right after this. Okay?

8 FIRST VICE CHAIR ROSAMOND GIANUTSOS: Perfect.

9 CHAIRPERSON RILEY: Also, if there is any other  
10 written testimony from other community board members,  
11 you are able to submit as well.

12 CHAIR ANATOLE ASHRAF: Yeah, if I may, you should  
13 have already received the seven other written  
14 testimonies from what people have told me.

15 CHAIRPERSON RILEY: Alright, thank you.

16 CHAIR ANATOLE ASHRAF: And there is probably more  
17 coming.

18 CHAIRPERSON RILEY: Are there any more council  
19 member questions? Alright, this panel is excused.

20 PANEL: Thank you.

21 CHAIRPERSON RILEY: Counsel, are there any more  
22 members of the public who wish to testify?

23 COMMITTEE COUNSEL: Yes, we have one person  
24 online, is Fanny (phonetic) Chang available?

25 SERGEANT AT ARMS: You may begin.

2 CHAIRPERSON RILEY: Fanny Chang, if you can hear  
3 me, please unmute and you may begin.

4 FANNY CHANG: Hello, can you hear me?

5 CHAIRPERSON RILEY: Yes, we can hear you.

6 FANNY CHANG: Thank you.

7 Council, thank you for the opportunity to speak.

8 My name is Fanny Chang, I have used the Van Dam  
9 Exit for the last 35 years to travel to my office.  
10 JPB has applied to this change to use as a  
11 destination restaurant after 28 years.

12 JPB bought this property on 10/01/1998. You could  
13 check this on ACRIS (The Automated City Register  
14 Information System).

15 Number one, City Council has been implementing  
16 legislation to create a green New York City. This  
17 demapping action do not benefit the community or its  
18 resilience from climate change. It only benefits  
19 applicant in acquiring 7,682 square feet to increase  
20 his property value. It is public land, and it  
21 should... it does not benefit the community.

22 In the Community Board Two meeting on October 10,  
23 2024, Mr. Levin, the applicant's attorney, stated the  
24 state and city has discussed the sale of this



1 application. This is not transparent or equitable.  
2  
3 There should be a formal RPF issued by DOT.

4 Number two, Steven Bari stated the rainwater has  
5 been a big concern, it overflows Van Dam Street and  
6 the ramp; JPB's solution is to have the city sell the  
7 adjacent property to them and install permeable  
8 tiles.

9 Applicant needs approval from the Park's City  
10 Commissioner Administrative Code 18-219. I am a care  
11 captain with the Park's Department, I will be glad to  
12 work with Mr. Bari to clean up this area.

13 Thousands of cars and trucks go through this Van  
14 Dam Street thoroughfare every day. There is a major  
15 problem with flooding in this area after a rainstorm.  
16 The solution is not to sell the property, it is to  
17 plant vegetation and install proper drainage to  
18 absorb the drain water.

19 Kindly vote against this to the mapping. It only  
20 benefits the applicant. It does not benefit the  
21 community. Thank you for your time.

22 CHAIRPERSON RILEY: Thank you, Ms. Chang.

23 Are there any questions for this panel?

24 There being no (TIMER CHIMES) questions, this  
25 panel is excused.

1           Counsel, are there any more members of the public  
2  
3 who wish to testify on this demapping proposal?

4           COMMITTEE COUNSEL: No.

5           CHAIRPERSON RILEY: Okay, there being no other  
6 members of the public who wish testify on LU 231,  
7 related to the 49-39 Van Dam Street Demapping  
8 Proposal, the public hearing is now closed, and the  
9 item is laid over.

10          I will now open hearing on LUs 229 and 230,  
11 relating to the 22-03 14th Avenue Rezoning Proposal  
12 in Council Member Paladino's district.

13          The proposal seeks to develop a residential  
14 mixed-use develop... excuse me, a residential mixed-  
15 use building with approximately 94 apartments in the  
16 Whitestone neighborhood of Queens.

17          The proposal also involves the mapping of  
18 mandatory inclusionary housing, and approximately 28  
19 of the units would be affordable.

20          For anyone wishing to testify on these items  
21 remotely, if you have not already done so, you must  
22 register online by visiting the Council's website at  
23 [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

24          For anyone with us in person, please see one of  
25 the Sergeant at Arms to submit a speaker's card.

1           If you would prefer to submit written testimony,  
2 you can always do so by emailing it to  
3 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Once again, you can  
4 email it to us at [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

5           I will now call the applicant panel for this  
6 proposal, which consists of Frank St. Jacques.

7           Counsel, please administer the affirmation.

8           COMMITTEE COUNSEL: Please raise your right hand  
9 and state your name for the record.

10          MR. FRANK ST. JACQUES: Good morning, Frank St.  
11 Jacques.

12          COMMITTEE COUNSEL: Do you swear to tell the truth  
13 and nothing but the truth in your testimony today and  
14 in your response to council member questions?

15          MR. FRANK ST. JACQUES: I do.

16          COMMITTEE COUNSEL: Thank you.

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

21          And now the applicant team may begin. I'll just  
22 ask you please to restate your name or organization  
23 for the record. You may begin.  
24

1           MR. FRANK ST. JACQUES: Thank you, Chair Riley,  
2 and members of the subcommittee. I am Frank St.  
3 Jacques, I am with Akerman LLP. We are a Land Use  
4 counsel on the project, which is a collaboration  
5 between two local development firms, uh, June's  
6 Construction and Apex Development. I am joined by  
7 Andrew Esposito from Apex for questions. Next slide,  
8 please.

9           The rezoning area is in College Point on the  
10 north side of 14th Avenue between College Point  
11 Boulevard and 123rd Street. It was zoned R4A/C1-3 in  
12 the 2005 College Point Rezoning.

13           The rezoning area is at the edge of a transition  
14 area between the residential context to the north and  
15 the industrial and commercial context to the south,  
16 including the Special College Point District. The  
17 surrounding zoning reflects this. College Point  
18 Boulevard is the main north/south corridor connecting  
19 College Point to Flushing; 14th Avenue is the  
20 northernmost east/west corridor connecting College  
21 Point to Whitestone. Next slide, please.

22           This Land Use map illustrates this transition  
23 area from mostly residential to several industrial  
24 uses, which are shown in blue, surrounding the  
25

1 rezoning area, then commercial and industrial uses  
2 moving south. Next slide, please.

3  
4 The proposed rezoning would establish an R6A/C2-  
5 4, replacing the existing R4A/C1-3 and also establish  
6 an MIH (Mandatory Inclusionary Housing) area with  
7 options one and two.

8 The current R4-A zoning does not permit  
9 multifamily housing. The R5-B, running along 14th  
10 Avenue immediately south of the rezoning area, is one  
11 of the few parts of College Point where multifamily  
12 development is currently allowed after the 2005  
13 rezoning. Next slide, please.

14 The proposed actions would facilitate the  
15 development of a new 6-story mixed-use building with  
16 approximately 75,000 square feet of floor area,  
17 approximately 70,000 of which would be residential  
18 floor area.

19 This yields 94 units, including 28 permanently  
20 income restricted units under MIH Option 2 and just  
21 over 6,000 square feet of local retail on the ground  
22 floor. Next slide, please.

23 Here are some illustrative views of the proposed  
24 development, from the west on the left and from the  
25 east on the right. Next slide, please.

1                   SUBCOMMITTEE ON ZONING AND FRANCHISES                   46  
2           And this illustrative ground floor plan, shows  
3 the commercial space in red, which would wrap College  
4 Point Boulevard and 14th Avenue, residential lobby  
5 and amenity space, as well as parking on a ground  
6 floor space, and there's an additional cellar floor  
7 that would provide more parking. Next slide, please.

8           This illustrative mandatory inclusionary housing  
9 breakdown shows the 28 total MIH units at a range of  
10 incomes, nine at 60% AMI, 10 at 80% AMI, and another  
11 nine at 100% AMI.

12           That concludes my presentation, and I'm happy to  
13 answer any questions as is, uh, Andrew Esposito from  
14 Apex.

15           CHAIRPERSON RILEY: Thank you.

16           Can you break down the size of market units for  
17 us?

18           MR. FRANK ST. JACQUES: In in terms of, square  
19 footage, or?

20           CHAIRPERSON RILEY: No, just a breakdown of units  
21 available.

22           MR. FRANK ST. JACQUES: Oh, the number of units?

23           CHAIRPERSON RILEY: Yeah.

24           MR. FRANK ST. JACQUES: Sorry. There's 94 total,  
25 28 of which are MIH. And let me just do the quick

2 math. I apologize. I don't have that right in front  
3 of me. It's about 60-ish, our market. So it's 30% is  
4 the set aside for MIH Option 2.

5           CHAIRPERSON RILEY: Can you... do you have the  
6 distributions from studios to three-bedrooms for  
7 those units?

8           MR. FRANK ST. JACQUES: I'd... the, uhm, and I can  
9 provide this in in writing. The breakdown is, bear  
10 with me one moment.

11          CHAIRPERSON RILEY: You can have a seat; we just  
12 have to swear you in real quick.

13                   Go ahead?

14          COMMITTEE COUNSEL: Please raise your hand and  
15 state your name for the record?

16          MR. ANDREW ESPOSITO: Andrew Esposito

17          COMMITTEE COUNSEL: Do you swear to tell the  
18 truth...

19          CHAIRPERSON RILEY: Andrew, uhm, turn the mic on  
20 for him, thanks.

21          COMMITTEE COUNSEL: Do you swear to tell the truth  
22 and nothing but the truth in your testimony today,  
23 and respond honestly to council member questions?

24          MR. ANDREW ESPOSITO: Yes, sir.

2                   MR. FRANK ST. JACQUES: So, the... the breakdown  
3 is actually shown on the slide of - apologies for  
4 taking a moment to find it - It's about 15% studios,  
5 50% one bedrooms, 30% two bedrooms, and a few five,  
6 uh, a three bedroom, so 5% of three bedrooms.

7                   CHAIRPERSON RILEY: Why is the three bedroom so  
8 minimal? Like...

9                   MR. FRANK ST. JACQUES: Typically, uh, one and two  
10 bedrooms are the most common units. Uhm ,you know,  
11 there's... there's, uh, less market for three bedroom  
12 units. You know, many developments I've worked on  
13 don't include three bedrooms, so this was ,you know,  
14 in response to the established, uh, neighborhood  
15 character of surrounding College Point - so to  
16 provide, uhm, some three bedroom units to account for  
17 larger families.

18                  CHAIRPERSON RILEY: Is this project shovel ready,  
19 and if not, when do you anticipate construction to  
20 start?

21                  MR. FRANK ST. JACQUES: I'll actually defer to  
22 Andrew. There is an existing commercial building on  
23 the site, uh, that is owned by the applicant. It  
24 would require demolition... What did we say about a  
25 year before...



1 MR. ANDREW ESPOSITO: Yeah...

2 MR. FRANK ST. JACQUES: for pre WD development?

3 MR. ANDREW ESPOSITO: Yeah, I mean, so the answer  
4 to your question is it's not shovel ready because of  
5 that building. Commencement of construction, shovels  
6 in the ground probably a year, demolition short of  
7 that, uh, upon hopefully successful completion of  
8 this process, we would start design ,you know, formal  
9 design of the building construction documents. It's  
10 like a six to nine month process, and we would  
11 commence at that time. So...

12 CHAIRPERSON RILEY: And you plan to develop not  
13 sell the site, right?

14 MR. ANDREW ESPOSITO: Correct.

15 CHAIRPERSON RILEY: Alright. How do you attempt to  
16 address the borough president's recommended goal for  
17 MWBE and local hiring?

18 MR. FRANK ST. JACQUES: It turns out the, uh, one  
19 of the applicants, June's Construction, is a  
20 registered MWBE, uh, registered with contractor.

21 MR. ANDREW ESPOSITO: Yeah, so he's also, the  
22 reason... I'd like to say more, and my lawyers might  
23 say, "You say too much," but he's my partner and  
24 owner with us. He is also a contractor, an MWBE  
25

2 certified contractor, so we would be building the  
3 building ourselves, and all the subs would be between  
4 his company and subcontractors under him. So, the  
5 entirety of the project, almost, we expect to be  
6 MWBE, which is great.

7           CHAIRPERSON RILEY: That's good. Okay. I have no  
8 more questions.

9           Council Members do you have any questions? Okay.  
10 There being no questions, this panel is excused.

11          Counsel, are there any members of the public who  
12 wish to testify on this project?

13          COMMITTEE COUNSEL: No, Chair, we have no one who  
14 signed up in person or online to testify.

15          CHAIRPERSON RILEY: Alright, there being no  
16 members of the public who wish testify on LUs 229 and  
17 230 relating to the 22-03 14th Avenue Rezoning  
18 Proposal, the public hearing is now closed, and the  
19 items are laid over.

20          MR. FRANK ST. JACQUES: Thank you, Chair.

21          CHAIRPERSON RILEY: That concludes today's  
22 business. I would like to thank the members of the  
23 public, my colleagues, subcommittee council, Land Use  
24 and other council staff, as well as the Sergeant at  
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SUBCOMMITTEE ON ZONING AND FRANCHISES

Arms, for participating in today's meeting. This meeting is hereby adjourned, thank you.

(GAVEL SOUND) (GAVELING OUT)

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 February 3, 2025