

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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May 14, 2019  
Start: 10:10 a.m.  
Recess: 1:13 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Francisco P. Moya,  
Chairperson

COUNCIL MEMBERS:  
Costa G. Constantinides  
Barry S. Grodenchik  
Rory I. Lancman  
Stephen T. Levin  
Antonio Reynoso  
Donovan J. Richards  
Carlina Rivera  
Ritchie J. Torres

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

Frank St. Jacques, Akerman LLP  
Representing Merrick Capital Corp

Dan Egers, Land Use Attorney at Greenberg  
Traurig, representing Court Square 45<sup>th</sup> Ave LLC

Nick Silvers, representing self

Anita Laremont, Executive Director of the  
Department of City Planning

Chris Hadwin, the Director of City Planning  
Staten Island Borough Office

Simon Kawitzky, Assistant Commissioner within the  
Office of Neighborhood Strategies at HPD

Joe Helferty, Urban Designer at NYC Department of  
City Planning

Kethia Josepha, Director of Neighborhood Planning  
at the New York City Department of Small Business  
Services

Captain Joe Notaro, Commanding Officer Facilities  
for the Police Department

Nick Molinari, Chief of Planning and Neighborhood  
Development

Cecilia Kushner, EDC Development

Tom Cocola, New York City DOT

## A P P E A R A N C E S (CONT.)

Angela Licata, Deputy Commissioner with the New York City Environmental Protection

Kelly Vilar, Let's Rebuild Cromwell

Veerle Arts, Municipal Arts Society of New York

Michael Harwood, Member of the St George Civic Association

Reverend Faith Togba, Bethel Worship Center

Reverend Gloria Lavine,

Kevin Michelus, volunteer for Make the Road New York and a Staten Island resident

Chris Walters, Rezoning Technical Assistance coordinator at the Association for Neighborhood and Housing Development, ANHD

Ivan Garcia, Neighborhood Rezoning Coordinator for Make the Road New York and a member of the Housing Dignity Coalition

Reverend Gloria Lavine, speaking on behalf of Staten Island Council of Churches

Bernice Alley

Mary Boorne, Deacon at First Central Baptist Church in the Stapleton area

## A P P E A R A N C E S (CONT.)

Reverend Janet Jones, Pastor of the Rossville AME  
Zion Church

Marilyn Megibow, representing herself

Taneqwa Steed, representing herself

Lee Kalman, Community Organizer with the New York  
State Iron Workers District Council

2                   CHAIRPERSON MOYA: [Gavel]    Good morning and  
3 welcome to the meeting of the Subcommittee on Zoning  
4 and Franchises.    I am Council Member Francisco Moya,  
5 the Chair of the Subcommittee and today I am joined  
6 by Council Member Ampry Samuels.    Today, we will hold  
7 hearings on a number of applications.    If you are  
8 here to testify on an item for which the record is  
9 not already closed.    Please fill out a speaker slip  
10 and give it to the Sergeant at Arms indicating your  
11 full name, the name and the LU number of the  
12 application you wished to testify on and whether you  
13 are speaking for or against the item.

14                  I would like to announce that for those of you  
15 who are here to witness or participate in the Bay  
16 Street Public hearing, please note that our hearing  
17 on the Bay Street application will start no earlier  
18 than 10:30.    Please also note that we will be laying  
19 over LU's 424 through 427 for the Brook 156  
20 applications in the Bronx.

21                  And our first hearing is on pre-considered LU's  
22 items for 2 Howard Avenue Rezoning in Council Member  
23 Ampry Samuels district in Brooklyn.    The application  
24 seeks approval of a Zoning Map amendment to rezone  
25 the project area from a R6B.    C2-4 District to a C4-

2 4L District and a related zoning text amendment to  
3 map the site as mandatory inclusionary housing area  
4 utilizing options one and two. As proposed these  
5 actions would facilitate the development of a new six  
6 story mixed-use building including retail use on the  
7 ground floor and approximately 30 residential units  
8 of which approximately eleven would be affordable  
9 under the MIH program.

10 I know want to open the public hearing on this  
11 application and we will be calling up Frank St.  
12 Jacques.

13 Whenever you are ready Council, if you can please  
14 swear in the panel.

15 COUNCIL CLERK: Please state your name for the  
16 record. Do you swear or affirm that the testimony  
17 you are about to give will be the truth, the whole  
18 truth and nothing but the truth and you will answer  
19 all questions truthfully?

20 FRANK ST. JACQUES: Frank St. Jacques, I do.

21 COUNCIL CLERK: Thank you.

22 FRANK ST. JACQUES: Good morning Chair Moya,  
23 Council Member Ampry Samuel and Subcommittee Members.  
24 My name again is Frank St. Jacque from Akerman LLP,  
25

1 and I am appearing on behalf of the applicant Merrick  
2 Capital Corp.

3  
4 The applicant is seeking a Zoning Map amendment  
5 to change the existing R6B C2-4 Zoning District on  
6 the block front along Howard Avenue between Monroe  
7 Street and Madison Avenue to a C4-4L Zoning District  
8 which is an R7-A equivalent.

9 The applicant is also seeking a Zoning Text  
10 Amendment to establish a mandatory inclusionary  
11 housing area with Options 1 and 2.

12 The proposed actions would facilitate the  
13 development of a new six-story, approximately 36,000  
14 square foot mixed use building with approximately  
15 7,000 square feet of commercial space on the ground  
16 floor and 30 residential units on the upper floors  
17 including nine permanently income restricted units at  
18 2 Howard Avenue and in the Bedford-Stuyvesant  
19 neighborhood of Brooklyn within community district 3.

20 The rezoning area situated at a three-way  
21 intersection with Howard Avenue, Monroe Street and  
22 the 80-foot-wide Broadway, which is an important  
23 transit and retail corridor in the Bedford-Stuyvesant  
24 and Bushwick neighborhoods.

2 The rezoning area is about 20,000 square feet.

3 In 2007, the current R6-B C2-4 District was Mapped in  
4 the Bedford-Stuyvesant South rezoning. The rezoning  
5 area is the transit zone and the Gates Avenue J/Z  
6 Station is just north of the rezoning area which can  
7 be seen on the right-hand side of the screen.

8 The surrounding area is improved with  
9 predominantly residential buildings in the R6B which  
10 is shown shaded in yellow and public facilities shown  
11 in blue. The elevated tracks again for the JMZ lines  
12 run above Broadway. The Broadway corridor is  
13 characterized by active; commercial; retail; and  
14 service uses. In entirely commercial buildings which  
15 are shown here in red and in mixed use buildings  
16 which are shown in a light orange on the screen. And  
17 approximately 17 block stretch of Broadway directly  
18 adjacent to the rezoning area, is currently within a  
19 C4-4L District.

20 The development site shown here, is an 8,000  
21 square foot corner lot with 100 feet of frontage on  
22 Monroe Street and 80 feet of frontage on Howard  
23 Avenue. It is located at the intersection of Monroe  
24 and Howard with Broadway. It has been vacant for  
25 over 20 years.



2 Here are additional photos showing the Monroe  
3 Street Frontage which is 100 feet. Two non-  
4 applicant-controlled properties are included in the  
5 rezoning area. The development site is directly  
6 adjacent to Lot 39, which is shown on the right. An  
7 interior lot with a four-story mixed-use building.  
8 This building is slightly overbuilt at 2.09 FAR.  
9 Further to the South is Lot 43, shown on the left.  
10 It is a corner lot with a four-story residential  
11 building with eight units. This building is  
12 significantly overbuilt with a 3.83 FAR. The  
13 underlying R6B Zoning District allows a 2.0 FAR.

14 An approximately 17 Block stretch of Broadway  
15 directly adjacent to the rezoning area again, is  
16 Mapped with a C4-4L District, the rezoning would  
17 extend the existing C4-4L District across Monroe  
18 Street to the rezoning area. The rezoning area does  
19 not have a built context that is typical of R6B  
20 Districts, instead it relates more to the C4-4L  
21 District as mapped directly to the North.

22 Development in the rezoning area with the C4-4L  
23 District, would be subject to a transition  
24 requirement containing the zoning resolution that  
25 limits the height to 65-feet within 25-feet of the

2 R6B District, creating a transition toward the lower  
3 scale mid-block. The overbuilt buildings within the  
4 rezoning area will be brought into compliance by the  
5 rezoning.

6 The proposed development is a new six-story  
7 mixed-use building again, with 30 units. It would be  
8 65-feet tall, approximately 3,600 square feet or 4.5  
9 FAR. The maximum FAR in the C4-4L District is 4.6.  
10 About 7,000 square feet of ground floor commercial  
11 floor area would be divided into three smaller units,  
12 likely tenants would be local businesses such as food  
13 and beverage or retail businesses, creating active  
14 uses on the ground floor at this corner.

15 Approximately 29,000 square feet of the building  
16 would be residential floor area on the upper floors.  
17 That is 30 units including 9 permanently income  
18 restricted units under MIH. This is MIH option two  
19 and the unit distribution for the entire building  
20 would be five studios of 17 percent, 10 one-bedroom  
21 units or 33 percent, 10 two-bedroom units. Again, 33  
22 percent and 5 three-bedroom units, 17 percent.

23 There is also an 1,800 square foot outdoor  
24 recreation space on the roof of the first floor. The  
25 nine MIH units would comply with the zoning

1 requirement that they are either proportional with  
2 the non-MIH units with the bedroom mix or 50 percent  
3 of the MIH units would be two or more bedrooms and 75  
4 percent would be one or more bedrooms.  
5

6 The roof plan shows that the building will have a  
7 green roof and also have solar panels. The building  
8 will also provide storm water recovery, water  
9 conserving plumbing and energy efficient appliances  
10 and lighting. And in this roof plan, you can also  
11 see the recreation area on the first-floor roof.

12 This rendering shows the proposed development and  
13 context with the elevated rail line in the four  
14 ground with the JMZ lines and the building at the  
15 forefront is the Brooklyn Highschool for Law and  
16 Technology, which is six-stories in context with the  
17 proposed development.

18 There is one more rendering showing the building  
19 in context viewed from the North. In this image, you  
20 can see the green roof and solar array.

21 Finally, the proposed rezoning activates and  
22 revitalizes the unutilized development site, which  
23 has been vacant for 20 years. It is in a transit-  
24 oriented location adjacent to Broadway, a major  
25 neighborhood corridor. The proposed development

2 would include 30 new units including nine permanently  
3 income restricted units under MIH, new locally  
4 oriented commercial space adjacent to Broadway.

5 And that's my presentation. I am happy to answer  
6 any questions.

7 CHAIRPERSON MOYA: Great, thank you so much.  
8 Just a quick couple of questions here. Can you just  
9 walk me again through what the rationale was for the  
10 C4-4L zoning?

11 FRANK ST. JACQUES: Yes. I am just going to go  
12 back a few slides to show the current context. So,  
13 this is the blue, sort of triangular shape line is a  
14 C4-4 zoning district that's mapped along Broadway  
15 immediately adjacent to where the development site  
16 is. You can see below that, that sort of jagged blue  
17 shaded line is the proposed rezoning area with the  
18 development site. So, it would simply extend the C4-  
19 4L zoning, which was created and mapped along  
20 Broadway, just one block south to this area that is  
21 at the intersection of Monroe, Broadway and Madison.

22 We believe that the context at the rezoning areas  
23 is similar and comparable to the zoning that was  
24 mapped immediately north.

2 CHAIRPERSON MOYA: Thank you and what income  
3 bands will be mapped for this project and what MIH  
4 option are you looking at?

5 FRANK ST. JACQUES: So, the applicant has  
6 selected MIH Option 2, which would provide again,  
7 nine permanently income restricted units at an  
8 average of 80 percent AMI.

9 CHAIRPERSON MOYA: And what types of retail will  
10 rent the commercial space?

11 FRANK ST. JACQUES: So, there is not an intended  
12 retail tenant at the moment. The applicant is  
13 looking and thinks that it would most appropriate for  
14 locally oriented retail. The space is flexible, but  
15 the intent is that it could accommodate three smaller  
16 commercial spaces more appropriate for local  
17 businesses.

18 CHAIRPERSON MOYA: Great, thank you. I am going  
19 to now turn it over to Council Member Ampry Samuels  
20 for some questions.

21 FRANK ST. JACQUES: Thank you.

22 COUNCIL MEMBER AMPRY SAMUEL: Thank you Chair  
23 Moya and thanks for your presentation. I just want  
24 to I guess just state for the record and for the  
25 Chair, the option 1 you know, clearly provides deeper

2 affordability that more closely matches the incomes  
3 of the surrounding community and both the Community  
4 Board and the Borough President recommended MIH  
5 option 1. And so, just because of what is happening  
6 in our community and in particular what is happening  
7 in the area. When you look at the surrounding  
8 buildings there is one across the street that does  
9 not have any level of affordability. And so, we are  
10 seeing an increase in luxury apartments along  
11 Broadway and just throughout the Bed-Stuy community,  
12 so it would be my strong consideration to limit the  
13 application to Option 1, in order to ensure deep  
14 affordability in line with you know, just the other  
15 recommendations as well with the Community Board and  
16 again, the Borough President. So, I just wanted to  
17 put that out there just so you can have it because I  
18 see that you have mentioned several times about  
19 Option 1 and 2. And so, Option 1 would be the  
20 preferred Option for the District and this project.

21 The development site is near the elevator tracks.  
22 Do you intent to include building materials or  
23 construction methods that would absorb the sound from  
24 the elevator train, and have you had any discussions  
25 at all about the entrance of that particular train

2   station?   Because I know where that is located, the  
3   train station entrance is closed and there have been  
4   some concerns about the development in the area and  
5   looking to see if we can have conversations with  
6   developers around a conversation and all with TA and  
7   other stakeholders to see if we can discuss if there  
8   is going to be increase in the usage of that  
9   particular subway station and that stop.   Have you  
10   had any conversations with anyone at all around the  
11   opening of that particular station entrance and exit?

12           FRANK ST. JACQUES:   Sure.

13           COUNCIL MEMBER AMPRY SAMUEL:   So, it is two  
14   separate questions.   One about the materials and then  
15   one about -

16           FRANK ST. JACQUES:   Right, right.   So, the answer  
17   to the first question is, this site is subject to an  
18   E-designation for noise.   So, it is part of the  
19   environmental due diligence for this project.   Noise  
20   was studied, it was determined that in order for  
21   anyone to build on this site, they would have to  
22   incorporate window and wall attenuation to ensure an  
23   acceptable interior noise level.

24           So, prior to pulling plans to build a new  
25   development, any developer within the rezoning area

1 would have to incorporate that attenuation into a new  
2 building to protect residents from noise.

3  
4 As far as the second question related to the  
5 existing station, I know that it is again, part of  
6 the environmental assessment statement. It was  
7 determined that the proposed development here and any  
8 projected development wouldn't have an adverse impact  
9 on the station. I don't believe that there has been  
10 any direct conversation with any stakeholders with  
11 respect to - I think you are asking as a practical  
12 matter, what the effect of this development would be.  
13 I think the applicant is happy to have that  
14 conversation with your office or with the Community  
15 Board and we are happy to facilitate that discussion.

16 COUNCIL MEMBER AMPRY SAMUEL: Okay, so it would  
17 be the Community Board, Members Community Board 3,  
18 Transportation Committee, that would be very helpful.

19 Now, going back to the unit sizes, you mentioned  
20 in your presentation a breakdown of the bedrooms, can  
21 you go back to just the breakdown of the units within  
22 the affordability?

23 FRANK ST. JACQUES: So, the breakdown within the  
24 affordability.



2 COUNCIL MEMBER AMPRY SAMUEL: Because I see the  
3 five studio, 17 percent, 10 one-bedrooms, 10 two-  
4 bedrooms, 5 three bedrooms. Can you break that down  
5 further based on the affordability if you did Option  
6 1?

7 FRANK ST. JACQUES: So, we haven't broken it down  
8 further. What zoning requires is that the MIH unit  
9 mix either be proportional to the market rate units.  
10 So, roughly 17 percent, 33 percent, 33 percent and 17  
11 percent, or there be more than 75 percent one bedroom  
12 and larger units and more than 50 percent two bedroom  
13 and larger units.

14 You know, sort of a rough breakdown of that, this  
15 could vary but I think that's about one to two  
16 studios, two to three ones, three twos and one to  
17 three's. And again, that is just sort of an  
18 illustrative. There is a number of ways to do that,  
19 we haven't really worked through all the different  
20 options but that's a possible distribution. Again,  
21 we are talking about a relatively small number of MIH  
22 units. So, there is some flexibility there.

23 COUNCIL MEMBER AMPRY SAMUEL: Okay. Will you  
24 partner with a local nonprofit organization as the  
25 administering agent for the affordable housing?

2 FRANK ST. JACQUES: Yes, the applicant intends to  
3 work with a local nonprofit impact as the affordable  
4 housing administrator for the MIH program.

5 COUNCIL MEMBER AMPRY SAMUEL: Okay, and you  
6 mentioned that there is going to be proposed ground  
7 floor commercial space. What will be the uses of  
8 that particular space and have you made any  
9 commitments at all?

10 FRANK ST. JACQUES: So, no commitments have been  
11 made as of yet. I think the applicant is thinking  
12 that the most appropriate uses would be again for  
13 local retail or food and beverage uses, either  
14 restaurant, coffee shop, that type of thing to serve  
15 the local area. This is intended as you know, larger  
16 destination retail. It would be more kin to the  
17 commercial uses along Broadway that again serve the  
18 needs of the local community.

19 COUNCIL MEMBER AMPRY SAMUEL: Okay, and it's been  
20 difficult to find retail in that immediate area along  
21 Broadway if you look at the commercial space, just  
22 two blocks to the right and left, they have had a  
23 difficult time with finding someone to come in and  
24 they have been vacant for a while. Would you be able  
25

2 to set aside affordable space for community serving  
3 use or a nonprofit organization?

4 FRANK ST. JACQUES: At this point, the applicant  
5 has not made a commitment to do that.

6 COUNCIL MEMBER AMPRY SAMUEL: Okay, and can you  
7 describe your plans for ensuring MWBE and locally  
8 based contractors and subcontractors to participate  
9 in the development?

10 FRANK ST. JACQUES: Yes, do again, this is a  
11 relatively small project and would be a relatively  
12 small construction job. There is not a general  
13 contractor in place, but the applicants intent is to  
14 have the JC try to hire locally and we would be happy  
15 to report back to either your office or the Community  
16 Boards office with respect to those efforts.

17 COUNCIL MEMBER AMPRY SAMUEL: Okay, and that was  
18 for the MWBE. What about the local hiring?

19 FRANK ST. JACQUES: I am sorry, I intended that  
20 answer to cover both, both local hiring and MWBE.

21 COUNCIL MEMBER AMPRY SAMUEL: Okay, and last  
22 question. Will you be able to pull together progress  
23 reports to submit to the Council as well as the  
24 Community Board in reference to your attempts or you  
25 know just your progress in making sure that you are

2 doing your due diligence with hiring locally as well  
3 as partnering with MWBE's? Will you be able to  
4 provide us with like a more consistent and like  
5 committed progress report?

6 FRANK ST. JACQUES: I don't think that should be  
7 a problem. I think the applicant can work towards  
8 doing that.

9 COUNCIL MEMBER AMPRY SAMUEL: Okay, and this is  
10 the last question. What sustainability and  
11 resiliency measures are incorporated into the  
12 buildings design and construction? I did see some  
13 green space on roof, but can you just talk us  
14 through?

15 FRANK ST. JACQUES: Sure, so I just pulled the  
16 slide back up with respect to showing the green roof  
17 and a solar panel array. These are two aspects of  
18 the project that would certainly contribute to a  
19 sustainability of measures. In addition to the green  
20 roof and the solar panels, the building will also  
21 incorporate storm water recovery, water concerning  
22 plumbing, energy efficient appliances and low-energy  
23 and daylight sensor lights.

24 COUNCIL MEMBER AMPRY SAMUEL: Okay, and that is  
25 solar panels bottom right?

2 FRANK ST. JACQUES: Yes, exactly. So, those  
3 rectangles are solar panels and I can actually show,  
4 it's a little nicer looking on the rendering. You  
5 can see sort of in the upper corner of the building  
6 that solar panel array and then the green roof as  
7 shown here.

8 COUNCIL MEMBER AMPRY SAMUEL: Okay, alright, so,  
9 this is a start and I look forward to working with  
10 the team for 2 Howard. Thank you so much.

11 FRANK ST. JACQUES: Thank you Council Member.  
12 Thank you Chair.

13 CHAIRPERSON MOYA: Thank you. Thank you for your  
14 testimony today. I want to acknowledge that we have  
15 been joined by Council Member Donovan Richards and  
16 Antonio Reynoso. Oh, and Council Member Rose as  
17 well.

18 Are there any other members of the public who  
19 wish to testify on this item? Seeing none, I now  
20 close the hearing on this application, and it will be  
21 laid over.

22 Our next hearing for today is on LU number 419  
23 for the Court Square Block 3 Text Amendment in  
24 Council Member Van Bramer's District in Queens. The  
25 Application seeks approval of a Zoning Text Amendment

2   to modify the height and setback regulations  
3   applicable to Block 3 in the Court Square Sub  
4   District of the Special Long Island City District.

5           As proposed, the Amendment would facilitate the  
6   development of a new approximately 45-story mixed-use  
7   building. I now want to open up the public hearing  
8   on this Application and I want to call up Dan Egers  
9   and Nick Silvers.

10          Council, if you could please swear in the panel.

11          COUNCIL CLERK: Please state your name for the  
12   record. Do you swear or affirm that the testimony  
13   that you are about to give will be the truth, the  
14   whole truth, and nothing but the truth and that you  
15   will answer all questions truthfully?

16          DAN EGRERS: Dan Egers, I do.

17          NICK SILVERS: Nick Silvers, I do.

18          COUNCIL CLERK: Please make sure your microphone  
19   is.

20          NICK SILVERS: Nick Silvers, I do.

21          COUNCIL CLERK: Thank you.

22          CHAIRPERSON MOYA: Thank you. You may begin.

23          DAN EGRERS: Good morning Chair Moya, Dan Egers  
24   Land Use Attorney at Greenberg Traurig, representing  
25   Court Square 45<sup>th</sup> Ave LLC. The owner of the property

2 is at 2310 to 2316 45<sup>th</sup> Avenue and 4503 to 4509 23<sup>rd</sup>  
3 Street in Long Island City. This is an Application  
4 for a Zoning Text Amendment to change the height and  
5 setback regulations applicable to the properties  
6 block.

7 Under current height and setback regulations and  
8 as of right 70-story building would be built, while  
9 under the proposed text amendment, a 45-story  
10 building would be constructed. The developer  
11 actually wants to make building shorter and I will  
12 explain how and why we want to do that.

13 Both the as of right and proposed buildings would  
14 contain 15 FAR with a certification from City  
15 Planning regarding construction of a subway  
16 improvement.

17 I am joined by Nick Silvers of the developer.  
18 Also, here to answer any questions you may have are  
19 Chris Fogarty of Fogarty Finger Architecture and Mike  
20 Curley of Philip Habib and Associates.

21 The property is in the C53 District in the  
22 special Long Island City Mixed Use District. It is  
23 in the Court Square subdistrict and in particular it  
24 is on Block 3 of the subdistrict.

2 The development site comprises the seven lots  
3 outlined in red, having approximately 11,000 square  
4 feet of area. The green lots on the east end of the  
5 block are air rights parcels from which about 90,000  
6 square feet of development rights would be  
7 transferred as of right.

8 The black dash line shows an area within 60 feet  
9 of 23<sup>rd</sup> Street that has an 85-foot building height  
10 limit, which is one of the height and setback  
11 regulations the Text Amendment seeks to change.

12 Here is a view of the block and the site. Each  
13 of the seven lots comprise in the development site is  
14 improved with a 3-story building. As mentioned, 15  
15 FAR is permitted as of right in Court Square for  
16 zoning lots over 10,000 square feet with a  
17 certification from the Chair of the City Planning  
18 Commission that a subway improvement will be  
19 constructed in accordance with these special  
20 districts regulations.

21 So, a 15 FAR building containing approximately  
22 256,000 square feet is permitted as of right on the  
23 development site. The Zoning Text Amendment seeks to  
24 change the buildings configuration to make it  
25 shorter, which I will show you now.



2 The building on the left is the building that can  
3 be constructed as of right. It is 70 stories, 716  
4 feet tall. The typical tower floor plate is about  
5 3,400 hundred square feet. The height and skinniness  
6 is a function of the application of the existing  
7 height and setback regulations, which the Text  
8 Amendment seeks to change.

9 The building on the right is the building that  
10 would be constructed under the proposed Text  
11 Amendment. It will be 45-stories, 524 feet tall, and  
12 it would have tower floor plates of about 6,300  
13 square feet. It would have the same floor area as  
14 the as of right building; what we are doing is  
15 shifting floor area from the tower to the base.

16 Our client would prefer to build the shorter  
17 building whereas the floor layouts would be better,  
18 and it would be a more efficient building.

19 This slide shows the existing height and setback  
20 regulations and the proposed changes and the effect  
21 on the buildings floor plates. First, the 85-foot  
22 height limit I mentioned before within 60 feet of  
23 23<sup>rd</sup> Street is replaced with a maximum height of 125  
24 feet at which height, the building would setback 20  
25 feet.

2 We note the 125-foot base height is less than  
3 150-foot base height in our ten equivalent districts  
4 in Long Island City and elsewhere and the 20-foot  
5 setback is more than the 10-foot setback often  
6 required from wide streets, such as 23<sup>rd</sup> Street.

7 Second, on 45<sup>th</sup> Avenue, which is a narrow street,  
8 the 85-foot maximum base height is maintained.

9 However, under current regulations, the underlying  
10 tower encroachment provisions apply which would  
11 result in a set back of 20 to 30 feet and you can see  
12 the odd configuration on your left.

13 The Text Amendment would instead apply just the  
14 underlying 15 foot required minimum setback. The  
15 building would have ground floor retail, offices on  
16 floors 2 to 8. So, seven stories of office use and  
17 apartments above. This shows the improved layouts of  
18 the residential tower floors and this shows the  
19 layout of the commercial floors.

20 And lastly, here is a contextual massing showing  
21 the 70-story as of right building on the left and the  
22 45-story building that could be built with the Text  
23 Amendment. You see the 45-story building relates to  
24 the proposed Toyoka[SP?] building on the same block.

2 And here finally, is another contextual massing  
3 showing the 70-story as of right building and the 45-  
4 story building with the Text Amendment. Thank you  
5 for your time and I welcome any questions.

6 CHAIRPERSON MOYA: Great, thank you. Just a  
7 couple of questions, but can you just walk me through  
8 again sort of besides a more efficient floor plate,  
9 what was the rationale for reducing the setback on the  
10 23<sup>rd</sup> Street frontage of the building?

11 DAN EGGERS: So, it's a more efficient floor plate  
12 as mentioned and also, there is less space devoted to  
13 building corp and it's a more regular shaped floor  
14 plate. As you can see with the current height limit,  
15 there is a 60-foot setback from 23<sup>rd</sup> Street. That  
16 would be replaced by a 20-foot setback and the floor  
17 plate would be increased from about 3,400 to 6,500  
18 square feet.

19 CHAIRPERSON MOYA: Got it. Will there be any  
20 noise impacts for the tenants in the buildings that  
21 face the elevated train line on 23<sup>rd</sup> Street?

22 DAN EGGERS: As part of the environmental review  
23 that was studied and there is not anticipated to be  
24 any adverse impacts from noise.

2 CHAIRPERSON MOYA: Is the applicant proposing to  
3 provide any onsite parking?

4 DAN EGGERS: Parking is not required, and no  
5 parking is proposed.

6 CHAIRPERSON MOYA: Can you tell me what is the  
7 affordability that is proposed for this site?

8 DAN EGGERS: So, no affordability is required. It  
9 is not a Mandatory Inclusionary area or an  
10 involuntary inclusionary area, there is no up zoning.  
11 Condos are proposed, so there is no affordable  
12 component required or proposed.

13 CHAIRPERSON MOYA: And are the residential  
14 buildings in the project area still occupied?

15 DAN EGGERS: So, on the site, there are seven  
16 buildings. There are six occupied, one by a  
17 commercial use. So, there is five occupied by  
18 residential uses. There is a total of 13 tenants.  
19 Those are all market rate; none are rent regulated.  
20 They are not long-term tenants, they have been in  
21 place only since 2016 or 2017, when my client  
22 purchased the property and I don't believe any of the  
23 leases lasting beyond this year. They have 30-day  
24 demolition clauses and when the leases were signed,

2 it was with the understanding that they would have to  
3 vacate once the development process commenced.

4 CHAIRPERSON MOYA: Can you tell me where you are  
5 in that process. So, like the plan for the tenants  
6 in those building. Like, have they already committed  
7 to leave or what is the status?

8 DAN EGGERS: Nick.

9 NICK SILVERS: Some of them have already  
10 committed to leave. We are offering renewals but in  
11 the same vein that they are fully aware that it is  
12 only temporary and that they will be more than likely  
13 vacating within the next 12 months at a minimum.

14 CHAIRPERSON MOYA: Okay, thank you. What are the  
15 required subway improvements for this site?

16 DAN EGGERS: So, there is a scope of work that's  
17 been formulated with the MTA and currently Department  
18 of City Planning Staff is considering potentially an  
19 additional improvement. But the improvement is  
20 primarily an elevator for the Manhattan bound EM  
21 Train from the transformesanine[SP?] to the platform  
22 level. And that improvement in conjunction with an  
23 improvement being implemented by another developer  
24 from street level to the transformesanine would make  
25 that Manhattan bound line completely ADA compliant,

2   handicap accessible.  Whereas now, it is not  
3   accessible at all.

4           CHAIRPERSON MOYA:  That was my next question  
5   about the ADA accessibility.  And the last question  
6   is, the Community Board requested that 10,000 square  
7   feet of the proposed development be leased to the  
8   Queens Public Library or another local not-for-profit  
9   at a reduced rent.  I know that you have been having  
10   conversations with the library, could you kind of  
11   give us an update on where you are with that.

12          DAN EGGERS:  Sure, and we want to be responsive to  
13   the community and our client is open to including in  
14   the project a not-for-profit use.  We would love it  
15   to be the Library, we had a good meeting with the  
16   library back in February and we look forward to  
17   continuing discussions.  We look forward to  
18   continuing discussions with the Council Member about  
19   getting a not-for-profit in the building at a below  
20   market rent and doing something that would make the  
21   project better for the community and better overall.

22          CHAIRPERSON MOYA:  Great, thank you so much for  
23   your testimony today.

24          DAN EGGERS:  Thank you.

2 CHAIRPERSON MOYA: Are there any other members of  
3 the public who wish to testify on this item? Seeing  
4 none, I now close the public hearing on this  
5 application, and it will be laid over.

6 DAN EGGERS: Thank you.

7 CHAIRPERSON MOYA: Thank you. Please note that  
8 we will be laying over LU's 412, 403, and 404 pre-  
9 considered LU's 413 and 414, pre-considered LU's 397  
10 and pre-considered 411 for a future vote. We will  
11 pause for just one minute. Thank you.

12 Okay, we are now going to get started. Our last  
13 hearing for today is on pre-considered LU numbers  
14 420, 421, 422 and 423 for the Special Bay Street  
15 Corridor rezoning in Council Member Rose's District  
16 in Staten Island. The Department of City Planning,  
17 Department of Housing Preservation and Development  
18 and Department of Citywide Administrative Services  
19 seeks approval for a set of related Applications  
20 constituting the Special Bay Street Corridor in  
21 Council Member Rose's District.

22 I know we have many people interested in this  
23 proposal and I would like to begin the process and  
24 open up the public hearing on this Application.

2 Beginning first, I would like to turn it over to  
3 Council Member Rose who would like to read a  
4 statement before we begin.

5 COUNCIL MEMBER ROSE: Thank you Chair Moya. Good  
6 morning and thank you for holding this hearing on  
7 Special Bay Street Corridor District Pre-LU 420  
8 through 423.

9 From the beginning of this community planning and  
10 rezoning process, my number one priority has been the  
11 creation of affordable housing and the preservation  
12 of existing affordable housing.

13 To many residents in my district are facing  
14 rising rents and the threat of displacement. When  
15 the Administration approached me about the rezoning  
16 process, from day one, I have prioritized the  
17 creation of affordable housing. However, we cannot  
18 add additional density without the necessary  
19 infrastructure to make the Bay Street Corridor a  
20 functioning community. We have to get this balance  
21 of density and infrastructure right in order to move  
22 forward with this rezoning.

23 I have heard feedback from my community that  
24 there is not enough affordable housing and the  
25 affordable housing is not serving those who need it



1 most. At every meeting with the Administration, I  
2 have reiterated the need to prioritize the use of  
3 city owned property for affordable housing, that  
4 reaches residence at 30 percent and 40 percent AMI.  
5

6 Publicly owned sites provides the best  
7 opportunity for ensuring the affordable housing in  
8 this rezoning are reaching residents of all incomes.  
9 I am pleased that the Jersey Street Garage is under  
10 HPD jurisdiction and will provide over 200 units of  
11 affordable housing including 90 units of senior  
12 affordable housing. This is welcomed news and I look  
13 forward to the public engagement process to ensure  
14 the amenities and other quality of life issues are  
15 addressed before construction begins on this site.

16 However, the Administration has not made any  
17 commitments around the affordability on the remaining  
18 phases of development along the Stapleton Waterfront.  
19 I have called for the housing along the Waterfront to  
20 be 100 percent affordable at a range of incomes.  
21 Again, at a range of incomes, that serve all income  
22 levels in my district.

23 The Administration will need to demonstrate what  
24 kind of affordability is proposed on the Waterfront  
25

2 and that determination will be a critical factor for  
3 my vote on this rezoning.

4 On privately owned sites, the MIH program is our  
5 only requirement for providing affordable housing.  
6 That is why it is so imperative that we maximize the  
7 required affordable housing for those who need it  
8 most. Market rate units in an offshore are renting  
9 at rates deemed affordable to families making  
10 approximately 120 percent of AMI. The so-called  
11 workforce option, which I have to take issue with.  
12 That implies that the people at the other AMI's are  
13 not working and that's a misnomer.

14 An MIH program only requires a private property  
15 owner to provide 30 percent of the residential  
16 development on the site for households earning an  
17 average of 115 percent of AMI. Households earning  
18 incomes at 115 percent and above will be well served  
19 by the roughly 75 percent of units of market rate  
20 housing that will be created as a result of the  
21 rezoning. Not to mention, the other market rate  
22 residential development that is occurring in and  
23 offshore.

24 This rezoning is unlocking residential  
25 development in an area where no residential

1 development was previously allowed. This  
2 Administration needs to find more opportunities for  
3 affordable housing in and around the rezoning area  
4 and I expect HPD and other city agencies to conduct  
5 aggressive outreach to property owners within the  
6 rezoning area to secure more affordable housing at  
7 deeper affordability than what the Mandatory  
8 Inclusionary Housing program requires.  
9

10 As it relates to the necessary infrastructure for  
11 this rezoning, I share with my constituents concerns  
12 about the lack of clarity of what kind of  
13 infrastructure improvements are planned for the Bay  
14 Street Corridor. The planning process for this  
15 project has taken several years and we have almost no  
16 answers on what the city agency's plan is to mitigate  
17 the significant traffic and public transportation  
18 impacts. The open space impacts, the school impacts  
19 and necessary sewer infrastructure to accommodate  
20 this growth.

21 We have a long way to go in this process, but we  
22 don't have much time. We have talked enough. We  
23 need answers and I expect to hear some today.

24 I want to thank the Land Use Staff Rogue Man,  
25 John Douglas, Ami Levitin, Arthur Hah[SP?] and my

2   staff Chris Johnson, Isa Rogers and Vince  
3   Gronary[SP?]. Thank you, Mr. Chair.

4           CHAIRPERSON MOYA: Thank you Council Member Rose.  
5   We now would like to call up Anita Laremont, Chris  
6   Hadwin, Joe Helferty and Simon Kawitzky.

7           COUCIL CLERK: Please state your full name for  
8   the record. Do you swear or affirm that the  
9   testimony you are about to give will be the truth,  
10   the whole truth and nothing but the truth and that  
11   you will answer all questions truthfully.

12          ANITA LAREMONT: Yes.

13          CHAIRPERSON MOYA: Thank you. Will you just  
14   state your name and then you can begin your  
15   testimony. Thank you.

16          ANITA LAREMONT: Good morning. My name is Anita  
17   Laremont and I am the Executive Director of the  
18   Department of City Planning. Thank you, Chair Moya,  
19   Council Member Rose, and members of the Zoning and  
20   Franchises Subcommittee, for allowing me to testify  
21   today.

22          As you will hear today, there is over a billion  
23   dollars in investment underway in the Northshore of  
24   Staten Island from the Empire outlets, which are  
25   opening tomorrow to the redevelopment of the Navy

2 Home Pier at the new Stapleton Waterfront. In the  
3 middle of this investment is the Bay Street Corridor.  
4 Where current manufacturing zoning has not changed  
5 since 1961. This zoning depresses direct investment  
6 in the corridor and fails to capitalize on the  
7 surrounding investments. It prohibits the creation  
8 of housing and the types of jobs we've heard are  
9 important to the north shore. The community has a  
10 vision for a connected downtown Staten Island  
11 extending from St. George through Stapleton and  
12 toward the harbor. Bay Street is the missing link in  
13 realizing this vision.

14 The plan before you is the combination of more  
15 than four years of outreach and coordination with  
16 sister agencies, community partners and elected  
17 officials who have helped shape this plan and guide  
18 our conversations about what is needed to  
19 reinvigorate this neighborhood. While our  
20 conversations in the Ulurp process have been  
21 challenging, they have been almost entirely focused  
22 on the associated infrastructure investment and not  
23 on the rezoning itself. Which is a testament to the  
24 thoughtful and tailored set of zoning rules we have  
25 crafted to implement the communities land use vision.

2           On infrastructure, we have made initial  
3    investments in transportation and public rail  
4    improvements to respond to the communities priorities  
5    and we continue to work with our agency partners, the  
6    Administration, and the Council Member to deliver  
7    more. All said, City Planning believes that the Bay  
8    Street Corridor and neighborhood plan will deliver  
9    much needed change and allow it to participate in the  
10   north shore renaissance that Islanders have long  
11   talked about and that is finally here.

12           The zoning changes proposed will for the first  
13   time allow the creation of new housing including much  
14   needed affordable housing through mandatory  
15   inclusionary housing and bring new jobs to the area  
16   while also bringing significant investment to the  
17   community. If adopted, this plan will mark the first  
18   MIH neighborhood rezoning in Staten Island, my home  
19   borough, expanding the reach of these rezoning's to  
20   all five boroughs.

21           With that, I will turn it over to Staten Island  
22   Borough Director Chris Hadwin to walk you through  
23   more of the plan and the supporting strategies we are  
24   working toward with our agency partners to help  
25

2 realize this vital and important plan for the north  
3 shore of Staten Island. Thank you.

4 CHRIS HADWIN: Good morning, I am Chris Hadwin,  
5 the Director of City Planning Staten Island Borough  
6 Office, as Anita just mentioned. Thank you, Chair  
7 Moya and Council Member Rose and Members of the  
8 Zoning and Franchises Subcommittee, for having us  
9 here today.

10 I would like to walk us through some additional  
11 context to what Bay Street is about and how we  
12 developed the framework as well as the various  
13 strategies that we continue to work towards to  
14 implement it. As you just heard, this project is the  
15 result of over four years of work with the community  
16 and many city agencies to understand existing  
17 conditions, issues, and their vision for the future  
18 of this area.

19 From the onset, we worked with Council Member  
20 Rose to establish a local advisory committee of  
21 stakeholders and local groups, including Staten  
22 Island Community Board 1 that advised on their  
23 priorities and helped assist with outreach to reach  
24 the broader community.

2 Backing up for just a second, as we discussed why  
3 Bay Street was chosen, it is important to highlight  
4 the previous planning efforts the City has undertaken  
5 over the past several years.

6 First the St. George in Stapleton Special  
7 Districts were adopted in 2006 and 2008 respectively  
8 to foster mixed use development extending from the  
9 Staten Island Ferry through to the former Navy Home  
10 Pier site, now known as Stapleton Waterfront.

11 In 2011, DCP and EDC partnered to release the  
12 North Shore 20/30 report. Which amongst other things  
13 established a vision for a downtown Staten Island  
14 with mixed uses supported by access to alternate  
15 forms of transportation. Bay Street lays in mid  
16 these efforts and is the link between the St George  
17 and Stapleton neighborhoods.

18 At the same time, the current manufacturing  
19 zoning which has been in place since 1961, doesn't  
20 allow it to capitalize off of its strategic location  
21 between these neighborhoods, or its direct access to  
22 some of the greatest transit options in the borough.  
23 With the Ferry, Staten Island Railway and many bus  
24 routes all within proximity.



2 Projects like Empire Outlets, new affordable  
3 housing, office spaces, and a hotel at Lighthouse  
4 Point and the ongoing development of the Home Pier  
5 site at Stapleton Waterfront are bringing significant  
6 investment to the area but today zoning precludes the  
7 residential affordable housing and commercial uses  
8 that would help connect these surrounding areas  
9 together and help realize this vision for a downtown  
10 Staten Island.

11 To give some context, these images show the  
12 existing conditions in the St George neighborhood  
13 immediately to the north with office uses and mixed  
14 residential and commercial developments that are  
15 today allowed up to 20-stories. This is also the  
16 location of many civic functions including Staten  
17 Island's Borough Hall and a satellite campus for the  
18 College of Staten Island.

19 In Stapleton to the south of Bay Street, we see  
20 traditional town center development centered on  
21 Village Hall and Tappen Park which is shown in the  
22 bottom left image. The zoning here today allows  
23 mixed uses up to 7-stories. In the bottom right, we  
24 see the first phase of the Stapleton Waterfront or  
25 Urby which has ground level commercial uses,

2 residential above and when complete, will provide  
3 nearly 12-acres of publicly accessible waterfront  
4 open space.

5 As you move Inland from these neighborhoods, you  
6 see a more traditional low-density character and a  
7 mix of detached, semi-detached and attached one- and  
8 two-family homes particularly as you move upland to  
9 higher elevations along Staten Island's hillsides.

10 By contrast, the Bay Street Corridor consists of  
11 many vacant or underutilized lots and open storage.

12 Overall the area is out of context with the  
13 surrounding residential uses and commercial corridors  
14 that we just saw and does not draw people between  
15 these neighborhoods or towards the transit  
16 opportunities at the Staten Island railway or the  
17 active uses being developed along the waterfront.

18 Responding to these existing conditions and  
19 building off of these previous planning efforts, we  
20 worked with the Advisory Committee to establish four  
21 guiding principles to help implement the communities  
22 vision for the future of this area and guide our  
23 process. From the onset, we saw it to foster a  
24 walkable downtown environment with new housing and  
25 job opportunities to meet the diverse range of the

2 communities needs. We've also heard the importance  
3 of infrastructure to support the future community and  
4 have been working towards strategies to support the  
5 Land Use plan along with our sister agencies.

6 To that end, the plan proposes four Land Use  
7 actions to help realize these principles. The first  
8 is a rezoning that would allow medium density mixed  
9 uses along the Bay Street Corridor and a portion of  
10 canal street that would better align with surrounding  
11 zoning.

12 The second is a Text Amendment that would  
13 establish mandatory inclusionary housing in these  
14 areas and bring much needed affordable housing to the  
15 area as well as create the special Bay Street  
16 Corridor District to tailor the zoning controls to  
17 respond to local needs.

18 Additionally, the Special Stapleton Waterfront  
19 District would be modified to increase the minimum  
20 height for the future northern phase and provide a  
21 floor area exemption that would allow for a new  
22 school on the site in conjunction with the ongoing  
23 development.

24 Third, disposition of a former Department of  
25 Health office building in St George that has been

2 vacant for many years to EDC, would allow it to be  
3 repurposed as a commercial office building to bring  
4 in new jobs.

5 And finally, disposition of the current DSNY  
6 sanitation facility on Jersey Street to HPD would  
7 allow them to facilitate affordable housing and  
8 housing for seniors. The community have long  
9 advocated for the relocation of this facility and  
10 they are in the process of relocating by 2023.

11 As mentioned, the new Bay Street Corridor Special  
12 District will create custom zoning and rules that  
13 were developed in concert with the community and  
14 based on their feedback. For example, height and  
15 density will be limited throughout much of the  
16 corridor to six to eight-stories on average to  
17 preserve light and air at the street with higher  
18 densities and heights located on larger sites around  
19 the train stations to ensure that we are maximizing  
20 opportunities for affordable housing. Heights above  
21 a four to six-story base would be setback and  
22 oriented perpendicular to Bay Street to maximize the  
23 preservation of use towards the harbor.

2 Additionally, three visual corridors will be  
3 protected to service open spaces and provide access  
4 to parking.

5 We have also provided flexibility for commercial  
6 uses to ensure that zoning is an impediment to small  
7 business or job creation. Together, we believe the  
8 stop framework reflects the feedback that we heard  
9 during our outreach. In total, the rezoning could  
10 create over 1,800 new residential units on private  
11 property. 20 to 30 percent of which would be  
12 permanently affordable in an area where today no  
13 housing can be provided.

14 Over 200 affordable units could be created  
15 through the disposition of the Jersey Street Garage,  
16 including a set aside for affordable housing for  
17 seniors and the proposed zoning could create 1,000  
18 new jobs and up to 150,000 square feet of new  
19 community facility uses including the future school  
20 at Stapleton Waterfront. Together we believe these  
21 actions will be transformational and provide much  
22 needed housing jobs and services to the area.

23 As I mentioned, the framework was developed over  
24 the course of four years with a significant outreach  
25 effort including workshops, public meetings and open

2 houses. We began our public review in late 2018 and  
3 the results of the Ulurp process to date have been  
4 buried. With general support for the disposition  
5 actions. On the zoning actions, while issuing  
6 negative recommendations, both the Community Board  
7 and Borough President did provided a thoughtful list  
8 of conditions that were almost entirely related to  
9 infrastructure need.

10 The City Planning Commission voted to approve the  
11 Applications in April. So, understanding that the  
12 supporting infrastructure is critical to the  
13 community and as part of our larger neighborhood  
14 planning efforts, many city agencies have been  
15 working to develop supporting strategies to the Land  
16 Use Plan, which include both zoning interventions and  
17 other investments. Some have already been announced,  
18 including capital projects to improve the public  
19 realm and create safer streetscapes around the Staten  
20 Island Railway and others are still under active  
21 discussion.

22 While city agencies continue to work with the  
23 Council Member and Administration to advance these  
24 strategies for the north shore. The next series of  
25 slides will speak to some of those strategies that we

2 have already begun implementing or that have been  
3 announced.

4 Related to small business, the Department of  
5 Small Business Services released a commercial  
6 district needs assessment to identify challenges and  
7 opportunities along the Bay Street Corridor to  
8 support the local business community. They have also  
9 partnered with local groups including the Staten  
10 Island Chamber of Commerce and Staten Island Arts to  
11 roll out their neighborhood 360 program to provide  
12 improvements throughout the area to support small  
13 business and attract more shoppers to the area,  
14 including beautification and district branding  
15 efforts.

16 On Parks and open space, Staten Island's  
17 Community District 1 contains the seventh highest  
18 proportion of open space per capita citywide. With  
19 important regional parks like Silverlake Park and  
20 Snug Harbor located very close to the rezoning area.  
21 Immediately adjacent to Bay Street, Stapleton  
22 Waterfront will as I mentioned provide nearly 12  
23 acres of publicly accessible waterfront open space.  
24 Including comfort stations and sports courts.

2 Over \$8 million is being invested in the  
3 Stapleton playground to provide new equipment and  
4 amenity space.

5 These are significant investments in open space  
6 in the area that will service both current and future  
7 residence and we continue to work with parks and  
8 other agencies to explore additional open space  
9 improvements throughout the north shore.

10 We know that transportation is a top priority for  
11 this community, and we recognize that the area has a  
12 limited road network that is older and difficult to  
13 expand. We also recognize that it has the best  
14 access to transit arguable in the entire borough.

15 To support a multi-modal transportation network,  
16 we have focused on strategies that improve the  
17 existing network and increase pedestrian cyclist and  
18 commuter access and safety to promote alternate forms  
19 of transportation.

20 To that end, temporary improvements were  
21 undertaken at the intersection of Bay Street and  
22 Victory Boulevard to improve traffic flow and  
23 minimize conflicts between cars and pedestrians where  
24 longer term solutions were being studied. Bike lanes  
25 were recently installed along Van Duzer and St.



2 Paul's Avenues and more are planned along Front  
3 Street.

4 EDC recently announced the expansion of the New  
5 York City Ferry System into Staten Island with new  
6 service from St George to Battery Park City and on to  
7 Midtown beginning in 2020. This will give Staten  
8 Islanders more choice and faster access to their  
9 jobs.

10 Building off these efforts the city together with  
11 Council Member Rose, recently announced over \$30  
12 million in investments to transportation and public  
13 improvements in the area. This will help make  
14 permanent the improvements to the Bay Street and  
15 Victory Boulevard intersection to better improve  
16 traffic flow but will also create three new public  
17 spaces at this gateway to Bay Street Corridor.

18 In this slide we see a new public space at the  
19 foot of victory boulevard where it dead ends at the  
20 Staten Island Railway. New lighting, benches and  
21 planted aerals will make this area more inviting.

22 Across from Tompkinsville Park, underutilized  
23 space adjacent to a surfaced parking lot will be  
24 transformed into a public space at a major hub and  
25 transfer point for many Staten Island bus roots.

2 This will make the area safer and more inviting for  
3 people waiting to take transit.

4 And finally, across the street and also at this  
5 meter transit node, a new public space will convert  
6 an underutilized paved area adjacent to Victory  
7 Boulevard into a stepped public area at the entrance  
8 to the Tompkinsville SIR station. Together these  
9 investments create significant new public spaces at  
10 this gateway to the corridor adjacent to sites where  
11 most housing can be accommodated and at a major  
12 transit hub that encourages people to walk, bike and  
13 take transit.

14 I mentioned previously that the disposition  
15 action that would facilitate the redevelopment of the  
16 DSN Jersey Street Garage for affordable housing. In  
17 response to feedback from the community which  
18 advocated for more housing for seniors, HPD amended  
19 their original application to take advantage of a  
20 zoning bonus under existing zoning granted for  
21 affordable housing for seniors that would allow over  
22 200 units of permanently affordable housing to be  
23 produced on this site.

24 DSNY plans to be relocated by 2023 and HPD would  
25 engage with the Council Member and the community on

1 this specific programmatic and affordability levels  
2 as they move through their process. We know that  
3 schools are another top priority for the community.  
4 To that end, the city has invested heavily in schools  
5 throughout the north shore. Under the current  
6 capital plan that has seemed to expire, over 1,000  
7 school seats have come online or being constructed in  
8 the immediate area including a new school on Charge E  
9 Street with 750 seats just south of the rezoning  
10 area.  
11

12 Additionally, the Fiscal 2020 plan will fund over  
13 1,700 new seats for the area that will be sited over  
14 the next five years. As Bay Street is a long-term  
15 plan, the need from the rezoning will not materialize  
16 for many years. But the city has committed to  
17 holding a site in a future phases of the Stapleton  
18 Waterfront to accommodate a future school.

19 SCA and EDC are coordinating on planning as the  
20 site preparation and future phases of that proposed  
21 development proceed. The proposed text amendment  
22 included in the Land Use actions would enable the  
23 future school to be located at that site.

24 In summary, the Bay Street Corridor neighborhood  
25 plan is intended to create a walkable transit-

2 oriented community that provides much needed  
3 affordable housing, jobs and local businesses to the  
4 community. It will fill the gap between the existing  
5 St George and Stapleton neighborhoods and enable the  
6 area to participate in the change and investment that  
7 are already underway throughout the North shore,  
8 while responding to local interests and concerns. The  
9 zoning framework is the result of extensive and  
10 multi-year outreach with the community and we  
11 continue to work with agencies. Council Member Rose  
12 and the Administration on the supporting strategies  
13 that will go hand and hand with this Land Use  
14 framework.

15 We thank you for your consideration and in  
16 particular, I would like to thank Council Member Rose  
17 for her leadership and her input over these last  
18 several years and I will now turn it over to my  
19 colleague Simon Kawitzky from HPD to walk you through  
20 the associated housing plan.

21 SIMON KAWITZKY: Thank you Chris. Good morning,  
22 my name is Simon Kawitzky. I am an Assistant  
23 Commissioner within the Office of Neighborhood  
24 Strategies at HPD. Over the past several years, HPD  
25 has been closely involved in the Bay Street planning

1 process and I'd like to give you a little more  
2 detailed overview of the housing strategy we have  
3 developed and are continuing to refine for this area.

4  
5 As you may know, the building stock in Staten  
6 Islands Community District 1 is primarily made up of  
7 low-scale 1-4 family homes. Many of which are  
8 unoccupied. While there are a greater number of  
9 renters in this area compared to other parts of the  
10 borough, only about 15 percent of all homes here are  
11 regulated by a government agency and protected from  
12 sharp rent increases. Renters in this area describe  
13 months long searches to find available apartments and  
14 a lack of quality options at affordable prices.  
15 While under Housing New York, the city has made  
16 historic strides in creating new quality affordable  
17 housing. The North Shore has seen very limited  
18 investment. So, since 2014, more than 40,000  
19 affordable homes have been constructed across the  
20 city but only 280 homes or about one percent of all  
21 new construction has occurred in the North Shore.

22 As our city and neighborhoods grow, we are  
23 looking for every opportunity to create new  
24 affordable housing. While we are not seeing the same  
25 degree of rent pressures here as in other parts of

2 the city about half of all renters in the North Shore  
3 are still paying a disproportionate share of their  
4 income towards housing costs.

5 As you can see in this chart, there is a  
6 diversity of incomes in the area however, over half  
7 of all households and about a quarter are low income  
8 and about a quarter are considered extremely low  
9 income earning about \$26,000 a year or less.

10 To respond to these needs as well as the issues  
11 raised through conversations with residents, we have  
12 created a set of housing strategies for the Bay  
13 Street Corridor and the surrounding areas. First and  
14 foremost, as always, we want to preserve what is  
15 already here and keep people in their homes. But we  
16 also need to ensure we are pursuing opportunities for  
17 the creation of new stable affordable housing in the  
18 North Shore.

19 And lastly, we are continuing to make  
20 improvements to the way we do business to ensure  
21 residents are better able to access and benefit from  
22 these investments. While only a small portion of the  
23 housing stock in this area is regulated, we do  
24 continue to offer loans to property owners to make  
25 repairs to their buildings in exchange for

2 affordability, preserving affordability for existing  
3 tenants.

4 Since 2014, we financed the preservation of about  
5 1,500 apartments in the North Shore. One of those  
6 projects was Fox Hill, shown here in 2018. Where 362  
7 apartments were renovated, and affordability was  
8 extended for another 40 years.

9 We are also piloting new tactics to reach owners  
10 of large buildings who have not traditionally worked  
11 with the city or are unfamiliar with the help that we  
12 can provide. For example, we contacted landlords in  
13 this area through mailers and phone calls including  
14 those with potentially expiring affordability  
15 restrictions and we make referrals through our  
16 monthly clinics in our downtown office so they can  
17 sit down one on one with our finance specialists.

18 We also launched the neighborhood pillars program  
19 to finance the acquisition and rehabilitation of  
20 existing unregulated or rent stabilized buildings by  
21 mission driven or non-profit organizations.

22 HPD continues to improve housing quality through  
23 the enforcement of the Housing Maintenance Code.  
24 Last Fiscal Year, we conducted over 5,000 inspections  
25 and issued over 5,400 violations in this area. We

1 also spent half a million dollars to go in ourselves  
2 and make emergency repairs where conditions were  
3 endangering the health or safety of residents.  
4

5 In addition to owner assistance and enforcement,  
6 the city has launched a number of programs to provide  
7 tenants with the resources that they need to protect  
8 themselves from deregulation and displacement. The  
9 City through HRA is providing free legal assistance  
10 to tenants facing harassment or eviction in housing  
11 court.

12 Since 2014, city funded legal service providers  
13 have assisted 9,600 tenants in the North Shore. And  
14 the city's tenant support unit is also canvassing the  
15 area. They go door to door in rent stabilized  
16 buildings to inform residents of their rights,  
17 connect them with free legal services or benefits  
18 such as the Rent Freeze program, report cases of  
19 disrepair or harassment wherever it is found.

20 Here in the North Shore, they have knocked on  
21 over 12,000 doors and assisted over 1,300 tenants so  
22 far. HPD also hosts tenant information fairs and  
23 coordinates with other agencies to provide  
24 information about tenants rights, legal services,  
25



rental assistance programs, the affordable housing application process and other topics.

On March 27<sup>th</sup> of this year, we held a resource fair at the Staten Island Museum where about 120 people attended.

Lastly, if these zoning changes are approved in the Bay Street Corridor, certain buildings with high levels of distress where recent ownership changes would be included in the certification of No Harassment Pilot program. As part of this pilot, buildings would be required to apply for a certification from HPD before any permits can be granted for substantial renovations or demolition of a rent stabilized building. This would ensure that any redevelopment activity is not facilitated by the harassment and displacement of lawful tenants, which we know is a very real fear.

Finally, because of the nature of the building stock here, homeowners have also been a big focus of ours. In addition to neighborhood resource events, property management classes, and monthly building owner clinics at our office, we work closely with the center for New York City neighborhoods to provide

2 free foreclosure prevention, financial counseling,  
3 and legal services to vulnerable homeowners.

4 One new program that is particularly relevant for  
5 the North Shore is called Home Fix. Which we  
6 launched later this year, will help low- and  
7 moderate-income homeowners and one to four family  
8 properties fund home repairs for themselves and their  
9 tenants.

10 We have also done work combating the impact of  
11 Zombie Homes. Which are vacant and abandoned small  
12 homes such as the one shown here on the slide. As  
13 part of our focus on the North Shore, we surveyed 51  
14 Zombie Homes and referred 23 properties onto DOB, HPD  
15 code, and Sanitation for inspection. We are  
16 currently in the process of reviewing which  
17 properties weren't follow up actions against the  
18 mortgage servicer.

19 Shifting gears now to new construction, as I  
20 mentioned, one of the major goals of this effort is  
21 to encourage the construction of new affordable  
22 housing in the North Shore, where we have had very  
23 limited success in recent years. First, through the  
24 application of the Mandatory Inclusionary Housing  
25 program, any new development along bay and canal

2 shoots would be required to set aside at least 20 to  
3 30 percent of all homes as permanently affordable.

4 MIH alone could generate approximately 450  
5 permanently affordable apartments on private sites  
6 within the rezoning areas. However, MIH is just the  
7 baseline. We will meet with and encourage owners in  
8 the rezoning area to use the city's financing  
9 programs which require higher and deeper levels of  
10 affordable housing.

11 We recently updated our financing programs to  
12 require even more apartments for those earning  
13 extremely and very low incomes as well as formerly  
14 homeless families. And in addition, any MIH project  
15 receiving HPD subsidy must set aside an extra 15  
16 percent of apartments as permanently affordable.  
17 That's on top of existing MIH requirements.

18 Lastly, we are prioritizing the redevelopment of  
19 city owned property in the area. As part of this  
20 rezoning, we are seeking approval to redevelop the  
21 Jersey Street Sanitation Garage after DSNY relocates  
22 in the next few years. We plan on reengaging with  
23 the community and the Council Member prior to the  
24 release of an RFP but we anticipate the site could  
25 accommodate approximately 220 new affordable

2 apartments including about 90 homes for seniors and  
3 15,000 square feet of retail and community space. We  
4 are also exploring affordability options for future  
5 phases of the new Stapleton Waterfront.

6 Residents of the North Shore and across the City  
7 have expressed interest in us creating more  
8 affordable home ownership opportunities. HPD  
9 launched the Open-Door program last year, which  
10 finances the new construction of affordable homes for  
11 first time home buyers earning a range of incomes.  
12 We also recently expanded our home first down payment  
13 assistance program, which provides first time home  
14 buyers with up to \$40,000 towards the down payment or  
15 closing costs of a one to four family home.

16 Finally, we are continuing to support community  
17 land trust models. A land trust is a non-profit  
18 organization that maintains control and oversight of  
19 affordable housing through land ownership and whose  
20 primary goal is the creation and/or maintenance of  
21 permanently affordable housing.

22 The Staten Island Base North Field LDC is  
23 participating in our community land trust learning  
24 exchange and always, we welcome development proposals  
25 that incorporate community land trust models.

2 We know that the lottery process can sometimes be  
3 time consuming and difficult to navigate and we  
4 continue to take steps to help residents become  
5 better prepared to submit complete and accurate  
6 applications.

7 Our new Housing Ambassadors Program trains local  
8 community groups to help residents submit application  
9 for the lottery. CAMBA Home Base and Project  
10 Hospitality are our partners on the North Shore here.  
11 We created an affordable housing guide for applicants  
12 with disabilities and we also have a new step by step  
13 video and print guide to help with the lottery  
14 process.

15 Finally, we are working to remove barriers to  
16 qualifying for affordable housing. So, for example,  
17 we recently updated the rules that developers have to  
18 follow when interviewing perspective tenants. The  
19 new criteria do not allow tenants to be rejected  
20 based on their credit score alone, or because they  
21 were taken to housing court by a landlord. There are  
22 additional new protections for domestic violence  
23 survivors and the mandatory employment history  
24 requirement for self-employment and freelance income  
25 has also been eliminated.

2 Last but not least, we are committed to ensuring  
3 that our investments in affordable housing create  
4 jobs and strengthen small businesses.

5 Through Hire NYC, all developers are now required  
6 to post available construction jobs with the local  
7 Workforce One Center and interview qualified  
8 candidates. In our public site RFP's, we now require  
9 developers to create a targeted hiring outreach plan  
10 as part of the competitive review.

11 And lastly, we are continuing to expand  
12 opportunities for minority and women owned  
13 businesses. We recently announced that going forward  
14 all developers using HPD subsidy will be required to  
15 spend at least a quarter of all costs on certified  
16 MWBE construction and professional service firms.

17 Before concluding, I'd like to thank the many  
18 North Shore residents and community leaders who  
19 participated in the Bay Street Planning process and  
20 advocated on behalf of their neighborhood. Many of  
21 the strategies and policy changes I've just described  
22 have come directly out of conversations just like  
23 these. As always, I welcome your feedback on how we  
24 can be even more responsive to community needs and I  
25 am happy to take any questions. Thank you.

2 CHAIRPERSON MOYA: Thank you. Thank you so much  
3 for your testimony. A couple of questions before I  
4 turn it over to Council Member Rose. What has the  
5 city learned from the Inwood rezoning regarding  
6 speculation in secondary displacement?

7 SIMON KAWITZKY: Thank you for your question. I  
8 think as part of the Inwood rezoning, which was  
9 recently adopted, we don't have data right now,  
10 because as you know, these projects are very long  
11 timelines. As the zoning is put in place, it takes  
12 many years for a development to occur. We don't have  
13 at this moment an analysis of any secondary  
14 displacement that may have occurred in that area.

15 CHAIRPERSON MOYA: Do we know how many residents  
16 may be displaced as a result of the Bay Street  
17 rezoning?

18 SIMON KAWITZKY: So, the North Shore as you know,  
19 thank you for the question. The North Shore contains  
20 very limited amounts of rent stabilize and protected  
21 housing as I mentioned and that's precisely the  
22 reason that we want to pursue the implementation of  
23 MIH here. Which would bring a much-needed resource  
24 to this community.

2 We have a number of resources in place to protect  
3 existing rent stabilize tenants from the free legal  
4 services that it provides, if adopted CONH would be  
5 applied here as further disincentive and the Tenant  
6 support unit is going door to door also to make sure  
7 that housing quality and harassment issues are  
8 addressed.

9 But we also want to make sure as part of this  
10 push to be more proactive and strategic in how we  
11 reach out to property owners. Ultimately, we want to  
12 get more building owners to work with us and utilize  
13 our financing and bring them into our portfolio.  
14 That's the best way to preserve affordability over  
15 the long-term. Finally, I'll just say that homeowner  
16 support here is going to be important for stabilizing  
17 housing, not only for owners but also for tenants. A  
18 lot of building here are owned by somebody who maybe  
19 lives on the first floor and rents two or three units  
20 above. And we want to make sure that the apartments  
21 that are inhabited by tenants but also the owners are  
22 in the good state of repair and are not at risk of  
23 being displaced. So, we partner with the Center for  
24 New York City Neighborhoods to provide free  
25



2 foreclosure counseling, legal services to any  
3 homeowner who maybe at risk of displacement.

4 We also, as I mentioned, have a new program  
5 called Home Fix, which will be launching later this  
6 year to provide low interest loans to home owners to  
7 not only make repairs to their units but also to  
8 their tenants and that's an opportunity to stabilize  
9 housing for homeowners and tenants alike and make  
10 sure that we are preserving quality stable affordable  
11 housing.

12 CHAIRPERSON MOYA: Thank you. But just something  
13 because in the Seeker Manual when it talks about  
14 secondary displacement, it is really not factored in  
15 for rent regulated apartments or tenants when they  
16 are part of a rezoning. So, when you are telling me  
17 right now that you are looking to put some pieces in  
18 place, my concern is that looking back at some of the  
19 rezoning's that we have done already, there has been  
20 real displacement that has taken place and mostly  
21 communities of color. And not just for myself but  
22 for this body, it is extremely important that when we  
23 are doing neighborhood wide rezoning's we are not  
24 displacing the very people that we are seeking to  
25 help.

2 And that is critical when we are looking at Bay  
3 Street here. I know I am not the only one that  
4 shares that concern, but it is a big concern not just  
5 for the residents of Staten Island, but I think for  
6 all New Yorkers as we move forward.

7 My next question is, is the Administration  
8 willing to commit to responsible contractor policy  
9 for a development on publicly owned sites?

10 CHRIS HADWIN: I can take that question, thank  
11 you. I know you recently raised this Commissioner  
12 Carol and we agree; it is a very important issue. We  
13 have strong systems in place to ensure affordable  
14 housing developers meet their obligations, but we are  
15 happy to continue the conversations as well.

16 I will just describe what the process looks like  
17 today. So, it begins with the project proposal phase  
18 where we have a formal integrity review process to  
19 vet developers and contractors who want to do  
20 business with us. So, we do background checks, we  
21 look at any existing violations or arrears, their  
22 performance on past government project. If approved,  
23 we have a technical construction team who works with  
24 the developers to vet and approve their construction  
25 plans and then they actually monitor on site to make

2 sure that progress is being made in accordance with  
3 those documents.

4 During construction, we also have a labor  
5 monitoring unit which oversees compliance of any wage  
6 or labor laws, and they can without payments until  
7 violations are resolved.

8 Lastly, we have a new dedicated team at HPD whose  
9 responsible for fielding and investigating complaints  
10 after construction has been completed, whether it's  
11 with the quality of the construction or any  
12 unresolved labor disputes. That's a general view of  
13 our work. This approach has become more robust over  
14 time but again, we are happy to continue the  
15 conversation about how we enforce and oversee  
16 construction.

17 CHAIRPERSON MOYA: Thank you. What is HPD doing  
18 to ensure contractors with a record of wage theft,  
19 OSHA violations, and other judgements, or not working  
20 on public leave funded projects? The enhance review  
21 list just doesn't go far enough because contractors  
22 have been placed on the list and they continue to  
23 receive projects from HPD. As I have said before, I  
24 do not believe that the City of New York should be  
25 engaging with any type of contractor or vendor that

2 has been found guilty or has been accused of wage  
3 theft and severe safety violations. So, if you can  
4 just tell me where?

5 CHRIS HADWIN: Absolutely, thank you for that.  
6 So, the enhance review list is a list that we put  
7 contractors on who have a history of construction  
8 quality issues or any violations. For these  
9 contractors, we review each project on a case by case  
10 basis to evaluate whether we would allow them to move  
11 forward and participate in the project. If they are  
12 allowed to proceed, their projects are subject to a  
13 much higher level of scrutiny prior to closing as  
14 well as practice of contractual procedural measures  
15 during construction. Again, we are happy to have  
16 further conversations about how that work can be  
17 further enhanced.

18 CHAIRPERSON MOYA: Thank you. Let me just go  
19 back to housing again. So, the Administration has  
20 set some lofty goals for affordable housing. My  
21 question is, why are we handing over publicly owned  
22 land that will create market rate apartments when the  
23 city has the opportunity to create 100 percent  
24 affordable housing on the city owned sites?

2 CHRIS HADWIN: Thanks for the question. Is this  
3 in reference to a specific site?

4 CHAIRPERSON MOYA: Yeah, so the Stapleton site  
5 that we were talking about which was 50 percent  
6 market rate, 50 percent affordable. You know, we  
7 have this opportunity now to create 100 percent  
8 affordable housing on city owned sites. I know that  
9 we have had conversations regarding this. But I  
10 think it's important that the ask why we are not  
11 building 100 percent affordability on city owned  
12 property?

13 CHRIS HADWIN: So, at Stapleton, the Northern  
14 parcels are included as part of this package to allow  
15 for flexibility and redevelopment. We are still  
16 working with EDC to understand exactly what levels of  
17 affordability we can provide here. As you know, the  
18 sites along the waterfront are severely constrained  
19 in terms of infrastructure challenges. Being a  
20 waterfront site, there are additional resiliency  
21 measures that have to be taken into account.

22 There is also going to be a publicly accessible  
23 waterfront promenade and open space available to the  
24 community as part of this redevelopment and it's  
25 envision that the project redevelop. The development

2 itself would help pay for the maintenance and  
3 operation of those spaces. So, unfortunately, I  
4 don't have a good answer on what exactly we would be  
5 able to do.

6 The analysis are still underway, but we expect to  
7 be able to provide a significant amount of affordable  
8 housing at that site and if there is anything that my  
9 colleagues at EDC want to add, they are here as well.

10 CHAIRPERSON MOYA: Why are we relying on private  
11 developers for affordable housing? Isn't their focus  
12 more their bottom line? Which leads to the creation  
13 of higher AMI's and some of the highest AMI rates  
14 that we see in the city when we are doing these  
15 rezoning's. So, I'm just wondering why we are  
16 relying on the private developers to dictate where  
17 that affordability comes in from.

18 CHRIS HADWIN: So, thank you for that.  
19 Affordable housing across the country and in New York  
20 relies on public/private partnerships. The models  
21 that we have are largely based on the low-income  
22 housing tax credit, which is a federal program. And  
23 developers utilize that to help finance these  
24 projects. HPD is a critical gap financier and is in  
25 that role where deeply embedded in these projects.

2 As we do underwriting for any project that comes in  
3 our door, we are looking very closely at all the  
4 assumptions. Everything that developer is making,  
5 where that money is going, how it is spent.

6 So, we feel very confident that we are getting as  
7 much as we can given the resources that are provided.  
8 And as I mentioned earlier, we have made many changes  
9 over the course of the housing plan over the past few  
10 years to go even deeper and provide even more capital  
11 to make sure that we are not only addressing what the  
12 low-income housing tax credit program requires but  
13 providing opportunities for formerly homeless  
14 families, extremely low-income, but also moderate and  
15 middle income households as well.

16 CHAIRPERSON MOYA: Thank you. Has Option 4 ever  
17 been mapped on any other neighborhood rezoning and  
18 can you just walk us through?

19 CHRIS HADWIN: Sure. Thank you for that  
20 question. To my knowledge, Option 4 has not been  
21 mapped in any other neighborhood rezoning. The  
22 reason that we included it in this package, was that  
23 through our outreach, hearing very divergent opinions  
24 from the community on the wider ray of needs in this  
25 particular community for affordable housing. We

1  
2 certainly saw the need at the deepest levels, but we  
3 also saw it at a variety of other levels.

4       Given the varied feedback that we were hearing,  
5 we determined you know to allow that conversation to  
6 continue through the public process understanding  
7 that ultimately the City Council would make the  
8 decision on the ultimate options that would be  
9 included in the package. I would also just say that  
10 when we look back at why Option 4 was developed as  
11 part of the MIH program, it was developed for softer  
12 markets that perhaps needed to provide an option that  
13 didn't need to rely on public subsidy in the near  
14 term for development to recur. So, that was our  
15 rational understanding that there would be further  
16 conversations as this process continued.

17       CHAIRPERSON MOYA: I am just very concerned about  
18 the mapping option for and the adverse impact it is  
19 going to have on the city because that will set a  
20 precedent for the future rezoning's that we will go  
21 through. And I believe this really opens the flood  
22 gate for future development at much higher AMI's that  
23 could possibly accelerate gentrification. And so, I  
24 am very concerned about that and I hope that we will  
25



2 continue to have that conversation as we move  
3 forward.

4 Is it fair to say that there is a massive profit  
5 margin between zoning for residential use versus  
6 manufacturing uses?

7 CHRIS HADWIN: Thank you for the question. I  
8 would imagine that the profit margins are greater  
9 when you are getting that much residential  
10 development. With that said, Mandatory Inclusionary  
11 housing is the program and the tool that we have  
12 available to capture affordable housing on private  
13 property.

14 CHAIRPERSON MOYA: So, if a property is rezoned  
15 from residential to residential, the city through MIH  
16 gets 25 to 30 percent affordable units. If it is a  
17 property that's rezoned from manufacturing use to  
18 residential units, the same percentage applies but  
19 the profit margin is much greater. Do you think that  
20 makes sense and shouldn't the city get a better deal  
21 especially when we are looking to help working class  
22 New Yorkers on affordability.

23 ANITA LAREMONT: So, Chair Moya, I will take that  
24 question and thank you for it. This question goes to  
25 sort of the philosophy and underpinnings of how we

1 established Mandatory Inclusionary Housing which we  
2 did as a program abroad applicability. We looked at  
3 various market sectors and what was appropriate in  
4 terms of affordability that could be securely  
5 assessed across the broad sectors.  
6

7 This is not a program that would be characterized  
8 as an exaction, which is a program where you look at  
9 what the city can actually get out of developers in  
10 connection with the development of housing. And so,  
11 because of that, we make no distinction between when  
12 we are rezoning from one R district to a higher R  
13 district versus rezoning from manufacturing to  
14 residential. And we did that very specifically and  
15 knowingly to avoid legal challenges.

16 When we looked at all of the case law around  
17 mandatory housing programs in the country, we learned  
18 that we would have to be very careful in that regard  
19 and that was why we developed a program this way. So,  
20 we couldn't do it the way that you are suggesting.

21 CHAIRPERSON MOYA: Just a quick pause, I want to  
22 give a big shout out to the Westchester Square  
23 Academy in the Bronx and Ms. Wagner. The 12<sup>th</sup>  
24 Graders are here today. Welcome to the Chambers and  
25

2 welcome to the Zoning and Franchise Committee hearing  
3 that we are having here today. So, welcome.

4 Let me switch gears really quick. So, what  
5 changes have been made to the HireNYC program to  
6 ensure that this is actually working, and careers are  
7 being created via the up zoning and low-income  
8 communities?

9 CHRIS HADWIN: Thank you for the question. My  
10 colleagues from the Department of Small Business  
11 Services are here who may be able to answer that  
12 question.

13 KETHIA JOSEPH: Kethia Josepha and I am the  
14 Director of Neighborhood Planning at the New York  
15 City Department of Small Business Services.

16 CHAIRPERSON MOYA: Great. Do you want me to ask  
17 the question again?

18 KETHIA JOSEPH: Yeah, do you mind repeating the  
19 question Councilman?

20 CHAIRPERSON MOYA: Sure. So, what changes have  
21 been made to the HireNYC program to ensure that it is  
22 actually working, and careers are being created via  
23 the up zoning in low-income communities?

24 KETHIA JOSEPH: Well specifically for downtown  
25 Staten Island, we do have our workforce One Center

2 that is located at 120 Stevenson Place and at that  
3 location we are making sure that local residents are  
4 having access to the various job opportunities that  
5 are coming online. And so, through our neighborhood  
6 360 program, we are partnering with the Staten Island  
7 Chamber of Commerce who is working directly with  
8 people in the community through various engagements  
9 to make sure that of that.

10 CHAIRPERSON MOYA: And this is through HireNYC?

11 KETHIA JOSEPH: Not through HireNYC.

12 CHAIRPERSON MOYA: Okay. I want to go to  
13 HireNYC. What changes have been made to HireNYC?

14 KETHIA JOSEPH: At this moment, I don't have that  
15 information, specifically about changes that have  
16 been made more recently but I can go back and get  
17 those responses and circle back with you.

18 CHAIRPERSON MOYA: Great. How many individuals  
19 have applied? Do you have this information? How  
20 many individuals have applied to jobs through HireNYC  
21 program?

22 KETHIA JOSEPH: So, specifically since March of  
23 2016, we've had about 854 businesses who have  
24 submitted about 1,578 HireNYC contracting enrollments  
25 through March of 2019.

2 CHAIRPERSON MOYA: So, from 2016 to 2019 a little  
3 over 1,000 individuals have been hired through  
4 HireNYC?

5 KETHIA JOSEPH: Those were specific contract  
6 enrollments and about a quarter of which about 27  
7 percent have been enrollments through the HPD  
8 program. But how many people have been specifically  
9 employed, I do not have that number.

10 CHAIRPERSON MOYA: How many individuals have been  
11 interviewed or considered for hire by employers  
12 through the HireNYC program?

13 KETHIA JOSEPH: I do not have that number today.

14 CHAIRPERSON MOYA: How many individuals have been  
15 hired on jobs through the HireNYC program? But you  
16 say you don't have those numbers, right?

17 KETHIA JOSEPH: No, I do not have those numbers  
18 regarding the specific number of hires, but I can get  
19 that information.

20 CHAIRPERSON MOYA: Thank you. How many employers  
21 have participated in the HireNYC program?

22 KETHIA JOSEPH: Employers, that was 1,578.

23 CHAIRPERSON MOYA: Employers, 1,578 you said?  
24  
25

2 KETHIA JOSEPH: So, those are contract  
3 enrollments. So, I will circle back to just confirm  
4 that that's the accurate number as well.

5 CHAIRPERSON MOYA: What are the wages paid to  
6 individuals hired through HireNYC?

7 KETHIA JOSEPH: So, the wages through the HireNYC  
8 program, I believe the minimum is \$15 an hour. I can  
9 confirm that number as well, but I am pretty sure it  
10 is about \$15.

11 CHAIRPERSON MOYA: What are the job titles or  
12 categories of individuals hired to perform through  
13 HireNYC?

14 KETHIA JOSEPH: So, specifically, through the  
15 HireNYC Program, we have contractors sharing entry as  
16 well as midlevel opportunities.

17 CHAIRPERSON MOYA: But do you have the job  
18 titles?

19 KETHIA JOSEPH: No, I don't have the job titles.

20 CHAIRPERSON MOYA: Do you know what the lengths  
21 of employment for the workers that were hired are?

22 KETHIA JOSEPH: I do not have the length of  
23 employment.

24 CHAIRPERSON MOYA: What are the zip codes of the  
25 participants of the HireNYC program?

2 KETHIA JOSEPH: I do not have the zip codes.

3 CHAIRPERSON MOYA: So, HireNYC has no wage  
4 requirements? How does the city plan to ensure the  
5 creation of good paying jobs without a set  
6 requirement?

7 KETHIA JOSEPH: Yeah, that's a really good  
8 question and so, I will definitely have to go back  
9 and get the specifics on that.

10 CHAIRPERSON MOYA: So, I just want to say, and  
11 thank you, it's not to you but this is now the third  
12 rezoning. I asked the very same questions for Jerome  
13 for Inwood and now Bay Street and I am still getting  
14 the same answers.

15 So, to me, there is a real disconnect here. It  
16 can't be that every time we have a neighborhood  
17 rezoning, we have these conversations, we will get  
18 the information back, it never comes back. Ask for  
19 specific numbers, can't get the specific numbers. To  
20 me, that's just not acceptable but I am hoping that  
21 we can really work together and partner on making  
22 sure that programs that are going to help the very  
23 people in the communities that are being rezoned,  
24 mostly people of color. That we can improve on how  
25 the program effectively works in hiring the

2 individuals from the neighborhoods and putting them  
3 to work.

4           So, I hope that this is the last neighborhood  
5 rezoning that I ask these questions. I hope that we  
6 will be able to sit down, I know that Deputy Mayor  
7 Thompson is involved, and he is a wonderful  
8 individual. I admire very much, and I hope that with  
9 him being at the home helm, we will be able to make  
10 extensive improvements to the HireNYC program. Thank  
11 you for your time.

12           KETHIA JOSEPH: Yeah, and although we didn't come  
13 prepared today to discuss that, I would definitely  
14 like to touch base to make sure that we could circle  
15 back within a reasonable amount of time to get those  
16 answers to you. But I will also pass it to my  
17 colleagues HPD who can also help answer some of the  
18 questions that you had earlier.

19           CHAIRPERSON MOYA: Great, thank you so much.  
20 Thank you for sitting in the hot seat for a minute.  
21 I appreciate it.

22           CHRIS HADWIN: Chair Moya, I do have some data on  
23 HireNYC enrollment and HPD projects that I can share  
24 with you.



2 So, from March 2016 through February 25<sup>th</sup> of this  
3 year, there have been 739 contracts subject to  
4 HireNYC.

5 CHAIRPERSON MOYA: 700 and?

6 CHRIS HADWIN: 39.

7 CHAIRPERSON MOYA: What was the dates again?

8 CHRIS HADWIN: That's March 2016 through February  
9 25, 2019. And through those projects that have  
10 enrolled, we've hired about 87 individuals, making an  
11 average wage of \$17.60 per hour.

12 CHAIRPERSON MOYA: So, I just will say that from  
13 2016 to 2019, the numbers that we're producing in  
14 total is \$739. Is that correct?

15 CHRIS HADWIN: The number of contracts that are  
16 subject to the requirement. So, that includes the  
17 universe of contractors and subs that have to post  
18 open positions with the Workforces One Center.

19 CHAIRPERSON MOYA: I would just like to know  
20 exactly how many individuals were hired through the  
21 program.

22 CHRIS HADWIN: Oh, yes, 87 individuals.

23 CHAIRPERSON MOYA: 87?

24 CHRIS HADWIN: 87 individuals have been hired.

25 CHAIRPERSON MOYA: Since March 2016 to 2019?

2 CHRIS HADWIN: Correct.

3 CHAIRPERSON MOYA: Again, why I think we need to  
4 have massive improvements to this program. When the  
5 Administration is looking to do these neighborhood  
6 rezoning's and tout local hires. We really have to  
7 have a better approach at this to make sure that we  
8 are actually getting the people who need the jobs to  
9 get hired and be able to stay in the very  
10 neighborhood that is being rezoned.

11 So, I am looking forward for us to have further  
12 dialog from now until the vote and I appreciate that  
13 and thank you for getting back to me.

14 CHRIS HADWIN: I want to now turn it over to  
15 Council Member Rose for questions and I will be  
16 coming back for some more. Thank you.

17 COUNCIL MEMBER ROSE: Thank you Chair Moya and I  
18 want to thank you for your very thoughtful questions.  
19 You have a depth of knowledge about this particular  
20 rezoning. Especially the fact that affordable  
21 housing and protecting residents from displacement  
22 have been a primary goal of mine and so, I was  
23 particularly interested in your answer regarding why  
24 Workforce MIH Option 4 had been mapped for this  
25 application.

2 And so, I would like to know how do the market  
3 rate rental prices and new development in the other  
4 rezoning area compared to the highest tier of rentals  
5 in the Workforce MIH Option?

6 SIMON KAWITZKY: I can answer that question. So,  
7 based on recent developments in the community that  
8 have produced market rate apartments, we estimate the  
9 current rents would be around 100, 110 percent of the  
10 area median income, which is about – for a three-  
11 person family, someone earning a little over \$96,000  
12 a year. The rents for that type of apartment would  
13 be just under \$2,000 for a one bedroom and over  
14 \$2,000 for a two bedroom, about \$2,300.

15 COUNCIL MEMBER ROSE: And why do you think that  
16 the Workforce Option is affordable for the residents  
17 that could potentially be displaced? 1,700 could  
18 potentially be displaced and 75 percent of them are  
19 making less than \$75,000 and are rent burdened.

20 SIMON KAWITZKY: I can speak a little bit to  
21 that, and I can ask my colleagues at DCP to add  
22 anything. But you know, as Chris had said earlier,  
23 the goal with introducing the Option 4 was really to  
24 provide flexibility in terms of what could be  
25 developed in markets like this where you know,

2 development doesn't necessarily proceed in full force  
3 without levels of subsidy from HPD. We wanted to  
4 make sure that we are providing options for  
5 developers to realize development while also creating  
6 affordable housing. All of that being said,  
7 absolutely we recognize the authority of the City  
8 Council in determining which MIH options are  
9 ultimately mapped here and would defer to you.

10 COUNCIL MEMBER ROSE: And why would that thinking  
11 apply to the city owned properties also?

12 SIMON KAWITZKY: Oh, so, for the city owned  
13 properties, we do not anticipate mapping or requiring  
14 developers to comply with Option 4 of MIH. They  
15 would be required to utilize our financing programs  
16 which in addition to being 100 percent affordable  
17 would target a whole range of incomes from the very  
18 lowest to moderate income if that's so desired by the  
19 community.

20 And those levels would be determined through and  
21 the case of Jersey Street, a public engagement  
22 process that we would run prior to the release of any  
23 RFP. So that we make sure that community priorities  
24 are incorporated into the RFP before we ask  
25 developers to submit proposals.

2 COUNCIL MEMBER ROSE: And in regard to Jersey  
3 Street, when are you going to release the RFP? When  
4 is that process going to begin and especially  
5 interested in when the community engagement portion  
6 would start. Especially, you know, that's a pet  
7 peeve of mine, the Jersey Street garage.

8 So, speak to us in context of when the garage is  
9 going to be moved and you know, your timeline for  
10 affordable housing.

11 SIMON KAWITZKY: Thank you for that question.

12 So, Sanitation has communicated to us that they would  
13 be relocating the vehicles in the garage by 2023 at  
14 the latest.

15 We would like to begin the process of  
16 predevelopment to make sure that as soon as they are  
17 relocated, we can get in the ground and start  
18 building this project.

19 So, we anticipate starting our engagement around  
20 2020, 2021 and we have piloted this workshop that we  
21 do now in very many of our RFP sites where we host  
22 community workshops to really understand what levels  
23 of affordability are desired there. What the design  
24 of the buildings should be, how tall, any  
25 environmental public realm improvements, open space,

2 and what other kinds of uses we want to see that are  
3 not residential.

4 So, we would look forward to collaborating with  
5 you to do that process. We also obviously want to  
6 hear you thought on what makes sense there and the  
7 goal would be to be able to move forward with  
8 construction pretty quickly after the garage is  
9 relocated.

10 COUNCIL MEMBER ROSE: And being that EDC has  
11 already released an RFEI, are we moving forward with  
12 that plan or will a new RFP be issued?

13 SIMON KAWITZKY: This is in regards to the  
14 Stapleton Waterfront?

15 COUNCIL MEMBER ROSE: To the Sanitation Garage.

16 SIMON KAWITZKY: So, they had released an RFEI,  
17 as I understand it. Thank you for the question. A  
18 number of years ago. I think the intention is now  
19 that HPD would manage that process and begin it under  
20 their programs.

21 CHRIS HADWIN: Yes, we would start a new and do  
22 our own RFP process.

23 COUNCIL MEMBER ROSE: And the other city owned  
24 property which was 54 Central Avenue. It was  
25 discussed for potential disposition but is not

2 included in this application. Why not? And who has  
3 control of the site today and what is the timeline  
4 for release of RFP and eventual disposition?

5 SIMON KAWITZKY: Sure, thank you for the question.  
6 It was included in the environmental analysis and we  
7 were looking at a number of different options there.  
8 One was an affordable housing component and the other  
9 was for more office uses. We also through our  
10 environmental analysis determined that there was an  
11 unmapped extension of Victory Boulevard on that site,  
12 that required more environmental analysis and further  
13 Land Use work to de-map that before that site could  
14 be developed.

15 It is currently under the jurisdiction of the  
16 Department of Transportation used as surface parking  
17 as you know. And so, I think you know we heard very  
18 clearly through our outreach process what the  
19 communities priorities were for that site and it's a  
20 conversation we would like to continue with you in  
21 order to move forward with you know realizing  
22 something on that site and understanding what the  
23 options are there that you would like to see realized  
24 as well.

25 COUNCIL MEMBER ROSE: Affordable housing.

2           SIMON KAWITZKY:   The environmental review for  
3 this project estimated that over 1,700 residence  
4 could be displaced as a result of this rezoning.  
5 Will this Administration commit to providing vouchers  
6 for the 1,700 residents who maybe displaced?

7           SIMON KAWITZKY:   Thank you for the question, I  
8 will turn it to my colleague at HPD.

9           UNIDENTIFIED:   I am not prepared to answer that  
10 question right now.   You know the voucher programs  
11 are managed by HRA if we are talking about CITYFEPS.  
12 HPD has their own Section 8 program which is fully  
13 enrolled at this point, as far as I understand but I  
14 would defer to my colleagues at HRA for that  
15 question.

16          COUNCIL MEMEBR ROSE:   Well, it's very important  
17 in terms of displacement since we have the least  
18 number of rent regulated housing in New York City and  
19 privately owned.   So, I believe that this  
20 conversation should have already been had because we  
21 already know that 1,700 is a real number and so, I'd  
22 like to see this happen sooner than later since the  
23 clock is almost run out.

24

25



2 SIMON KAWITZKY: Absolutely, thank you. We can  
3 circle up with our colleague and get back to you on  
4 that.

5 COUNCIL MEMBER ROSE: One of the problems that  
6 were not mitigatable was traffic. And there were  
7 some provisions made in the other Ulurp to keep two  
8 southbound lanes of traffic on Richmond Terrace  
9 between Wallstreet and Hamilton Avenue clear and  
10 unobstructed by police vehicles that are double  
11 parked or perpendicularly parked in front of the  
12 120<sup>th</sup> precinct.

13 Why haven't we mitigated the on-street parking  
14 conditions in front of the precinct? What solutions  
15 are you looking at and why haven't you given more  
16 thought to moving the precinct as a part of traffic  
17 mitigation?

18 SIMON KAWITZKY: Thank you for the question.  
19 There was discussion around this as you mentioned  
20 under the development of the wheel and mall sites.  
21 And there was an agreement made to resolve that as  
22 those developments came online. It is certainly a  
23 conversation that we continue to have with PD around  
24 how to resolve that issue. I know it is something  
25 that they are discussing internally with the people

2 who work in that site. We do have colleagues here at  
3 PD that can come and speak to that question in a  
4 little bit more detail. Thank you.

5 CHAIRPERSON MOYA: If you can just make sure the  
6 red light is on and just state your name and then you  
7 can begin.

8 CAPTAIN JOSEPH NOTARO: Sure, Captain Joe Notaro,  
9 Commanding Officer Facilities for the Police  
10 Department.

11 So, I understand your concern about the parking  
12 in front of the command. But as you know, we are a  
13 mobile response agency and the ability of the  
14 officers. I understand.

15 COUNCIL MEMBER ROSE: I hope we can copies to you  
16 of these photos and that's like an everyday  
17 occurrence.

18 CAPTAIN JOSEPH NOTARO: So, yes, as I was saying,  
19 I do understand your about the parking in front of  
20 the command but being that we are a mobile response  
21 agency, and the ability for the officers to be able  
22 to get to their vehicles quickly and actually leave  
23 unobstructed quickly, it is imperative that they  
24 combat park in front of the command.

2 COUNCIL MEMBER ROSE: I understand that, and I  
3 respect that and that's one of the reasons why the  
4 relocation seemed to be the only viable solution.  
5 Because we have been discussing this for years, since  
6 we did the Waterfront, the Empire Outlet and the  
7 Wheel Ulurp, we've been discussing that location and  
8 none of the measures that PD has put forward has  
9 mitigated that situation.

10 And so, being that traffic is very important  
11 especially in light of the Empire Outlets opening on  
12 Wednesday, and the Bay Street Corridor becoming  
13 vastly populated, we really need to come up with some  
14 solutions in terms of traffic. And to say that you  
15 know, that you are an immediate response when NYPD  
16 owns land on Hill Street. It was previously even  
17 budgeted to be a new precinct, which would mitigate  
18 all of those issues that we have, and I really need  
19 you to consider how you are going to mitigate that.  
20 Because traffic is going to be a problem.

21 CAPTAIN JOSEPH NOTARO: So, in terms of  
22 relocation, I am aware of the Hill Street location.  
23 I was not around when these studies were done, but I  
24 do know that the department does not at this time, is  
25 not looking to move from the location. As a matter

2 of fact, I think we feel from an operational  
3 standpoint, where the command is right now, is  
4 actually more conducive for everything that is going  
5 on at the Waterfront and obviously, we just feel it  
6 is a better location for us. I don't know really  
7 what was done back in you know, so many years ago.

8 CHAIRPERSON MOYA: Can you just speak into the  
9 microphone.

10 CAPTAIN JOSEPH NOTARO: Oh sorry. So, there has  
11 been no discussion of relocation to my understanding  
12 or at least with my ten year in facilities.

13 COUNCIL MEMBER ROSE: So, what are we going to do  
14 about that situation on Richmond Terrace?

15 CAPTAIN JOSEPH NOTARO: So, again, like I said,  
16 the combat parking is important for the operation. I  
17 don't know that it obstructs the traffic if the  
18 combat park properly. If they keep it as close to  
19 the curb as possible. And I know that the commanding  
20 officer is committed to ensuring that they don't  
21 obstruct that lane and he has looked for other  
22 options when they are available, and I know that  
23 there is a space where the Faris wheel is supposed to  
24 go and I think he worked out something where they are  
25 able to get some private vehicles to that location.

2 But when it comes to Department vehicles, they  
3 have to be you know, by the Command and there really  
4 would be no where else to put them.

5 COUNCIL MEMBER ROSE: They currently now, it's a  
6 two-lane roadway in each direction, east bound and  
7 west bound and they take up an entire lane coming  
8 east bound.

9 CAPTAIN JOSEPH NOTARO: Again, when I am looking  
10 at the photo, or when they combat park, I do not see  
11 that second lane being obstructed. If they double  
12 parked at the location, that would be an issue. Then  
13 they would obstruct the lane and I do know that I  
14 have spoken to the Commanding Officer and this  
15 message constantly gets out to the officers not to  
16 double park at the location and if they do, then  
17 there is corrective actions that are taken  
18 internally.

19 COUNCIL MEMBER ROSE: Again, when they park, even  
20 perpendicularly, they obstruct an entire lane  
21 limiting Richmond Terrace to one lane of passable  
22 traffic.

23 CAPTAIN JOSEPH NOTARO: Yeah, that's what I mean  
24 by double parking. And they have been instructed and  
25 they are instructed at the roll calls that they are

2 not allowed to park that way. It is only the combat  
3 parking and I understand that you have it in the  
4 photo that they are double parked here, but in  
5 conversations with the CO, this is a constant  
6 reminder to the members of the command.

7 COUNCIL MEMBER ROSE: Okay, thank you. I am not  
8 done with that idea. So, we will have a conversation  
9 offline.

10 CAPTAIN JOSEPH NOTARO: Okay, thank you.

11 COUNCIL MEMBER ROSE: Thank you. What kind of  
12 interagency coordination needs to be conducted to  
13 ensure that a school is built on a portion of the  
14 northern site?

15 CHRIS HADWIN: Thank you for the question. So, I  
16 would say that that interagency coordination is  
17 underway. You know as I mentioned in the  
18 presentation, we, SCA and EDC are actively working  
19 together as they work through site planning for that  
20 site to both make sure that SCA's needs are  
21 understood and accommodated. And that EDC's overall  
22 timeline and the overall preparation of the site for  
23 development is coordinated that way.

24 There are significant upgrades to infrastructure  
25 that are needed to prepare that site for development.

2 There is also relocation of existing facilities there  
3 as you know that needs to occur before that site can  
4 be developed, but we want to make sure that we are  
5 holding that site and those conversations are  
6 ongoing.

7 COUNCIL MEMBER ROSE: So, the realignment of  
8 Front Street is in process?

9 CHRIS HADWIN: The planning for that is underway.  
10 My colleagues from EDC and DOT are here that can  
11 speak more to that, but the plans are in process for  
12 that.

13 COUNCIL MEMBER ROSE: The schools are overcrowded  
14 in this district and so, have any other sites been  
15 identified as optimal for new schools?

16 CHRIS HADWIN: Thank you for the question. That  
17 is a conversation that is ongoing. So, as I  
18 mentioned, the sites that come online or coming  
19 online such as Targee Street, which I know that you  
20 are well aware of. And then there are the 1,700  
21 funded seats that will come into the capital plan  
22 that begins in July.

23 So, obviously the goal is to find sites and get  
24 those built within the next five years. That's a  
25 2020 to 2024 plan and SCA is working very actively

2 with a number of different agencies including my own  
3 at City Planning to identify those sites.

4 I know that you have provided a thoughtful list  
5 of sites yourself that they continue to work through.  
6 So, those conversations are ongoing.

7 COUNCIL MEMBER ROSE: And how much funding is  
8 available for new schools in the North Shore?

9 CHRIS HADWIN: I don't know the dollar amount,  
10 but it is over 1,700 seats in the plan that is set to  
11 begin in July. And I don't know if SCA is here to  
12 speak to that in more detail? They are not.

13 COUNCIL MEMBER ROSE: The redevelopment of  
14 Cromwell Center has to happen. There is no  
15 conversation about that. So, has it been determined  
16 that the redevelopment of Cromwell Center is going to  
17 be built at Lions Pool and what kind of amenities are  
18 being proposed for the new facility? And will any  
19 additional approvals be necessary to rebuild Cromwell  
20 Center at Lions Pool?

21 CHRIS HADWIN: Thank you for the question. It  
22 has certainly been something that we have heard  
23 throughout all of our outreach about the priority to  
24 get Cromwell Center rebuilt and something we've heard  
25 very clearly from you.



2 As you know, Parks undertook the feasibility  
3 study a couple of years ago, which did identify Lions  
4 Pool as the site for a future Rec Center. My  
5 colleagues from the Department of Parks are here and  
6 can speak in more detail to the process that's  
7 underway to work towards the question that you asked  
8 about what kinds of programming and things like that  
9 would go into it. That's a conversation that is  
10 certainly underway.

11 NICK MOLINARI: Good morning. I am Nick  
12 Molinari; I am Chief of Planning for New York City  
13 Parks. Thank you, Councilwoman, for the question.  
14 As you know, Cromwell was an important facility on  
15 the North Shore and it's an important facility that  
16 we rebuilt on the North Shore. And Lion is a  
17 preferred site. We did receive from you program that  
18 you would like to see incorporated into the new  
19 facility and we will work to incorporate as much as  
20 we possibly can onto rebuild site.

21 The actual amenities will be contingent on you  
22 know, the site itself and the funding that we have  
23 available for it and in terms of approvals, it is a  
24 landmark facility, so we will have to work with LPC  
25 primarily funding to design the facility.

2 COUNCIL MEMBER ROSE: So, what is the timeline?  
3 When do we see Cromwell start to be developed, to be  
4 built?

5 NICK MOLINARI: So, the Mayor has said that we  
6 see a North Shore facility as part of this process,  
7 and we envision those conversations proceeding and a  
8 decision being made in the next couple of weeks.

9 COUNCIL MEMBER ROSE: We've been planning and  
10 discussing Cromwell a very long time. So, I am  
11 really looking for an answer that says that we will  
12 be doing whatever, getting whatever approvals. Are  
13 we in the process of getting their approvals now?

14 NICK MOLINARI: As was mentioned, the pre-scope  
15 study was done, and it has been identified as the  
16 preferred site. Next step is getting the funding to  
17 advance a design of the site.

18 COUNCIL MEMBER ROSE: So, then I guess it would  
19 be you know, breaking news if you could tell us that  
20 the funding's available is going to be made available  
21 to move forward.

22 NICK MOLINARI: The conversations are proceeding  
23 as we speak, and we hope to have a decision on  
24 Cromwell in the next couple of weeks.

2 COUNCIL MEMBER ROSE: With Cromwell, in the EIS,  
3 the DEIS, there was some potential for shadows in  
4 terms of the pool?

5 CHRIS HADWIN: Thank you for the question. So,  
6 just to clarify, the environmental analysis that we  
7 undertook, did not identify any impact to the pool as  
8 a result of the shadows. What it did show was an  
9 increment of some portion of shadow extending across  
10 the Lions Pool property late in the day.

11 So, I just want to clarify that the pool itself  
12 on the portion of the Lions Pool property that it is  
13 on, is in unobstructed sunlight for the majority of  
14 the day and a small portion of the Lions Pool itself  
15 would be subject to a small shadow beginning at 4:30  
16 in the afternoon or so for a period of around 90  
17 minutes.

18 So, we took another look at that even though the  
19 environmental review said that wasn't an issue and  
20 determined that the solar heating that is occurring  
21 throughout the majority of the day and the fact that  
22 the pool is in full sunlight for almost the entire  
23 day would have no impact on the heating or the  
24 enjoyment of the pool itself. And again, it's just a  
25

1                   SUBCOMMITTEE ON ZONING AND FRANCHISES       100  
2   small portion of the pool for a small amount of day  
3   at the height of the summer.

4           COUNCIL MEMBER ROSE:   So, then there is no look  
5   back at the height of the buildings proposed for that  
6   area?

7           CHRIS HADWIN:   So, we did take a look at that as  
8   well just to make sure that we were being entirely  
9   responsive, and you know, this is a housing plan and  
10   we are trying to find the tradeoffs here in terms of  
11   making sure that we are producing housing and  
12   affordable housing here.

13           Because of the change in demography as you know,  
14   as you know, going up to Bay Street from the shore,  
15   the heights that we would have to look at to  
16   completely avoid the shadow would be such a great  
17   reduction in height that we would really start to not  
18   see the housing on that largest, most critical site  
19   to the rezoning, where we think we can produce the  
20   most affordable housing.   So, it starts to become at  
21   odds with the overall objectives of the plan.

22           COUNCIL MEMBER ROSE:   And please discuss the open  
23   spaces and whats the plan for the open spaces on the  
24   waterfront property?

25

2 CHRIS HADWIN: Sure, so thank you for the  
3 question and as I mentioned, the Stapleton Waterfront  
4 development being all of the phases once they are  
5 complete will provide over 12 acres of public  
6 accessible waterfront open space.

7 My colleagues from EDC are here who can speak to  
8 it in more detail, but just before I toss that over  
9 to them, we are also working toward strategies to  
10 improve and activate Tappen Park through repurposing  
11 the Village Hall there as you know, and as you know,  
12 there is work underway at Tompkinsville Park to look  
13 at improvements there. Now that the Comfort Station  
14 has been removed to address some of the safety issues  
15 around that park and I mentioned some of the ongoing  
16 other open space improvements that are being made.

17 So first, I think I will have EDC come and speak  
18 to the specific plans for the Stapleton Esplanade and  
19 then perhaps we will call Parks back up to speak  
20 about some of the other things that they are doing.

21 CECILIA KUSHNER: Good afternoon. My name is  
22 Cecilia Kushner, I am from EDC Development. So, as  
23 Chris mentioned, the new Stapleton Waterfront is  
24 about 12 acres. A little over 5 is already built  
25 surrounding URBV. The rest of the spaces will be

2 delivered to south of URBV and to the North of URBV  
3 and it's going to be a combination of kind of passive  
4 open space, a continued lawn and seating and places  
5 to walk, as well as a lot of active open space.

6 We will have courtyard and new bathrooms as well,  
7 which is something that is very needed in the  
8 neighborhood. The project went in front of EDC and  
9 community board for approval. We are now in the  
10 final stage of design and our goal is to start  
11 construction in 2020.

12 COUNCIL MEMBER ROSE: And can you speak to  
13 improvements at Tappen and Tompkinsville Park?

14 CECILIA KUSHNER: I can talk about Tompkinsville  
15 a little bit.

16 CHRIS HADWIN: We will call Parks back up. Thank  
17 you.

18 NICK MOLINARI: Thank you Councilwoman. So, at  
19 Tappen, as was mentioned Village Hall we think is a  
20 good opportunity for providing an amenity that would  
21 help to improve the park. The uses that were in that  
22 facility have vacated and it is now a vacant  
23 building. It does need some repair work to the roof  
24 and the structure itself before it can be occupiable,  
25

2 but we do see that as a positive influence on the  
3 park generally.

4 So, improving that facility would be able to  
5 provide you know, concession space, restrooms for the  
6 park, and programming space within the building.

7 We are also working within park to fix the  
8 fountain that was down during Hurricane Sandy and  
9 that product is procurement now. We are looking to  
10 bring out a contractor to fix that fountain to sort  
11 of restore that portion of the site along Bay Street.

12 At Tompkinsville Park last summer July, at City  
13 Hall new borough, the announcement was made that we  
14 would be demolishing the closed Comfort Station that  
15 had been closed for a number of decades there. And  
16 we worked to demolish that structure and replacing it  
17 with an expanded plaza space for programming. The  
18 construction fence is still up, and we are working on  
19 the plaza component. But we think once the fence is  
20 down, it will be really transformative change the  
21 Park, that will help to provide clearer site lines  
22 and an opportunity for additional programming,  
23 farmers markets and such in that more open area.

24 COUNCIL MEMBER ROSE: Thank you. I just have  
25 another question about transportation. DOT, what

2 have you done to try to mitigate the issues of  
3 traffic and that the new density will bring to that  
4 corridor?

5 TOM COCOLA: Thank you Councilwoman Rose. I am  
6 Tom Cocola with New York City DOT. From the  
7 transportation perspective, we have done several  
8 things working in concert with our sister agencies.

9 You know, including but not limited to  
10 participating in the Bay Street rezoning and the  
11 reimagining of Bay Street to be better accommodating  
12 for pedestrians and cyclists as well as vehicles. We  
13 are also involved in the Front Street reconfiguration  
14 which you know will include a protected bike lane.  
15 And now, we are as per our meeting last week,  
16 involved in some of the mitigation with the Empire  
17 Outlet site. We are also in contact with the MTA  
18 regarding a potential BRT.

19 COUNCIL MEMBER ROSE: Are you looking at  
20 dedicated bus lanes in the Bay Street Corridor?

21 TOM COCOLA: Perhaps, you know that's sort of  
22 very early in the conversations with where the MTA  
23 turns out. They're still trying to figure out some  
24 various options as you know from their open house  
25 last week.



2 COUNCIL MEMBER ROSE: And have we made any  
3 headway with the MTA in terms of the Stapleton  
4 Station and some of the issues that we have discussed  
5 around that station and making it accessible?

6 TOM COCOLA: Yes, I will defer to Planning.

7 CHRIS HADWIN: Thank you for the question. It is  
8 certainly an active conversation that we have had  
9 both with them, the Department of Transportation and  
10 a number of other agencies to see what we can do  
11 around those stations and I know it's a priority that  
12 you have long raised.

13 We continue to have the conversations and we are  
14 working towards some solutions there to improve the  
15 access and the safety. MTA is also looking citywide  
16 at accessibility throughout the whole city in terms  
17 of their station. So, that's work that is underway  
18 and we would imagine that they would identify  
19 potential improvements to make the stations  
20 throughout Staten Island ADA accessible, but we are  
21 working very closely with other city agencies to make  
22 sure that we are improving access to the stations.

23 COUNCIL MEMBER ROSE: Is DOT and the  
24 Administration committed to widening Bay Street to  
25

1  
2 it's mapped width as development occurs in the  
3 corridor?

4 CHRIS HADWIN: That's a good question, thank you,  
5 and another priority that I know that we have  
6 discussed for a number of years. Bay Street is  
7 actually as you mentioned, mapped to be much wider  
8 then it is actually built today and there are a  
9 number of underbuilt buildings in the bed of the map  
10 street.

11 One of the things that we envision this rezoning  
12 doing is incentivizing the redevelopment of those  
13 underbuilt sites. So, that as they redevelop, they  
14 will be required to set back to where they are  
15 supposed to be to allow ultimately Bay Street to be  
16 widened out to its full width. There is a process  
17 that one can go to the BSA and seek to get a waiver  
18 to allow them to build in the mapped street, however,  
19 DOT and City Planning and BSA are working together to  
20 make sure that we are you know, very clearly  
21 indicating that we would not support this application  
22 as much as we can.

23 So, over time, we hope that that will be realized  
24 that Bay Street would be widened to allow bus bays,  
25

2 additional travel lanes, etc., as it happens over  
3 time.

4 COUNCIL MEMBER ROSE: And is DOT committed to  
5 providing whatever number of TEA's to help mitigate  
6 or to address whatever isn't mitigated by the  
7 widening or any of the other measure you are taking?

8 TOM COCOLA: Yes, thank you for the question.  
9 You will start seeing TEA's as early as tomorrow with  
10 the opening of Empire Outlets. So, we are committed  
11 to doing whatever mitigations we can for  
12 improvements.

13 COUNCIL MEMEBR ROSE: And so, I guess this is an  
14 offline conversation about EDC and the property Phase  
15 2 and Phase 3 properties? Or is that something we  
16 can talk about? The disposition of Phase 2 and Phase  
17 3 on the Waterfront in DCHPD.

18 CHRIS HADWIN: Sorry, to clarify is the question  
19 around the affordability levels and those  
20 conversations?

21 COUNCIL MEMBER ROSE: Yes.

22 CHRIS HADWIN: Right, so I mean I think that we  
23 are committed to continuing that conversation  
24 offline.

2 COUNCIL MEMBER ROSE: Okay, that's an offline  
3 conversation but we are talking about it in the  
4 context of 100 percent affordability.

5 SIMON KAWITZKY: So, I'm sorry, just to clarify  
6 the question is about future redevelopment of the  
7 Northern sites at Stapleton and what levels of  
8 affordability we could accommodate there.

9 I can answer and feel free to add to anything  
10 that I may have missed but we are still working with  
11 our sister agencies to understand exactly what level  
12 of affordability can be accommodated there.

13 As I mentioned earlier, there are a number of  
14 challenges associated with redeveloping the  
15 properties. It is a waterfront site; it is  
16 vulnerable to flooding. We have to create pretty  
17 extensive open space along the waterfront as well and  
18 so those factors all need to be kind of considered  
19 and we are still actually evaluating what that would  
20 mean in terms of the level of affordability we can  
21 accommodate there.

22 COUNCIL MEMBER ROSE: And I am actually talking  
23 about the acquisition. The acquisition of those  
24 sites.

2 CHRIS HADWIN: I see. In the means in which it  
3 would be disposed?

4 COUNCIL MEMBER ROSE: EDC, would you like to  
5 address that?

6 CHRIS HADWIN: So, I think what you are  
7 referencing is the actual method of disposition,  
8 whether it is subject to a 384 B4 process that we  
9 have been talking about recently.

10 COUNCIL MEMBER ROSE: Yes.

11 CHRIS HADWIN: So, I think that the legal team's  
12 between EDC and HPD have been evaluating that  
13 question. I don't know if you have anything to add.

14 CECILIA KUSHNER: That's right, just for  
15 clarification. So, with our agencies go through  
16 different processes for disposition. So, when EDC  
17 disposes of land, we go through the 384 B4 process  
18 that brings us to board for an approval. When HPD  
19 disposes of land, they go through a UDAP approval  
20 which requires a Ulurp process. So, and just to  
21 piggy back on what Simon was saying, we understand  
22 that you are looking for maximum affordability on the  
23 North Stapleton site and like our agencies are under  
24 active conversation to understand all of the public  
25 goals that these sites have to fulfill including open

2 space maintenance that is meant to be paid for by  
3 these sites themselves and we want to make that as we  
4 are building open space, we are providing for  
5 adequate maintenance for this generation and the next  
6 one.

7 So, we are in active conversation and we expect  
8 to come back to your office fairly soon. So, based  
9 on the level of affordability that at the end of the  
10 day, we will agree upon, then we will decide what is  
11 the right process for disposition. Whether it is an  
12 EDC process or an HPD process.

13 And so, the level of affordability really  
14 determines what the appropriate process to move  
15 forward with it.

16 COUNCIL MEMBER ROSE: Thank you and Chair, I just  
17 have one last question and it is in terms of schools.  
18 Do we have a commitment from SCA that the school that  
19 will be built on the northern site will be a DOE  
20 school or are you looking to have a developer develop  
21 that?

22 CHRIS HADWIN: So, we don't have that SCA here  
23 today and thank you for the question. But my  
24 understanding is that the work that we are  
25 undertaking between SCA and EDC is assuming that it

1                   SUBCOMMITTEE ON ZONING AND FRANCHISES       111  
2     would be a DOE school.  With that said, there is no  
3     commitment as I mentioned earlier that the plan for  
4     the school is beyond the current capital plan that is  
5     about to start.  And so, we are thinking of it in a  
6     bit of a longer-term horizon.  So, there is no firm  
7     commitment in terms of seats allocated to it, but the  
8     planning is that we are undertaking is assuming a DOE  
9     school.

10            COUNCIL MEMBER ROSE:  Thank you.  Thank you  
11     Chair.

12            CHAIRPERSON MOYA:  Thank you.  Just a couple of  
13     questions to follow up on the DOT questions.  Will  
14     the MTA or the DOT commit to installing bus shelters  
15     in our around the project area?

16            CHRIS HADWIN:  I will toss it to my colleague Tom  
17     Cocola, DOT.

18            TOM COCOLA:  Bus shelters in the area, we  
19     certainly would take a look at that.  You know, I am  
20     thinking of like for example, on Bay Street we do  
21     have shelters already, but we would be more than  
22     interested in trying to add some more.

23            CHAIRPERSON MOYA:  And then also, will you  
24     identify portions of the north shore that would be  
25

2 optimal for sort of dedicated right of ways for buses  
3 along the north shore area?

4 TOM COCOLA: Right, I mean, absolutely because as  
5 Chris outlined before, we were able to widen a  
6 segment of Bay Street that turned out to be very  
7 successful for us and we put a dedicated bike lane  
8 there and it really helps traffic going to the Ferry.

9 CHAIRPERSON MOYA: And is the DOT and the MTA  
10 willing to install transit signal priority technology  
11 along the Bay Street Corridor?

12 TOM COCOLA: Yes, I mean we already have some and  
13 they are working great. In fact, on that  
14 intersection that I talked about we just widened, we  
15 have them there.

16 CHAIRPERSON MOYA: So, my other question is along  
17 that area, for a number of years it has been flood  
18 prone, we know that area was effected by Hurricane  
19 Sandy. Is the DOT or DP, anyone here that can talk  
20 about what is going to be done to ensure that  
21 flooding doesn't continue to become a problem in that  
22 stretch?

23 TOM COCOLA: Right, I'd have to defer you.

24 CHRIS HADWIN: So, a couple things in there. I  
25 think the first thing I would say is these buildings



2 will be required to be built to resilient standards,  
3 but I think you are talking a little bit more about  
4 the infrastructure around them.

5           CHAIRPERSON MOYA: Correct, yes.

6           CHRIS HADWIN: So, I know that we have had  
7 conversation with the Council Member and also with  
8 Borough President Oddo around some of those specific  
9 issues in and around Bay Street and that DEP was  
10 committed to following up on that. I think I have a  
11 colleague from DEP here who can speak to that in more  
12 detail. If they want to come up and add anything to  
13 that. But they are certainly aware of the localized  
14 issues and we are committed to working towards  
15 finding solutions to those.

16           CHAIRPERSON MOYA: Make sure the red light is on.  
17 There you go. If you could just state your name.

18           ANGELA LICATA: Of course, my name is Angela  
19 Licata, I am Deputy Commissioner with the New York  
20 City Environmental Protection. And would you mind  
21 just restating the question?

22           CHAIRPERSON MOYA: So, there has been a lot of  
23 flooding in the last several years, from storm  
24 drainage to the sewers backing up. Is there anything  
25 that DOT, the DEP, are putting in place to rectify

2 those problems now given that this area is looking to  
3 be rezoned?

4 ANGELA LICATA: Yes, thank you very much. I  
5 appreciate the opportunity to testify on this. We  
6 have been looking very carefully at the general  
7 maintenance throughout the city. We have looked into  
8 all of the complaint data that we have received for  
9 this area and we have continuously maintained our  
10 catch basins when we review them yearly, we see that  
11 there are approximately 50 percent that need  
12 attention and we have continuously maintain them.

13 CHAIRPERSON MOYA: Along that corridor?

14 ANGELA LICATA: On this corridor within this  
15 rezoning area and that is one of our best ways in  
16 which we can maintain our infrastructure that we have  
17 under current conditions.

18 What we are also doing is we have expedited our  
19 drainage planning efforts here, so that we are  
20 producing an amended drainage plan which will reflect  
21 the very latest zoning that we have proposed for the  
22 area and we will also incorporate the latest design  
23 guidelines that the City of New York has adopted for  
24 drainage infrastructure.

2 CHAIRPERSON MOYA: Great, thank you. Thank you  
3 so much for that. I just wanted to go back to 55  
4 Stuyvesant Street. So, what was the current plan for  
5 the use on 55 Stuyvesant?

6 CHRIS HADWIN: Sure, thank you for the question.  
7 So, 55 Stuyvesant is a vacant former Department of  
8 Health Office in St George, so it's an older  
9 structure that was constructed for office use. The  
10 plan under the proposed actions is to dispose of that  
11 to EDC, who would repurpose it for commercial office  
12 uses to bring jobs into the area.

13 CHAIRPERSON MOYA: And is EDC planning to issue a  
14 new RFP for that site?

15 CHRIS HADWIN: I can have them come and speak to  
16 that.

17 CECILIA KUSHNER: Hi, so I think there is two  
18 ways in which the DC can bring back or bring some  
19 kind of commercial and creative tenants into this  
20 abandoned building.

21 One is food direct tenancy and making it into an  
22 asset. The other one would be for an RFP. We are  
23 having internal conversations at EDC to decide what  
24 we think based on the market within the types of  
25 tenants we can have and the state of the building.

2 What is the best path moving forward. But the  
3 disposition gives us the ability if it turns out that  
4 through an RFP we have best changes to put the  
5 building back in use, that's what we will do, but we  
6 are looking at both.

7 CHAIRPERSON MOYA: Okay, and will there be any  
8 future community engagement around the future use of  
9 that site?

10 CECILIA KUSHNER: Yeah, I think once we have  
11 determination of the best like tool and path forward,  
12 we would definitely want to talk to the community,  
13 talk to the elected official to try to find the mix  
14 of uses that is both kind of market compatible that  
15 we can actually bring in but also kind of fit a niche  
16 or a gap that may exist in the commercial and creative  
17 market in the North Shore Staten Island.

18 CHAIRPERSON MOYA: Okay, and how will this be  
19 able to support local businesses and entrepreneurs in  
20 the area?

21 CECILIA KUSHNER: I think it really depends what  
22 we through kind of market analysis and talking to  
23 brokers and other uses in the area determine is the  
24 best kind of long-term use. We've heard that there  
25 is a lack of kind of small-scale office space in the

2 area in general and so, it may be something as simple  
3 as you know, like a doctors office that wants to  
4 expand or a local lawyer office. But we also heard  
5 that there is a bridging kind of like take incubation  
6 and kind of like media type of businesses in the  
7 area. There is also an artist community and interest  
8 in creative space.

9 So, I think we will try to find the right mix.  
10 It's not a very large building. It has a set of  
11 small floor plates, so I think we will try to find  
12 the right mix of uses, the right mix of tenants that  
13 both can kind of support the ecosystem that is  
14 bridging in the North Shore. And also, be kind of a  
15 compliment to kind of other assets we have in the  
16 area. So, we are looking at all of these options and  
17 it will be a part of ongoing conversation as we move  
18 the project forward.

19 CHAIRPERSON MOYA: Okay, and what kind of  
20 programs does SBS have to help local businesses  
21 remain in the rezoning area and prevent displacement?

22 CECILIA KUSHNER: Sure, I will pass it back to my  
23 colleague at SBS to talk about 360.

24 KETHIA JOSEPH: Thank you Council Member for you  
25 question. So, one of the key services that we have

2   to help support existing businesses along the  
3   commercial corridor is through our commercial lease  
4   assistance program and through that program we will  
5   be able to assist existing small business owners with  
6   either existing leases that they have, renewing their  
7   leases or even if they are having issues with back  
8   rent, that's something that we would provide.

9           CHAIRPERSON MOYA:   What was the name of the  
10   program?   I am sorry.

11          CECILIA KUSHNER:   The Commercial Lease Assistance  
12   Program.

13          CHAIRPERSON MOYA:   And has SBS done any outreach  
14   work to identify the areas in the North Shore that  
15   would be appropriate for maybe a business improvement  
16   district at all?

17          CECILIA KUSHNER:   So, not specifically in North  
18   Shore, but we have been funding merchant organizing  
19   throughout the Bay Street Corridor.   And so, through  
20   that effort, we are providing funding for merchant  
21   organizing and to putting together various  
22   stakeholders across the community in order to explore  
23   that opportunity with technical assistance and from  
24   that process, potentially a formation could come out  
25

2 of that or even the formalization of a merchant  
3 association.

4 CHAIRPERSON MOYA: Thank you. What are the  
5 agencies current policies on MWBE and the local  
6 hiring in that area? We touched a little bit upon  
7 this.

8 CHRIS HADWIN: Thank you for the question, I can  
9 speak to HPD's requirements for hiring minority women  
10 owned businesses. So, we recently instituted a new  
11 policy that requires that 25 percent of all funding  
12 that the city provides to affordable housing  
13 development goes to minority women owned business  
14 firms. And that can be firms that are involved in  
15 the development itself, contractors, subcontractors,  
16 and professional service firms that are involved in  
17 the work.

18 CHAIRPERSON MOYA: Thank you. I want to  
19 acknowledge that we have been joined by Council  
20 Member Constantinides and I now want to turn it over  
21 to Council Member Richards for a few questions.

22 COUNCIL MEMBER RICHARDS: Thank you Chair, and I  
23 want to thank City Planning for yet another  
24 neighborhood rezoning. I did want to voice and back  
25 up my Council Member here, Debbie Rose's concerns

2 around the affordability on this specific project,  
3 especially on city owned sites and I think right now  
4 the proposal is looking at a 50/50 somewhat deal and  
5 I feel you should go further in this plan and ensure  
6 that the local residents of this neighborhood could  
7 actually live in the developments and benefit from  
8 the new development happening.

9 So, as of now, I couldn't support this plan  
10 without seeing more of an investment from HPD and  
11 reaching those lower depths of affordability  
12 especially when we are dealing with a crisis here in  
13 the city.

14 I had a few questions, so I know the Chair  
15 touched on infrastructure a little bit and I know the  
16 drainage plan is being finalized I think I heard. I  
17 didn't hear a number, so after the plan is finalized,  
18 is there a specific number or investment number DEP  
19 is looking to put into to address the flooding  
20 issues?

21 CHRIS HADWIN: Thank you for the question. I can  
22 call DEP up again to speak about the process coming  
23 out -

24 COUNCIL MEMBER RICHARDS: You have done such a  
25 great job in South East Queens and I don't want you



2 to take any of my money. But Staten Island deserves  
3 flood free streets to.

4 ANGELA LICATO: Thank you Council Member  
5 Richards, we appreciate that. Yeah, so, we are in  
6 the process of finalizing our amended drainage plan  
7 and we would then put a capital budget together. The  
8 drainage plan for the area is actually in very good  
9 shape. The sewers meet a current five-year design  
10 storm, which will certainly not reflect potential  
11 climate change realities but certainly provides for a  
12 very ample level of service by today's standards.  
13 And the other very fortunate thing is the  
14 intercepting sewer that runs to our treatment plant  
15 is proximate to Bay Street. Which means that the  
16 flow or storm flow can avail itself of the ample  
17 capacity in that interceptor sewer and then has the  
18 advantage of being located next to the Hannah Street  
19 Pumping Station which lifts the flow and sends it  
20 directly to the plant.

21 So, the rezoning in this case is very well  
22 situated to our existing infrastructure.

23 COUNCIL MEMBER RICHARDS: Okay, I wanted to go  
24 into healthcare a little bit, and I know once again,  
25 Staten Island shares many of the challenges that the

2 Rockaway community has as well. So, I didn't hear  
3 anything about healthcare unless I missed it. Is  
4 there any plan to ensure that we are increasing  
5 opportunities to strengthen the healthcare network  
6 for the community?

7 CHRIS HADWIN: Thank you for the question. So,  
8 there is no specific plan for healthcare facilities  
9 to be part of the rezoning. However, one of the  
10 things that we looked closely at and the flexibility  
11 that we built into the plan was to allow for  
12 nonresidential or community facility uses to be  
13 located throughout the corridor including on the  
14 second floor of some of these buildings.

15 So, we heard very clearly that service is  
16 including healthcare facilities were needed in the  
17 community and we wanted to make sure that the zoning  
18 was inviting and attracting those uses and by  
19 creating flexibility.

20 COUNCIL MEMBER RICHARDS: And has Health and  
21 Hospitals Corporation been at the table during these  
22 discussions?

23 CHRIS HADWIN: They have been in the  
24 conversations over the years.

2 COUNCIL MEMBER RICHARDS: Okay, alrighty, so this  
3 would certainly be something important for the  
4 community there.

5 In terms of resiliency, I didn't hear a lot of  
6 discussion around green infrastructure. So, solar  
7 panels and other amenities that could benefit the  
8 community, address storm water runoff. I don't know  
9 if DEP wants to come back up for this.

10 CHRIS HADWIN: Thank you for the question. I  
11 think on the resiliency side, at least from City  
12 Planning's perspective as I mentioned earlier, these  
13 buildings will be required to meet resilient design  
14 standard, so they would have to build above the flood  
15 elevation and make sure that they are protecting  
16 health and safety. You know, through building design  
17 given that they are proximate to the harbor.

18 COUNCIL MEMBER RICHARDS: Right, but in the event  
19 of a storm like in Rockaway, even if they are above,  
20 let's imagine the electricity goes out, how would it  
21 be building state powered?

22 CHRIS HADWIN: Right, I don't have any specific  
23 answers to that question. I don't know, does DEP  
24 have anything to add?

2 COUNCIL MEMBER RICHARDS: That's alright, that's  
3 the purpose of the hearing to make us think these  
4 things through a little bit more.

5 CHRIS HADWIN: Sure, and if we don't have those  
6 answers today, we can certainly circle back. The  
7 question is around green infrastructure.

8 COUNCIL MEMBER RICHARDS: Yeah and being able to  
9 incentivize that. So, I know DEP has pots of money I  
10 think, for this as well, am I correct?

11 ANGELA LICATO: Yes, we actually do have a green  
12 infrastructure grant program that frankly has not  
13 been very well subscribed, but there is money  
14 available for private properties that would like to  
15 voluntarily retrofit utilizing city funding.

16 So, we would certainly make that available and  
17 should and probably could do some more outreach in  
18 this area to describe that program.

19 In addition to that as you may recall in 2012,  
20 the city passed a rule that would require additional  
21 detention on sites in the combined sewer areas and  
22 so, this is a combined sewer area and with the 2012  
23 rule, we are requiring about 90 percent of detention  
24 on rebuilt lots. So, they would be required to set a  
25 release rate which would have approximately 90

2 percent of the storm water detained and let out from  
3 the site to the sewer system slowly over time.

4           Having said that, we are also looking into a  
5 proposed new rule which you may hear about in the  
6 coming months, but we have been spending some time  
7 thinking about how we could even potentially tighten  
8 those requirements.

9           COUNCIL MEMBER RICHARDS: Okay, great. Just last  
10 question on the affordability again. I am sorry,  
11 because I had to step out. How many city owned sites  
12 or how many units are you projecting?

13           CHRIS HADWIN: I can speak to that. So, there  
14 are a number of different sites, depending on how you  
15 slice it. The Stapleton Waterfront has what could be  
16 several separate developmental phased development  
17 projects on the Northern portion that's most close to  
18 the Bay Street Corridor. There is another site at  
19 the Jersey Street Garage which is currently occupied  
20 by Sanitation which we would redevelop in the coming  
21 years for affordable housing.

22           COUNCIL MEMBER RICHARDS: And you are going with  
23 the Workforce Option currently correct?

24           CHRIS HADWIN: No, currently the actions that are  
25 before the committee is inclusive of all Options, but

2 it is up to the City Council to select which options  
3 ultimately get approved for publicly owned sites.

4 These would be 100 percent affordable projects that  
5 utilize our term sheets. So, they would be required  
6 to meet a whole range of different incomes.

7 COUNCIL MEMBER RICHARDS: So, you are looking at  
8 Ella I am sure or mix and match which program?

9 CHRIS HADWIN: Yes, I think depending on what we  
10 hear from the Council Member and the local community  
11 in terms of the affordability levels that would like  
12 to be accommodate, we have flexibility on what we can  
13 do. I will also just point out MIH doesn't actually  
14 apply to Jersey Street or to the Stapleton Waterfront  
15 sites. They are not technically receiving an  
16 increase in floor area under the proposal. Jersey  
17 Street would be redeveloped under existing zoning.

18 COUNCIL MEMBER RICHARDS: For the city owned  
19 sites.

20 CHRIS HADWIN: For the city owned sites exactly.

21 COUNCIL MEMBER RICHARDS: Those are city owned  
22 sites?

23 CHRIS HADWIN: Those are city owned sites, yes.  
24 So, we have a lot of flexibility on what we can do  
25 there.

2 COUNCIL MEMBER RICHARDS: So, why not push. Is  
3 there just not enough to push for more FAR there so  
4 that mandatory would kick in?

5 CHRIS HADWIN: We have other tools to preserve  
6 affordability for city owned sites. We actually have  
7 a new requirement as part of our RFP that gives the  
8 city control of the underlying property.

9 So, if the developer or the owner ever tries to  
10 opt out of our affordability programs, we are in a  
11 good position to prevent that from happening. So,  
12 even though mandatory is not typically being mapped  
13 there, we have other ways of preserving affordability

14 COUNCIL MEMBER RICHARDS: And you are going to  
15 request a tax abatement then?

16 CHRIS HADWIN: Correct. Typically, our projects  
17 do have financing and a complementary tax benefit  
18 that is associated with that.

19 COUNCIL MEMBER RICHARDS: Okay, I am just not  
20 seeing why we are not using an MIH tool which we  
21 created in a case to make sure we are creating  
22 permanent affordability. I do hear you on the  
23 toolbox scenario, but I am not understanding why we  
24 can't push the envelope a little bit more here to  
25

2   ensure that permanent affordability is put in place  
3   here.

4           So, I look forward, I will certainly be following  
5   my colleagues lead and the Chairs lead on this  
6   project, but I just wanted to voice my reservations  
7   in support of this until we get more affordable  
8   housing in this plan.

9           CHRIS HADWIN:   Thank you.

10          COUNCIL MEMBER RICHARDS:   Thank you Chair.

11          CHAIRPERSON MOYA:   Thank you Council Member  
12   Richards for your questions.   I want to turn it over  
13   quickly back to Council Member Rose for some  
14   additional questions.

15          COUNCIL MEMBER ROSE:   I just wanted to ask; will  
16   the Administration commit to funding the necessary  
17   seats that we need for 72 additional daycare slots as  
18   a result of this rezoning?

19          CHRIS HADWIN:   Thank you for the question.   I  
20   think it is a question that we will need to follow up  
21   with you on because I am not sure that we have anyone  
22   here to speak to that today, but we are aware of the  
23   need and will get back to you.

24

25



2 COUNCIL MEMBER ROSE: Okay, and did FDNY confirm  
3 how they are going to handle the additional  
4 population growth along the Bay Street Corridor?

5 CHRIS HADWIN: So, we had conversations with  
6 them. Thank you for the question and they did  
7 indicate that they have you know, several facilities  
8 in the immediate area. As you know, that are all  
9 well equipped to handle the kind of density and  
10 population that we are talking about.

11 So, I know one of the questions that came up  
12 through public review was you know, are they able to  
13 respond to the types of heights that we are looking  
14 at? Well, in St George we have existing buildings  
15 that are higher today. So, FDNY's response was that  
16 they have the equipment, the expertise and the  
17 knowledge to service those buildings; the proposed  
18 development and that they are well equipped from  
19 their existing locations to do so.

20 COUNCIL MEMBER ROSE: Why were FDNY, PD, and our  
21 healthcare systems left out of the DEIS?

22 CHRIS HADWIN: Thank you for the question. I  
23 would say that they weren't left out. The analysis  
24 was undertaken, and it was included, and it was

2 determined that there were no impacts in those  
3 categories based on the analysis that was undertaken.

4 COUNCIL MEMBER ROSE: And the same held true for  
5 NYPD?

6 CHRIS HADWIN: Correct, for emergency and health  
7 services.

8 COUNCIL MEMBER ROSE: I am speechless, okay. We  
9 will discuss that. So, there is no detailed analysis  
10 was done of PD, FDNY, and the healthcare impacts,  
11 right?

12 CHRIS HADWIN: Correct. It was determined that  
13 none was warranted based on the projected growth and  
14 the existing services in the area based on city and  
15 state environmental law.

16 COUNCIL MEMBER ROSE: Okay, thank you Chair.

17 CHAIRPERSON MOYA: Thank you Council Member Rose.  
18 I want to thank the panel for being here today and  
19 giving your testimony. We really appreciate it and  
20 we look forward to continuing the dialog on a number  
21 of issues that were raised by Council Member Rose and  
22 some of the members here and myself as we go forward.  
23 So, thank you very much for being here today.

24

25

2 I want to now call up the next panel. Kelly  
3 Vilar, Veerle Arts, Michael Harwood and Reverend  
4 Faith Togba.

5 So, thank you very much for being here. We are  
6 on a tight schedule and we will allow two minutes for  
7 everyone to give their testimony. If you can just,  
8 please state your name and then you can begin your  
9 testimony. Make sure that the red light is on.

10 Yeah, you push the button and if the red light  
11 comes on, that means your microphone is on.

12 KELLY VILAR: Okay, sorry. Thank you so much  
13 Council Member Moya and Members of the Zoning  
14 Committee of New York City Council. My name is Kelly  
15 Vilar and I am representing the Let's Rebuild  
16 Cromwell Community Coalition which has convened and  
17 discussed the Bay Street Corridor rezoning with  
18 hundreds of individuals and many community and church  
19 groups throughout the North Shore since 2016 and I  
20 want to share with you some of our most urgent  
21 recommendations.

22 One is that if we are to rezone, it must be worth  
23 it to the community that exists here and now and be  
24 able to accommodate future residents and businesses.  
25 We believe that this rezoning unlike no other in the

2 city is set to deliver in one fell swoop, one of the  
3 most valuable waterfront communities to private  
4 development in the history of New York City  
5 development.

6           With that being said, the exchange of community  
7 benefits outside of affordable units being produced  
8 need to be equal in caliber. If we are giving up  
9 billions in waterfront value, then there should be  
10 billions in investments in the targeted area and  
11 surrounding communities.

12           In summary, we recommend if this rezoning it to  
13 approved, it needs to do so with the following  
14 conditions: One, is that there be the deepest  
15 affordability to match neighborhood demographics and  
16 the targeted area; two, that there be no private  
17 development on city owned properties and reserve  
18 those properties for projects that provide public  
19 good; create a plan for new economic industry like  
20 our proposals for a MERC which is Maritime Education  
21 Recreation Corridor with opportunities for an  
22 unprecedented number of new jobs and careers; Four,  
23 build a state of the art public aquatic center in the  
24 footprint of the formal wheel. Investments in  
25 existing a new school serving the Bay Street Corridor

2 area of course, and substantial investments in  
3 transportation around the North Shore to include many  
4 options of travel and way finding. Thank you.

5 CHAIRPERSON MOYA: Thank you.

6 VEERLE ARTS: My name is Veerle Arts with the  
7 Municipal Arts Society of New York.

8 CHAIRPERSON MOYA: Just make sure that the  
9 microphone is – thank you.

10 VEERLE ARTS: MAS cannot support the Bay Street  
11 rezoning proposal due to significant shortcomings in  
12 mitigating expected adverse impacts. The rezoning  
13 could lead to the direct displacement of 1,753 low  
14 income residents when in a study area who live in  
15 unprotected rental housing.

16 The FEIS leave open the possibility that newly  
17 created affordable housing units could serve  
18 displaced low-income households. We urge the City  
19 Council to request a plan that prioritizes these  
20 residents and to continue to advocate for MIH Options  
21 that will produce the most affordable units aligned  
22 with the areas existing income level.

23 Considering the astounding deficits in school  
24 seats in the project area, North Shore families need  
25

1 more than the identification of potential school  
2 side.  
3

4 By 2030 the deficit is expected to increase to  
5 over 4,000 school seats. To address this glaring  
6 deficiency, we urge the city to work with the school  
7 construction authority and local officials to select  
8 additional sites for the construction of new schools.

9 Under the rezoning, open space in the areas  
10 expected to decrease to 1.41 acres per thousand  
11 residents, well below the city average of 2.5 acres.  
12 MAS urges the creation of additional quality open  
13 space within the rezoning area.

14 For additional comments on MIH, shadows, climate  
15 change, and resiliency, direct businesses placements  
16 and transportation waiver refer to our extensive  
17 written comments.

18 But lastly, we have found with other seeker  
19 evaluations, very few concrete mitigation measures  
20 have been identified to address the adverse impacts  
21 the rezoning will have on public infrastructure.  
22 Before the rezoning can be approved, the city must  
23 commit to more specific and significant mitigation  
24 measures.  
25

2           The agency is responsible for monitoring an  
3   implementation. We further recommend that no  
4   certificates of occupancy be issued for new  
5   development within the area unless mitigation  
6   commitment and conditions are met.

7           Thank you for the opportunity to provide comments  
8   on this important project.

9           CHAIRPERSON MOYA: Thank you.

10          MICHAEL HARWOOD: Hello, my name is Michael  
11   Harwood. I am a member of the St George Civic  
12   Association. I am active in the community and a  
13   homeowner in the neighborhood. Again, I join in the  
14   comments that were just stated.

15          I feel like it is déjà vu all over again. We've  
16   heard all of these very same question. We had three  
17   to four years of public comment and asked all of  
18   these questions. Virtually every question that  
19   Council Member Rose asked today has been asked over  
20   those three to four years and what we still hear  
21   today is conversations are ongoing.

22          Those conversations should have been completed.  
23   We heard many of these same questions during the  
24   wheel and the outlet hearings about transportation  
25   and we told they were deal it after the projects come

2 online. That time has long passed to have these  
3 problems solved now. The answers that I have heard  
4 here are surprising.

5 I know that the Council Member will deal with the  
6 affordability, so I won't touch on that, but the open  
7 space issues is crucial to this neighborhood. To be  
8 told that there is 12 acres of accessible open space,  
9 of which 5 acres are already built. That's 7 acres  
10 of new open space which is less than 3 percent of the  
11 entire amount of area that they are building on.  
12 This is property as Ms. Veerle just said on the  
13 waterfront that's the most valuable.

14 I think Council Member Moya, you asked the exact  
15 right question, which is isn't there a massive profit  
16 potential difference between manufacturing zoning and  
17 residential commercial zoning, clearly this is.  
18 There is a gift to these private developers in this  
19 area that is not being returned in nearly in equal  
20 amounts to this community.

21 There is ample space for public access. Right  
22 now, they are creating a 10-foot wide pedestrian  
23 plaza along the waterfront. That's nothing to allow  
24 access to the people who are already there much less,  
25 the new people that are coming in.



2 To hear that HRA hasn't been involved, there is  
3 not a single public hospital on Staten Island to  
4 serve this community. The schools are already  
5 overcrowded, they jerrymandered the figures here.  
6 So, they said that there is no material adverse  
7 impact on our public schools. To say that it's just  
8 under 5 percent when 5 percent is the trigger.  
9 Again, that's clearly a mistake here. There is  
10 flooding going on at Front Street, which is the main  
11 street here, every single day even in a light rain  
12 and that has not been mitigated.

13 None of the issues that Council Member Rose  
14 raised have been mitigated over the past 5 years  
15 since we started talking about the Empire outlets or  
16 the four years of public comment and therefore St  
17 George Civic Association opposes it and Community  
18 Board One voted unanimously to oppose it unless  
19 certain of these mitigation factors have been taken  
20 care of and none of them have been done between the  
21 DEIS and the FEIS. Thank you.

22 CHAIRPERSON MOYA: Thank you.

23 REVEREND FAITH TOGBA: I am a senior pastor of  
24 Bethel Worship Center on Bay Street for the past 17  
25 years and also a member of the HDC.

2 We currently as a church group are feeling the  
3 negative impact of the rezoning. Since the rezoning  
4 was proposed, the church members, most of them that  
5 work along the Bay Street Corridor, do not make the  
6 salary that is proposed here. And church members are  
7 being displaced right now. We have a lot of church  
8 members that can not afford the rent on Bay Street.  
9 Landlords are already raising rent. The church, our  
10 rent has gone up. We had the opportunity to purchase  
11 the property but since the rezoning kicked in, the  
12 landlord is holding on until he can cash in the  
13 maximum that he can.

14 We have church members that relocated into  
15 Jersey. My church is almost empty because my church  
16 members can not afford the rent around the Bay Street  
17 Corridor and the rezoning has not even taken place  
18 yet.

19 We have church members right now, that have to  
20 move to relatives, and we have limited apartment,  
21 one-bedroom apartment that is overcrowded. We  
22 seriously oppose the rezoning unless we have deeper  
23 affordable homes.

24 Public properties should be reserved and should  
25 be used for owned represent affordable homes. These

1  
2 are the only properties that the city has and  
3 disposing it to private developers does not help  
4 Staten Islanders. Especially those that live on the  
5 North Shore. Thank you.

6 CHAIRPERSON MOYA: Thank you. So, just to let  
7 you know that I have legislation that has been  
8 introduced to deal with secondary displacement that  
9 we'll start looking at several rezoning's that the  
10 city has already done to see if there is a change in  
11 the percentage of the folks that have been displaced.  
12 If it goes over 5 percent, that would trigger the  
13 city to do a look back on these rezoning's and also  
14 to the schools. We have massive overcrowding; the  
15 second bill would look at how that impacts the school  
16 districts in the areas that are being rezoned. To  
17 the local Council Member, Council Member Rose, who  
18 has been working tremendously hard to advocate for  
19 deep affordability in schools. The Committee here is  
20 committed to making sure that we can get the best  
21 possible affordability to the members of Staten  
22 Island and as we do rezoning's throughout the city,  
23 to all New Yorkers given that we do have an  
24 affordability crisis on our hands.

2 So, thank you very much for your testimony today.  
3 I truly appreciate you taking the time to come down  
4 here and testify today.

5 MICHAEL HARWOOD: Chair, can I just add on that  
6 displacement issue. In addition to the 1,700  
7 families that are going to be displaced, there is  
8 also the only supermarket in this Bay Street  
9 Corridor, the Western Beef will also be displaced in  
10 a food desert that has already been identified on the  
11 North Shore.

12 So, we also need protection for the availability  
13 of services to this community as well.

14 CHAIRPERSON MOYA: Thank you. I would like to  
15 thank you very much for your testimony. I'd like to  
16 call up the next panel. Reverend Gloria Lavine,  
17 Kevin Michelus, Ivan Garcia and Chris Walters.

18 Reverend, we will start with you. Are you ready?  
19 No, okay. We will go to the next one. Okay, Chris  
20 are you ready? Yeah, thank you.

21 CHRIS WALTERS: Good afternoon. Thank you for the  
22 opportunity to testify. My name is Chris Walters and  
23 I am the Rezoning Technical Assistance coordinator at  
24 the Association for Neighborhood and Housing  
25 Development, ANHD.

2 I'd like to echo the vital concerns raised by  
3 community members as well as Council Member Rose and  
4 Chair Moya, regarding who this rezoning will actually  
5 serve. This is a concern born out by looking at the  
6 numbers.

7 So, as we know, the EIS identifies an at-risk  
8 population of over 1,700 tenants vulnerable to the  
9 increase in rents this rezoning may bring. But the  
10 EIS airs in assuming that the new affordable housing  
11 will be enough to offset this displacement risk.

12 First and foremost, this assumption is wrong,  
13 because as we know DCP is proposing a map, the  
14 highest income MIH options as part of this rezoning.  
15 Both the Workforce Housing Option, and Option 2,  
16 which set affordable rents at an average of 80  
17 percent AMI or over \$75,000 a year.

18 Yet currently, 58 percent of households on the  
19 North Shore earn less than \$75,000 a year. Once an  
20 MIH option is mapped, it is the developers discretion  
21 as to which option to choose and our analysis for the  
22 Bay Street Corridor has shown they are more likely to  
23 chose the higher income options here.

24 Mapping Option 2, and the Workforce Option would  
25 mean there is no guarantee that almost any housing

2 below 80 percent AMI would be built as part of this  
3 rezoning. Putting both the affordable and  
4 unregulated units out of reach for over half the  
5 district.

6 These numbers are even more alarming when you  
7 consider race. Two-thirds of households of color on  
8 the North Shore earn less than \$75,000. As was  
9 stated earlier, these are the same households facing  
10 the highest rent burden in the district. 70 percent  
11 of families earning less than \$75,000 a year are rent  
12 burdened as opposed to just 3 percent of families  
13 earning more.

14 So, these are the households that stand to gain  
15 to gain the least and lose the most from this  
16 rezoning. And this is especially of concern in an  
17 area like the North Shore where the vast majority of  
18 renters live in unregulated units without tenant  
19 protections.

20 So, I will again echo what we have heard today  
21 but in saying that the steps that must be taken is to  
22 ensure that just Option 1 and the deep affordability  
23 Options for MIH are mapped as part of this rezoning  
24 and that public land is used for maximum public good.

2 If Stapleton Phase 3 and Central Street along  
3 with Jersey Street were 100 percent affordable, that  
4 could mean over 900 units of affordable housing with  
5 this rezoning on top of MIH.

6 Taking together that community rezoning that gets  
7 close to 50 percent affordable housing when you look  
8 at the new units that are created, a 50/50 rezoning.  
9 Thank you very much.

10 CHAIRPERSON MOYA: Thank you.

11 IVAN GARCIA: Good afternoon. My name is Ivan  
12 Garcia and I am the Neighborhood Rezoning Coordinator  
13 for Make the Road New York and a member of the  
14 Housing Dignity Coalition.

15 I have been doing outreach about the very  
16 rezoning for over a year now and I have presented at  
17 different clubs, organizations, and churches  
18 throughout Staten Island.

19 After every presentation every tenant in the room  
20 is upset that this is the plan the city has  
21 presented. It is upsetting that the city's plan has  
22 not changed much since the draft scope. The EIS  
23 claims that over 1,700 people will be indirectly  
24 displaced, and they have said that this is a worst-  
25 case scenario.

2 As I testified last week, we know that Seeker is  
3 on very accurate, so I don't even believe that.

4 The sad reality is that this is already  
5 happening. There are tenants who have given up and  
6 believe that this rezoning is a done deal and the  
7 city will do whatever they want.

8 They are looking to move out of state or risk  
9 being homeless. The displacement of these tenants is  
10 not a matter of whether it will happen, it is a  
11 matter of when it will happen. 43 percent of the  
12 district makes less than \$50,000 a year. Of those 43  
13 percent, 75 percent are either rent burdened or  
14 severely rent burdened. This means they are paying  
15 more than 30 to 50 percent of their income on rent  
16 and are possibly one rent increase away from being  
17 homeless or displaced.

18 It also does not help that 85 percent of the  
19 housing stock on the North Shore is private. None of  
20 these tenants are protected by any laws. They do not  
21 have the right to a lease renewal and the rent  
22 increase does not have to follow the Rent Guidelines  
23 Board.

24 According to New York City's Human Resource  
25 Administration report on universal access to legal



2 services, 67 percent of tenants facing eviction who  
3 received legal services in Staten Island were allowed  
4 to stay. Although this may sound great, it is a very  
5 low number compared to Manhattan which has 93  
6 percent, the Bronx at 90 and Brooklyn at 83. The  
7 report states that this maybe because Staten Island's  
8 higher volume of owner occupied and single- or two-  
9 family properties in Staten Island.

10 Even with an attorney, 32 percent of tenants in  
11 housing court were evicted from their home. A  
12 rezoning will only speed up the displacement of  
13 tenants who have no protections.

14 A rezoning should protect existing tenants who  
15 call Staten Island home and should build affordable  
16 housing for the neediest families in Staten Island.  
17 The Housing Dignity Coalition has traded a path to  
18 get a responsible rezoning and have spoken with the  
19 city numerous times on how to get there. A  
20 responsible rezoning that is truly affordable and is  
21 as close to a 50/50 deal as possible.

22 We feel as if we have been ignored and our  
23 recommendations were not taken into consideration.  
24 Therefore, we are here against the rezoning. Thank  
25 you.

2 CHAIRPERSON MOYA: Thank you.

3 KEVIN MICHELUS: Okay, my name is Kevin Michelus,  
4 I am volunteer for Make the Road New York and a  
5 Staten Island resident and it seems not much has  
6 changed in Staten Island.

7 2009, when I looked for affordable housing, I  
8 could get two or three sheets for each borough. But  
9 I can only find three or four apartments in Staten  
10 Island and it seems like that is the case today.

11 My landlord will most likely raise the rent and  
12 chase people out because he has done it before. And  
13 I know from looking on the web, a lot of developments  
14 owned, a lot of buildings on Bay Street is most  
15 likely to chase the businesspeople out, so they can  
16 build higher rise buildings.

17 I think Staten Island has definitely a big  
18 problem with transportation because I remember when  
19 the New York City Ferry started from far Rockaway to  
20 Manhattan. That wasn't so bad, but every other  
21 borough was getting new Ferry service except for  
22 Staten Island. Bronx, Brooklyn, Queens got theirs,  
23 but it took us two years to get service on the New  
24 York City Ferry.

2           If the population in Staten Island does go up,  
3 that's most likely going to cost the Staten Island  
4 Railway to run more often which could put an end to  
5 the Express Service.

6           Staten Island Railway only has four cars. We  
7 cannot transport more people. The trains are not big  
8 enough and neither are the stations and it's worse  
9 enough now that people have to go from Tottenville  
10 and Travis to St George just to go to Manhattan, when  
11 we should have had our own Ferry service a long time  
12 ago.

13          The over development is going to create congested  
14 streets and seeing that this is the part of the plan  
15 that never is made. I see Police and Fire Department  
16 every day trying to get through a call, and they  
17 can't go anywhere because the streets are congested,  
18 and cars have nowhere to pull over.

19           CHAIRPERSON MOYA: Thank you.

20           REVEREND GLORIA LAVINE: Good afternoon. My name  
21 is Reverend Gloria Lavine and I am speaking on behalf  
22 of Staten Island Council of Churches. I am a Co-  
23 Chair of Social Witness and I did have a letter for  
24 some strange reason, when I got up here it  
25 disappeared off my phone. The President Dr. Elaine

2 Barrett, she is the President of the Staten Island  
3 Churches, Council of Churches. And I guess I just  
4 have to speak from my heart here because her  
5 statement, I also noticed a lot of other churches are  
6 experiencing it.

7 It has to do with people that come to our church  
8 for feeding and also for service. They are being  
9 displaced or they can't afford the rent and they are  
10 sleeping, especially my church, the Reformed Church  
11 at Staten Island on the South Shore. We are having a  
12 problem, people breaking in our sheds to sleep in  
13 there. We have a problem with people sleeping on our  
14 porch and also in their cars in our driveway.

15 And this is going on through Staten Island. We  
16 don't know what to do. We have people come in,  
17 especially my church and other churches three days a  
18 week to sleep at night and to be gone in the morning.

19 And it's just getting to the point we just lost  
20 because what do we do? We can't bring them home with  
21 us. And we give them clothes and we are talking  
22 about people, not just homeless people, people that  
23 have jobs, and they can't afford the rent.

24

25

2 You know, and especially, it hurts my heart when  
3 I see a family with their children and no place to  
4 go.

5 CHAIRPERSON MOYA: Thank you. Thank you all for  
6 your testimony today. I am going to call up the next  
7 panel. Lazzara Lawrence, Bernice Alley, Sylvia  
8 Smith, Deacon Mary Boorne. Okay, thank you.

9 COUNCIL MEMBER ROSE: You can begin. State your  
10 name and your affiliation. Talk into the mic okay.

11 LAZZAR LAWRENCE: Oh, I am sorry. Good morning.  
12 My name is Lazzara Lawrence and I am today in a  
13 position of the **[inaudible 4:19:42]** on Bay Street.  
14 We need deep affordable housing for the need and the  
15 families of Staten Island. Families are already  
16 struggling; rents are too high, and it is in bad  
17 condition and we need a better plan for people with  
18 disabilities.

19 COUNCIL MEMBER ROSE: Thank you.

20 LAZZAR LAWRENCE: And senior citizens houses.

21 COUNCIL MEMBER ROSE: Thank you. Thank you so  
22 much.

23 LAZZAR LAWRENCE: You are welcome. Have a nice  
24 day.

2 COUNCIL MEMBER ROSE: I have never been told at a  
3 hearing to have a nice day. Thank you.

4 BERNICE ALLEY: Good afternoon everyone. All  
5 respect to our Councilwoman Debbie Rose this  
6 afternoon. I have attended numerous Town Hall  
7 meetings, sat in offices of our Councilwoman, our  
8 State Senator Savino's office who have always  
9 graciously accommodated us and our coalition and  
10 listened, and I say she always listened.

11 My request and my concern is very simple. That  
12 the people of Staten Island be considered in this  
13 rezoning and above all, the affordability of the  
14 structures. Taking into consideration the graduating  
15 generation that is coming forward who are looking for  
16 affordability. I have a granddaughter who will be  
17 graduating, and I would like for her to have after  
18 she leaves college to have affordability. After  
19 getting her degree to get a job and to get what she  
20 deserves to have as an indication of all the hard  
21 work that she has put forth and the dedication that  
22 she has put forward into her college, obtaining her  
23 college degree.

24 I want to thank you for the consideration that  
25 you have given us this afternoon and allowing us to

2   express ourselves. I know our Councilwoman has our  
3   interests at heart and our demands are simple to  
4   consider the public land for public good, real  
5   affordability on Bay Street. We are asking for real  
6   affordability and a relocation plan for displacing  
7   our tenants. Thank you very much.

8           CHAIRPERSON MOYA: Thank you. Can you just state  
9   your name for the record again? I am sorry.

10          BERNICE ALLEY: Bernice Alley.

11          CHAIRPERSON MOYA: Thank you.

12          MARY BOORNE: Hello everyone, good afternoon. My  
13   name is Mary Boorne. I am a Deacon at First Central  
14   Baptist Church in the Stapleton area. I am also with  
15   the Housing Dignity Coalition. I have been a  
16   resident on the North Shore on Staten Island for over  
17   44 years.

18          The Housing Dignity Coalition is a faith-based  
19   organization that believes that we have a moral  
20   obligation to hear, protect and support the concerns  
21   of our membership. To many of us and our neighbors  
22   are put in desperate situations by rising rents and  
23   by landlord neglect. There are many families in our  
24   churches that are worried about being priced out of  
25   their homes as a result of the proposed rezoning.

2 High rent already burns many families on the  
3 North Shore and people seem to think that  
4 homelessness is primarily caused by substance abuse  
5 or maybe mental illness but that face of homelessness  
6 has changed and now it involves many working families  
7 because they cannot afford the rent.

8 For decades there has been a gap between high  
9 housing costs and low wages, and it continues to fuel  
10 the affordability crisis and expose many of our loved  
11 ones to displacement. The tiny supply of housing for  
12 the poor has been shrinking at the same time that the  
13 need has grown. We have to make sure that the  
14 rezoning is equitable and reflects the need of the  
15 entire North Shore community.

16 I cannot support a rezoning that leaves the most  
17 vulnerable at risk. It is immoral and unjust and as  
18 I mentioned before, the rents for the Option 4, if  
19 you look at the rents that are in the current market  
20 rate at the URBV location there, they are very  
21 similar. So, I can't see how that rent is adequate  
22 for the people that live in our area. Thank you.

23 CHAIRPERSON MOYA: Thank you. So, are we  
24 missing?



2 COUNCIL MEMBER ROSE: Yes, she is not going to be  
3 able to -

4 UNIDENTIFIED: Silvia Smith.

5 CHAIRPERSON MOYA: And Lazzara?

6 COUNCIL MEMBER ROSE: She spoke.

7 CHAIRPERSON MOYA: Oh, she did, okay. Thank you.  
8 Thank you so much for your testimony here today.

9 And this is our last panel for today. We have  
10 Reverend Janet Jones, Marilyn Megibow, Taneqwa[SP?]  
11 Steed, and Lee Kalman. And Reverend, if you are  
12 ready, we can start whenever you would like.

13 REVEREND JANET JONES: Okay, I am Reverend Janet  
14 Jones, Pastor of the Rossville AME Zion Church and  
15 second Vice President of the Council of Churches and  
16 one of the founding members of the Staten Island  
17 Housing Dignity Coalition which was founding in 2004  
18 to advocate for housing affordability on Staten  
19 Island in the wake of Hurricane Sandy.

20 I testified at the first public hearing at the  
21 beginning of this process and I am here today, and my  
22 message is the same. We cannot support this plan as  
23 it is written. My faith commands that I name in  
24 justice and seek justice in all facets of life.

2 When the city puts forth a rezoning plan that  
3 increasing the vulnerability of current renters, the  
4 753 that the city projects could face displacement.  
5 When the city puts forth a plan that ignores the 50  
6 percent of North Shore families that earn less than  
7 \$75,000 per year. And when the city ignores the 43  
8 percent of North Shore families that earn less than  
9 \$50,000 per year, 75 percent of whom are already rent  
10 burdened and when public land is not used for the  
11 public good, I call that injustice.

12 And so, the Housing Dignity Coalition of Staten  
13 Island rejects MIH Options 2 and 4 and urge you not  
14 to move forward for the Bay Street rezoning plan  
15 without including the real needs of the community  
16 that have been stated here today.

17 Do not move forward with a plan that does not do  
18 justice to the Staten Island community. That's it.

19 CHAIRPERSON MOYA: Thank you.

20 MARILYN MEGIBOW: I am Marilyn Megibow and my  
21 rent including rebates right now is more than 50  
22 percent of my income.

23 I know that is going to change if the plan that's  
24 proposed right now goes through, it will have  
25 tremendous impact and I oppose the current proposed

2 plan. It really needs to be revised to help us.

3 Thank you.

4 CHAIRPERSON MOYA: Thank you.

5 TENEQWA STEED: Hello, my name is Taneqwa Steed.

6 The good cause eviction would bring the right to a  
7 renewal lease at limited rent increases set by Local  
8 price index to all tenants. The Good Cause Eviction  
9 legislation would give my family and I a basic tenant  
10 protections. Many families in the North Shore do not  
11 have these basic protection. I would be offered a  
12 lease renewal when my lease expires, and I can have  
13 some piece of mind knowing that I have basic  
14 protections.

15 I just wanted to say also that I just exited a  
16 shelter due to domestic violence. The only reason  
17 why I am staying there is because I just found an  
18 apartment for me and my two kids in January and this  
19 could really effect my landlords. You know, he might  
20 not to renew my lease and I would really hate to go  
21 through the process again you know, with my kids.  
22 So, I am opposed.

23 CHAIRPERSON MOYA: Thank you so much for coming  
24 here to testify.

2 LEE KALMAN: HI, my name is Lee Kalman, I am a  
3 Community Organizer with the New York State Iron  
4 Workers District Council. I appreciate the concerns  
5 that you raised about HireNYC Council Member Moya and  
6 I just wanted to add a little bit to that.

7 I echo community concerns about displacement and  
8 want to highlight additional problems with  
9 construction practices and job creation that the City  
10 Council and the Zoning and Franchises Committee must  
11 address before approving this rezoning plan or any  
12 further rezoning's.

13 So, this plan to develop over 1,800 units of new  
14 housing without first establishing standards for  
15 safety and skill training, local hire, and  
16 responsible contracting practices is irresponsible.

17 The Bay Street rezoning as it currently stands,  
18 still does not contain adequate protections for  
19 vulnerable workers and tenants who are at risk of  
20 displacement and of exploitation by low road  
21 contractors and developers.

22 So, the main things that I want to focus on are  
23 responsible contracting language, public subsidies  
24 should not go to developers and contactors who have  
25 been debarred, convicted of wage theft, or Workers

2 Compensation fraud, have excessive OSHA violations  
3 and bad safety records. And that should especially  
4 be true on the public land sites.

5 Public subsidies should also not go to developers  
6 and contractors with records of major accidents, low  
7 safety rating and records of discrimination or anger  
8 family of companies that have worked on projects in  
9 Staten Island and on other city rezoned HPT and EDC  
10 sites.

11 Local hire and good jobs; Staten Island residents  
12 should have access to high quality construction jobs  
13 that provide trade specific apprenticeship and safety  
14 training, pay prevailing wages, and include employer  
15 provided health insurance.

16 I think you already got the concerns about  
17 HireNYC, but the city has not shown data showing  
18 positive results of this initiative and the current  
19 approach could get residents hired into temporary and  
20 dangerous construction jobs with no safety training  
21 but these positions do not create an opportunity for  
22 skill safety training, high paying career and a  
23 consistent pipeline of work.

24 These jobs pay poverty wages, offer no health  
25 insurance, create dangerous work environments for the

2 entire Staten Island community and considering the  
3 high number of deaths this year and serious injuries,  
4 even just this past month, I hope that you will  
5 really take these concerns seriously.

6 CHAIRPERSON MOYA: Thank you.

7 LEE KALMAN: Thank you.

8 CHAIRPERSON MOYA: Thank you so much. Thank you  
9 all for coming here today and for giving your  
10 testimony to this committee. The panel is dismissed.

11 Are there any other members of the public who  
12 wish to testify? Seeing none, I want to now close  
13 the public hearing on this application, and it will  
14 be laid over, but I just want to turn it over to  
15 Council Member Rose for some closing remarks.

16 COUNCIL MEMBER ROSE: I want to thank all of you  
17 who came here today to testify. I want you to know  
18 that I have heard you. We have been through this  
19 process; it has been a long time. I share your  
20 frustrations that we are near the deadline for this  
21 rezoning and we have no more deliverables or answers  
22 then we did starting out.

23 So, I want to thank you for your perseverance and  
24 for your patience. I want you to know that there  
25 will be no rezoning if there is no resolution or

2 deliverables. We are continuing to negotiate, and we  
3 will see the Committee back for a vote of whether the  
4 rezoning will go forward or not.

5           So, I thank you for taking your time.

6           CHAIRPERSON MOYA: Thank you Council Member Rose  
7 and thank you again for your leadership on this issue  
8 and how you have consistently been working to make  
9 sure that all Staten Islanders are accounted for and  
10 their voice is heard throughout this process. So,  
11 thank you for your great work.

12           This concludes today's meeting and I would like  
13 to thank the members of the public, my colleagues and  
14 of course the Council and Land Use staff for their  
15 incredible work throughout this process. My co-pilot  
16 Arthur here who has been diligently helping me  
17 throughout. I want to thank you all for being here  
18 today. This meeting is hereby adjourned. [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 April 1, 2018