

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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January 26, 2021  
Start: 10:27 a.m.  
Recess: 1:36 p.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Francisco Moya  
CHAIRPERSON

COUNCIL MEMBERS:  
Diana Ayala  
Joseph Borelli  
Barry Grodenchik  
Stephen Levin  
Antonio Reynoso  
Carlina Rivera  
Mathieu Eugene  
Kalman Yeger

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

Nora Martins, Land Use Counsel on behalf  
of applicant  
Akerman LLP

Christopher Vlacich, Applicant

Nelly Hennessy, Project Architect  
Caliendo Architects

Richard Lobel, Land Use Counsel on behalf  
of applicant  
Sheldon Lobel PC

David Rosenberg, Land Use Counsel on  
behalf of applicant

Isaac Lefkowitz, applicant  
Chartwell Pharmaceuticals

Carlos Escobar, President  
Titan Machine Corp.

Jeff Nelson, Public-Private Partnerships  
RXR Realty

Emma Manson  
RXR Realty

Marie Free, Urban Planning and Policy  
Analyst  
New York Building Congress

Charles Yu, New York City Resident

Elizabeth Lusskin, President  
Long Island Partnership

Hannah Weinstock, Senior Director for  
Workforce Development  
LaGuardia Community College

April Simpson, Former President  
Queens Bridge House Resident Association

Ben Kubany, on behalf of  
Jonathan Boweles, Executive Director  
Center for an Urban Future

Brendan Leavy, on behalf of Tom Grech  
Queens Chamber of Commerce

Laura Colacurcio, Vice President  
Association for a Better New York

Michell Taylor, Cofounder and CEO  
Urban Upbound

Seth Bornstein, Director  
Queens Economic Development Corporation

Timothy Duvall, New York City Resident

Victor Filletti, Project Architect 1620  
Cortelyou Road

Tony Doleh, Applicant 1620 Cortelyou Road

Harriet Hines, New York City Resident

Harry Bubins, New York City Resident

Eileen McGill, President  
Beverly Square East Block Association

John Oros, New York City Resident

Anthony Finkel, New York City Resident

Johanna Neufeld, New York City Resident

Hailey Nuthals, New York City Resident

Gabriel Cosman Alter, New York City  
Resident

Cassandra Jean Pierre, New York City  
Resident

Cecilia Cortez, New York City Resident

Blake Morris, New York City Resident

Whitney Payne, New York City Resident

Stacie Shub, New York City Resident

Megan Demarkis, Parent Coordinator  
PS 139

Josue Pierre, Affordable Housing Activist  
and Flatbush Resident

Rita Joseph, New York City Resident

Robert Elstein, New York City Resident

Avi Glickstein, New York City Resident

Milana Unknown, New York City Resident

Baruch Weisman, New York City Resident

2 SERGEANT-AT-ARMS: Recording.

3 SERGEANT-AT-ARMS: The live is up.

4 SERGEANT-AT-ARMS: PC recording has  
5 started.

6 SERGEANT-AT-ARMS: Cloud recording has  
7 started.

8 SERGEANT-AT-ARMS: Sergeant Perez, you may  
9 start with the opening.

10 SERGEANT-AT-ARMS: Good morning. Welcome  
11 to New York City Council's remote Subcommittee  
12 hearing on Zoning and Franchises. Everyone, please  
13 turn on your videos at this time. Silence all  
14 electronic devices. All written testimony can be  
15 submitted to [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov).  
16 again, the is [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov).  
17 Thank you. Chairman, we are ready to begin.

18 CHAIRPERSON MOYA: Thank you so much. Good  
19 morning. I'm Councilman Francisco Moya, Chair of the  
20 Subcommittee on Zoning and Franchises. I'm joined  
21 remotely today by Council member Ayala, Reynoso,  
22 Grodenchik, Borelli, and also we are joined by  
23 Council member Eugene and Yeger. I would like to  
24 first note that the Court Theater zoning text  
25 amendment and special permit proposal listed on

2 today's agenda under LUs 712 and 713 are being laid  
3 over. Today, we will be holding public hearings on a  
4 number of new applications. Before we begin, I'd  
5 like to recognize our subcommittee counsel to review  
6 the remote meeting procedures.

7 COMMITTEE COUNSEL: Thank you. Thank  
8 you, Chair Moya. I am Arthur Huh, counsel to this  
9 subcommittee. Members of the public wishing to  
10 testify at this subcommittee were asked to register  
11 for today's hearing. If you wish to testify and have  
12 not already registered, we ask that you please do so  
13 now by visiting the New York City Council website at  
14 [www.council.NYC.gov](http://www.council.NYC.gov) to sign up. Members of the  
15 public may also view a livestream broadcast of this  
16 hearing at the Council's website. When called to  
17 testify, individuals appearing before the  
18 subcommittee will remain muted until recognized by  
19 the Chair to speak. Applicant teams will be  
20 recognized as a group and called first. Members of  
21 the public will be called and recognized in panels in  
22 groups of up to four names at a time. When the Chair  
23 recognizes you, your microphone will be unmuted.  
24 Please take a moment to check your device and confirm  
25 that your mic is unmuted before you begin speaking.

2 There is a slight delay in the unmuting process.

3 Public testimony will be limited to two minutes per

4 witness. If you have additional testimony you would

5 like the subcommittee to consider or if you have

6 written testimony you would like to submit instead of

7 appearing here before this subcommittee, you may

8 email it to [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). Please

9 indicate the LU number and or project name in the

10 subject line of your email. During the hearing,

11 Council members with questions should use the zoom

12 raise hand function. The raise hand button should

13 appear at the bottom of your participant's panel.

14 Council members with questions will be recognized in

15 the order of raised hands and Chair Moya will then

16 recognize members to speak. Witnesses are reminded

17 to remain in the meeting until excused by the Chair

18 as Council members may have questions. Finally,

19 there will be pauses over the course of this meeting

20 for various technical reasons and we ask that you

21 please be patient as we work through any issues.

22 Chair Moya will now continue with today's agenda

23 items.

24 CHAIRPERSON MOYA: Thank you, Arthur. I

25 now open the public hearing on preconsidered LU items

2 for the 42-01 28th Avenue rezoning proposal under  
3 ULURP number C190517ZMQ and number 190518ZRQ relating  
4 to property in Council member Constantinides'  
5 district in Queens. The proposal seeks a zoning map  
6 amendment to change the R5 to-- and an R5 C12  
7 district to an R6A and an R6A C12 district and a  
8 related zoning text amendment to establish a  
9 mandatory inclusionary housing area utilizing options  
10 one and two. The proposed action would facilitate  
11 the development of a new eight story mixed use  
12 building with 54 dwelling units, 16 of which will be  
13 affordable, as well as ground floor commercial use.  
14 Council, if you can please call up the first panel  
15 for this item.

16 COMMITTEE COUNSEL: The applicant panel  
17 includes Nora Martins, land use counsel appearing on  
18 behalf of the applicant, Christopher Vlacich, on  
19 behalf of the restaurant applicant, and Nelly Minela,  
20 the project architect. Panelists, if you have not  
21 already done so, please accept the unmute request in  
22 order to begin to speak.

23 NORA MARTINS: Thank you. Can you hear  
24 me?

25 CHAIRPERSON MOYA: We can hear you.

2 NORA MARTINS: Okay. Great. Good  
3 morning.

4 CHAIRPERSON MOYA: Good morning.

5 NORA MARTINS: Thank you for having us  
6 here.

7 CHAIRPERSON MOYA: Before you begin--

8 NORA MARTINS: This is Nora Martins.

9 CHAIRPERSON MOYA: Let me just stop you  
10 really quick. I just need to make sure-- Counsel,  
11 if you could please administer the affirmation.

12 COMMITTEE COUNSEL: Panelists, please  
13 raise your right hands. Do you affirm to tell the  
14 truth, the whole truth, and nothing but the truth in  
15 your testimony before this subcommittee and in answer  
16 to all Council member questions?

17 NORA MARTINS: Yes.

18 CHAIRPERSON MOYA: Great. Thank you. We  
19 have received your slideshow presentation for the  
20 proposal. When you're ready to present it, please  
21 say so and it will be displayed on the screen by our  
22 staff. Slides will be advanced when you say next.  
23 Please note that there might be a slight delay in  
24 both the initial loading and the advancing of slides.  
25 As a technical note for the benefit of the viewing

2 public, if you need an accessible version of this  
3 presentation, please send an email request to  
4 [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). That's  
5 [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). And now, if the  
6 panelists will please restate your names and  
7 affirmation for the record, you may begin.

8 NORA MARTINS: Good morning. Nora  
9 Martins from Akerman LLP, land use counsel for this  
10 project. Good morning, Chair Moya and Council  
11 members. Thank you for having me here today. If we  
12 could get the slideshow up on the screen now, and I  
13 would be great. Thank you. So, I'm joined today by  
14 Chris Vlacich from the applicant and the owner of the  
15 family restaurant that's located on the site now and  
16 also by Nelly Hennessy from Caliendo Architects,  
17 project architect in case there are any questions  
18 that she can help answer. The application involves  
19 the block fronts along 28th Avenue between 41st and  
20 43rd Street in Community Board One in Queens will  
21 facilitate the redevelopment of the existing Piccola  
22 Venezia restaurant site which has been operating in  
23 the Astoria community for nearly 50 years to allow  
24 the construction of a new mixed use building with MIH  
25 permanently affordable housing units, as well as

2 brings several other existing multifamily residential  
3 buildings on the block closer into compliance with  
4 the zoning regulations. Just briefly, before I  
5 continue through the presentation, I am going to turn  
6 it over to Christopher Vlacich to give a little  
7 background and history on their restaurant and the  
8 reason for this application. Next, please.

9 CHRISTOPHER VLACICH: Good morning,  
10 everyone. Can everyone hear me?

11 SERGEANT-AT-ARMS: Yes. We hear you.

12 CHRISTOPHER VLACICH: Yes? Okay. My  
13 name is Christopher Vlacich and my parents, Ezzio and  
14 Giuliana opened this restaurant you see here, Piccola  
15 Venezia, at the corner of 28th Avenue and 42nd Street  
16 in 1973. And under my family's leadership which  
17 started out as this small neighborhood [inaudible  
18 01:08:12] soon blossomed into one of the most  
19 critically acclaimed restaurants in the city and, as  
20 many would say in the Astoria neighborhood that we  
21 grew up in. In normal times, we employ about 30  
22 full-time people, most of them are local to Astoria  
23 and have been with us 20 plus year, even a couple  
24 since day one. The vast majority of customers that  
25 we serve are longtime regulars that although they

2 continue to be loyal, the restaurant has failed to  
3 attract the newer demographic of the Astoria  
4 residents which has replaced are longtime regulars.  
5 And having success in the restaurant industry has  
6 always been difficult and we've seen too many empty  
7 storefronts appear where restaurants once stood  
8 because owners were hesitant to change and adapt to  
9 the changing market conditions. We feel that the  
10 residents of Astoria are vital to our future success  
11 and what will ensure viability for the next 50 years.  
12 Astoria is much a part of what makes Piccola Venezia  
13 special as our family, or staff, and our product. As  
14 you just heard, our plan is to temporarily relocate  
15 the restaurant within the neighborhood while  
16 redeveloping our property to bring a mix of new homes  
17 including affordable inclusionary homes above the  
18 newly renovated Piccola Venezia. Thank you.

19 NORA MARTINS: Thank you, Christopher.

20 So, next slide, please. As you can see here, we just  
21 have an aerial map showing a portion of the rezoning  
22 area including the current location of the Piccola  
23 Venezia restaurant. 28th Avenue is a white Street 80  
24 feet wide and occupied by several approximately 50  
25 foot tall residential buildings with FARs that far

1 exceed the existing-- what's permitted under the  
2 existing R5 zoning which would allow a 1.25 FAR.  
3 Most of these are between three and almost four FAR  
4 and further east are actually some even taller  
5 buildings. So, in addition to facilitating the  
6 development of the applicant site, this rezoning  
7 helps to bring a lot of these other existing building  
8 really reflects the existing conditions on the  
9 ground. Next. This slide just shows the existing  
10 restaurant. Photos of that. Next. Existing  
11 conditions on the north side of the street. You can  
12 see some of those pre-war residential buildings that  
13 don't comply with existing R5 zoning. Next. And,  
14 again, just some additional photos showing those  
15 existing conditions that on the sites we would be  
16 seeking to rezone that are not owned or controlled by  
17 the applicant. Next. In order to facilitate the  
18 proposed development, we are seeking to land-use  
19 actions: the zoning map amendment from the existing  
20 R5 and R5 C21 zoning districts to R6A and R6A C12  
21 zoning districts. Also seeking a zoning text  
22 amendment to designate the project area as a  
23 mandatory inclusionary housing area. As filed, the  
24 application includes options one and two, that after  
25

1 consultation with the Council member and also--  
2 Council member Constantinides and also with Community  
3 Board One, we have agreed to modify the application  
4 to only proposed option one. Next. This slide is a  
5 rendering of the proposed development. We see on the  
6 ground floor the new Piccola Venezia restaurant and  
7 then residential above. The proposed development  
8 would have almost 40-- just under 45,000 square feet  
9 of residential floor area with 51 dwelling units, of  
10 which 13 approximately would be MIH units on option  
11 one. Option one is [inaudible 00:12:14] as I know  
12 the Council is very familiar as 25 percent of the  
13 floor area at an average of 60 percent AMI or less.  
14 And then the commercial space would be occupied by  
15 the restaurant, approximately 7000 square foot  
16 upgraded space. The last element of this proposed  
17 development is parking. There will be 66 parking  
18 spaces. Only 19 are required for the residential  
19 development. 47 of the parking spaces are permitted  
20 which does exceed the minimum required. However, in  
21 this neighborhood and based on, you know, the Vlacich  
22 family's experience running a restaurant here and  
23 also the feedback from the community board, the  
24 additional parking is much needed in this  
25

neighborhood and will alleviate any parking burden on the surrounding streets. Next. Here's the site plan which just helps illustrate how the building is sited on the site and where the parking would be-- some of it would be open and some will be at the cellar level. Next. One other interesting element of this project is the sustainable urban rooftop garden which would, you know, being a green roof which is great for environmental purposes and will also be an urban vegetable garden for people of Venezia, so interesting concept that I think it's definitely part of bringing the restaurant into the new century.

Next. This slide shows the proposed affordability mix which is the unit distribution of the MIH units at the various rent levels to achieve the average of 60 percent AMI. Just for illustration, in one of the-- in addition to changing the MIH option, other changes to this project that have been made through the public review process and based on the input of stakeholders and Council member Constantinides was to increase the number of larger units, the two and three bedrooms, and also to reduce the height of the building which, I think, results in the rendering that you saw earlier from eight stories to six

2 stories which is contextual with the surrounding  
3 development and we think result in a building that  
4 works on this corner. Next. Thank you. That  
5 concludes our presentation. Of course, we are all  
6 happy to answer questions.

7 CHAIRPERSON MOYA: Great. Thank you so  
8 much. I have just got two questions real quick. If  
9 you could, can you just say what are the relocation  
10 plans for the restaurant that you are currently  
11 operating on site if at all?

12 NORA MARTIN: Christopher, do you want to  
13 speak to that?

14 CHRISTOPHER VLACICH: Yes. We have been  
15 actively looking for spaces, but also trying to time  
16 it with some reopening to indoor dining. We are  
17 currently not operating at all as delivery, takeout,  
18 and outdoor dining is just not viable for us.

19 CHAIRPERSON MOYA: All right. Okay. And  
20 if you could, please con-- if you can confirm the  
21 applicant's-- the applicant intends to utilize MIH  
22 option one for this development?

23 NORA MARTIN: Yes. Confirmed.

24 CHAIRPERSON MOYA: Perfect. Perfect.  
25 That's all the questions from me. I now invite my

2 colleagues to ask questions. If you have any  
3 questions for the applicant, please use the raise  
4 hand button on the participant panel. Counsel, are  
5 there any other Council members with questions?

6 COMMITTEE COUNSEL: Chair Moya, Council  
7 member Ayala has hand raised.

8 CHAIRPERSON MOYA: Sure.

9 COUNCIL MEMBER AYALA: Hi. Good morning.  
10 I have two questions. One, will be affordable  
11 housing unit residents benefit from any of the  
12 amenities in the building and, two, why did you opt  
13 out of developing any three bedrooms?

14 NORA MARTIN: In answer to your first  
15 question, yes. I mean, that affordable-- the MIH  
16 unit residents will have access to everything that  
17 the market rate tenants will have including the  
18 rooftop which, as you saw, will be a green roof with  
19 the urban vegetable garden, so that's a really nice  
20 amenity that will be available to everybody. And  
21 then, there are three bedrooms in the-- Oh. I'm  
22 sorry. Yes. There are no three bedrooms. It's a  
23 very small building, only 51 units, so I think two  
24 bedroom was the most that made sense in laying out  
25 the building. We did increase the number of two-

2 bedroom units from 17 in the initial proposal to 23  
3 two bedrooms. So, you know, almost half of the units  
4 are two bedroom.

5 CHAIRPERSON MOYA: Council member Ayala,  
6 did you have another question or--

7 COUNCIL MEMBER AYALA: I'm muted. Okay.

8 CHAIRPERSON MOYA: Sorry.

9 COUNCIL MEMBER AYALA: I tried to unmute  
10 myself in the middle so that you could respond. I'm  
11 in my apartment. You don't want to hear what is  
12 going on here. But, no. I don't have any questions  
13 for now. You know, I will review it a little bit  
14 further and, if I have any questions, I can follow up  
15 later off-line. Thank you.

16 CHAIRPERSON MOYA: Thank you, Council  
17 member Ayala. Want to recognize that we been joined  
18 by Council member Rivera. Counsel, do we have any  
19 other Council members that wish to ask any questions?

20 COMMITTEE COUNSEL: No, Chair. I don't  
21 see any other members with their hands at this time.

22 CHAIRPERSON MOYA: Okay. There being no  
23 further questions, the applicant panel is excused.  
24 Counsel, whether any members of the public who wish  
25

2 to testify on the 42-01 28th Avenue rezoning  
3 application?

4 COMMITTEE COUNSEL: If there are any  
5 members of the public who wish to testify on the 28th  
6 Avenue rezoning proposal, please press the raise hand  
7 button now.

8 CHAIRPERSON MOYA: We have Council member  
9 Ayala coming back for a question. I'm sorry to the  
10 applicants. Do we still have them or did they--

11 COMMITTEE COUNSEL: It appears that the  
12 applicants have been removed.

13 COUNCIL MEMBER AYALA: It's okay. Does  
14 anybody-- I just wanted to ask about the community  
15 board, but I can get that information later.

16 CHAIRPERSON MOYA: I can get it to you.

17 COUNCIL MEMBER AYALA: Okay. Thank you.

18 CHAIRPERSON MOYA: Okay.

19 COMMITTEE COUNSEL: Members of the  
20 public wishing to testify on the 28th Avenue rezoning  
21 proposal are asked at this time to press the raise  
22 hand button and the meeting will briefly stand at  
23 ease while we check to confirm members of the public.  
24 Chair, I see no members of the public who wish to  
25 testify on this item.

2 CHAIRPERSON MOYA: Okay. There being no  
3 members of the public who wish to testify on 42 - 01  
4 28th Avenue rezoning proposal under ULURP numbers  
5 C190517ZMQ and N190518ZRQ, the public hearing is now  
6 closed and this item is laid over. I now want to  
7 open the public hearing on preconsidered LU items for  
8 the 16th Avenue rezoning proposal under ULURP's  
9 number C20062ZMK and N200063ZRK relating to property  
10 in Council member Yeger's district in Brooklyn. The  
11 proposal seeks a zoning map amendment to change an R5  
12 and an R5 C22 district to a C4A district and a  
13 related zoning text amendment to establish a  
14 mandatory inclusionary housing area utilizing options  
15 one and two. The proposed action would facilitate  
16 the development of a five story commercial office  
17 building. But before we hear from the applicant, I  
18 would like to give my colleague, Council member  
19 Yeger, the opportunity to make some remarks if he has  
20 any.

21 COUNCIL MEMBER YEGER: Thank you, Mr.  
22 Chairman. As I typically do, I would like to defer  
23 to the Chair to run the committee and come back in  
24 afterwards if necessary if there is anything that  
25 comes up from the applicant testimony.

2 CHAIRPERSON MOYA: Great. Thank you,  
3 Council member. Counsel, can you please call up the  
4 first panel for this item?

5 COMMITTEE COUNSEL: The applicant panel  
6 includes Richard Lobel and David Rosenberg, land-use  
7 counsel appearing on behalf of the applicant. Zach  
8 Goldenberger and Isaac Lefkowitz. Panelists, if  
9 you've not already done so, please accept the unmute  
10 request in order to begin to speak.

11 CHAIRPERSON MOYA: Counsel--

12 UNIDENTIFIED: Good morning.

13 CHAIRPERSON MOYA: Thank you. Good  
14 morning. Before you begin, just, counsel, if you  
15 could please administer the affirmation.

16 COMMITTEE COUNSEL: Panelists, please  
17 raise your right hands. Do you affirm to tell the  
18 truth, the whole truth, and nothing but the truth in  
19 your testimony before the subcommittee ended answer  
20 to all Council member questions?

21 ISAAC LEFKOWITZ: Yes. I do.

22 UNIDENTIFIED: Yes.

23 CHAIRPERSON MOYA: Thank you. We are in  
24 receipt of your slideshow presentation for this  
25 proposal. When you are ready to present the

2 slideshow, please say so and it will be displayed on  
3 the screen by our staff. Slides will be advanced  
4 when you say next. Please note that there may be a  
5 slight delay in both the initial loading and  
6 advancing of the slides. Once again, anyone who  
7 requires an accessible version of this presentation  
8 may send an email request to

9 [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). And, now, at the  
10 panelists would please restate your name and  
11 affirmation for the record, you may begin.

12 RICHARD LOBEL: Richard Lobel of Sheldon  
13 Lobel PC for the applicant. Should the rest of the  
14 panel say their names, as well?

15 CHAIRPERSON MOYA: If they could, that  
16 would be great.

17 DAVID ROSENBERG: David Rosenberg of  
18 Sheldon Lobel PC for the applicant.

19 CHAIRPERSON MOYA: Is it just David and  
20 Richard?

21 DAVID ROSENBERG: And I believe Isaac  
22 Lefkowitz is on, as well.

23 ISAAC LEFKOWITZ: Isaac Lefkowitz. Senior  
24 vice president of Chartwell Pharmaceutical, the  
25 applicant.

2 CHAIRPERSON MOYA: Great. Thank you. And  
3 now you may begin.

4 RICHARD LOBEL: Thank you, Chair,  
5 Council members. Good morning. Richard Lobel. Can  
6 you please start the presentation? So the rezoning  
7 here is the 16th avenue rezoning, as was stated in  
8 the introduction, this rezoning would allow for a  
9 five story commercial building to be established at  
10 the applicant site. The rezoning would allow for the  
11 current R5 C22 zoning to change to a C44A, which is  
12 an R7A residential equivalent. Next slide. This is  
13 a little bit of a background with regards to the  
14 rezoning. Chartwell is a full-service manufacturing,  
15 packaging, and supply chain service organization with  
16 decades of experience in the pharmaceutical industry.  
17 Currently, the applicant's operations are spread  
18 between several locations, including in conjures, New  
19 York and Rockland County. There is also office  
20 location and lease space along 16th Avenue. So,  
21 really what this does is it is twofold. It allows  
22 for the applicant to consolidate and allow for  
23 existing workers, many of whom live in the  
24 surrounding Borough Park area, to work close to home  
25 and, importantly, it allows for employees who are

currently commuting roughly two hours to the Rockland County location to work in Borough Park, as well.

With regards to the employment at this site, the 35 existing employees would be added to and there would be about 50 additional employees. This applicant has been searching for a site for a number of years starting in 2015 and, at the time of purchase, the development site was occupied by two commercial tenants. There is no longer a residential tenant here. So, this is an available development site.

Next slide. So, immediately, what is to note about this rezoning is that there are some higher density districts in the area of the rezoning. There is R6A immediately to the south. There's R6 to the north.

And, importantly, there is a C81 district immediately across the street. The C8-1 district being in intensive commercial district which is primarily utilized for auto related and other intensive commercial uses. So, a C4-4A here was seen to be a particularly appropriate zoning district. Next slide. You can see here the C4-4A would be drawn back 100 feet from the site and the R5 district would maintain the remainder of the space within the rezoning be on the 100 feet. You can see the

2 applicant site here highlighted in red. It is a  
3 relatively small site with existing longstanding and  
4 deteriorating three story buildings. Next slide. So  
5 this is the land use map and this kind of shows what  
6 the situation is on the ground. You can see that  
7 there is commercial and community facility is  
8 immediately and around the area of this property.  
9 You will notice that there is an area shaded in blue  
10 to the south of the site. This is the police  
11 precinct. Obviously, a lot of activity in the spot  
12 and, with regards to land use in general, the C4-4A  
13 has an R7A residential equivalent which would allow  
14 for a 4.6 FAR residential building. In Brooklyn in  
15 previous rezoning that we have brought before the  
16 Council, this has been a tested and accepted  
17 methodology when you have a site which is on a wide  
18 street or, you know, in this case, and 80 foot wide  
19 street and one which is a major thoroughfare in the  
20 area. City Planning and the City Council have seen  
21 appropriate to rezone not only to an R7A, but even  
22 upwards of R7A and R8A and above. So, we think that  
23 the bulk here is appropriate. The commercial uses,  
24 as Council member Yeger knows and as we have  
25 discussed at the Community Board and the borough

1 president, has been an issue in one which we are  
2 working with regards to the local area. Next slide.  
3 So we've included pictures from the existing site and  
4 from the surrounding area. You will notice the  
5 police precinct immediately adjacent to the area and  
6 you will notice on the lower left corner of the  
7 existing building-- to note, that three-story  
8 building right now is built out to roughly 10,000  
9 square feet. The applicant's proposal here is only  
10 for between 16 to 17,000 square feet. So, this is  
11 not really a rezoning which is seeking a tremendous  
12 gain as far as bulk is concerned. It is a very  
13 reasonable building with regards to bulk. You could  
14 go to an existing building of four stories in the  
15 existing R5 and you can, you know-- the proposal is  
16 for a five story building. It's a very reasonable  
17 building. Again, the primary goal here is to allow  
18 the applicant to relocate his commercial operations  
19 within the site and also to allow for local residents  
20 who live in and around the Borough Park area to  
21 commute to and from this site and to make this a lot  
22 more of a consolidated operation. Please page  
23 through the remaining photos which, again, just  
24 provide different angles of the police precinct and  
25

1 the surrounding area. The rezoning change map is,  
2 again, really critical here. You can see the  
3 existing R5 with a C2-2 overlay. The R5 C2-2 would  
4 be scaled-back so that there would be a C4-4A within  
5 100 feet of 16th Avenue and an R5-- solely an R5  
6 beyond. Next slide. So, again, this just really  
7 denotes the zoning calculations and what we have  
8 discussed already with regards to the proposal and an  
9 FAR of close to four with the commercial use at this  
10 site. Next slide. And now we come to the plans. I  
11 think the one thing that I would note with regard to  
12 the plans and the-- if you can page through the  
13 plans, they are extensive and they show a typical  
14 office building, but I would note that, with regards  
15 to this site plan and with regards to operation at  
16 the site, what are the issues that was primarily  
17 raised by the community board was with regards to  
18 parking and with regards to congestion generally and  
19 what would happen to the site. So, the applicant  
20 went back to the drawing board and was able to pencil  
21 out parking both on the ground floor and in the  
22 cellar of the site. This is at an additional cost to  
23 the applicant. The applicant is accepting of this  
24 because the site is so critical to their operations.  
25

2 It is so important for them to be able to allow for  
3 local employment for-- to allow for these workers in  
4 this area to be able to work at a site close to home.  
5 So, again, you can see from the front elevation here  
6 that this is some of the proposal and I note that the  
7 community board did issue a determination against  
8 this application. We have been in communication with  
9 them constantly in the last several weeks and we  
10 actually hope to back before them so that we can  
11 discuss with them the revisions to the proposal and  
12 hopefully through that and through more discussions,  
13 again a vote approving this matter and I have got the  
14 entire applicant team here. We would love to answer  
15 any questions.

16 CHAIRPERSON MOYA: Great. Thank you,  
17 Richard. Before turning it over to Council member  
18 Yeger, I wanted to just ask you a couple of quick  
19 questions here. The community-- sticking with the  
20 community board dealing with specifically the  
21 commercial use, they expressed concerns regarding the  
22 impact of traffic and parking from this application's  
23 proposed commercial use. How do you respond to those  
24 concerns?

2 RICHARD LOBEL: So, you know, I would  
3 speak actually I would also defer to David Rosenberg,  
4 my colleague who is actually at the community board  
5 meeting when this discussion took place. I was at a  
6 conflicting community board meeting that evening. We  
7 think that, with regards to traffic and parking,  
8 there is really two issues to consider. The first--  
9 and congestion. The first is that the provision of  
10 44 spaces below the building will immediately enable  
11 us to take some of the stress off of the local Street  
12 system and to provide parking for people entering and  
13 exiting the building. So, this is kind of an  
14 important thing in that to the extent that 16th  
15 Avenue is a widely trafficked thoroughfare and to the  
16 extent that local residents are concerned, this  
17 immediately-- and, again, happy to do this because  
18 of the importance of this location to the business,  
19 this immediately takes pressure off that local  
20 infrastructure despite the fact that, from a zoning  
21 standpoint, the parking would it be required. We are  
22 talking about quality of life and we are talking  
23 about the ability to operate while going forward.  
24 The more important thing to consider, though-- and  
25 this was, you know, sometimes meetings don't

1 translate as well into zoom and so we weren't in the  
2 room and weren't able to really show the local area  
3 exactly who was involved in this with regards to  
4 Chartwell and the fact that they are a local business  
5 and their owners and operator live in the Borough  
6 Park area. We don't expect that the traffic and  
7 parking here is going to be the same as it would be  
8 for a site where you were having workers come from  
9 disparate areas of the city. This is a very local  
10 concern and so we wouldn't even expect the parking to  
11 be 50 percent filled at any time, but with this extra  
12 capacity, with the fact that we achieved a negative  
13 declaration from Environmental Review with regards to  
14 traffic and parking and with the fact that we expect  
15 there to be an overage of space available, all of  
16 this we think really bleeds into the fact that we are  
17 going to have a smooth operating facility and  
18 hopefully you're going to be able to convince the  
19 people in the area that that is the case.  
20

21 CHAIRPERSON MOYA: Okay. The construction.  
22 So, the Community Board also cited concern regarding  
23 the disruption that would be caused by the  
24 construction of this development. Are there any  
25 plans for mitigating these disruptions or engaging

2 with local neighbors to keep them informed of  
3 specific construction plans? And also, how would the  
4 applicant team conduct outreach to these neighbors?

5 RICHARD LOBEL: all start just what kind  
6 of some standard discussion and then maybe would  
7 throw it over to Jack for further discussion. With  
8 regards to construction going forward, this is a  
9 long-standing building in disrepair. We are anxious  
10 and happy to take the building down. We will, of  
11 course, abide by all Department of Buildings  
12 regulations and rules with regards to construction,  
13 but I think we are able here, given the fact that  
14 this is not a very large project, we are on a, you  
15 know, relatively shallow floor plate. It's not a  
16 complex construction operation. We look forward to  
17 be able to accomplish this in a straightforward  
18 manner. We are going to do clean construction. We  
19 are going to have the opportunity here and will make  
20 an effort to reach out to our surrounding neighbors  
21 and make sure that there is ample notice-- more than  
22 would be required under DOB regulations. So, I don't  
23 know whether or not the applicant wants to add  
24 anything in that regard.

2 ISAAC LEFKOWITZ: So, the only thing that  
3 we wish to add-- my name is Isaac Lefkowitz. I'm  
4 senior vice president of Chartwell Pharmaceutical,  
5 the applicant. But we're also in close communication  
6 with 66th precinct where a lot of the traffic  
7 congestion is when off-duty cops come with their  
8 private vehicles to go on duty. We own another  
9 parking lot two blocks away and we offered them to  
10 park their vehicles at no charge during the 18 months  
11 of construction period. So a lot of that will  
12 alleviate any congestion.

13 CHAIRPERSON MOYA: Okay. Just a couple  
14 more questions before I turn it over. The deal with  
15 local hire and the MWBE. Can you describe what your  
16 plans to ensure that MWBE and locally based  
17 contractors and subcontractors are going to  
18 participate in the development?

19 ISAAC LEFKOWITZ: Well, we are committed  
20 to-- we, already, armed pre-proposal with local  
21 contractor that we worked before on another project  
22 and it is all local and local subcontractors that we  
23 intend a higher. Including local architect, local  
24 engineers. They are all within the vicinity that  
25 have ample experience.

2 CHAIRPERSON MOYA: And can you describe  
3 your plans for local hiring in construction and how  
4 many local hires would typically be involved in a  
5 project like this?

6 ISAAC LEFKOWITZ: So, probably-- you  
7 know, it is hard to project, but a 15,000 square foot  
8 building would probably encompass both-- between  
9 hard construction hire and soft construction hire--  
10 close to 100 people.

11 CHAIRPERSON MOYA: Okay. And can you  
12 ensure follow-up on the progress report to these  
13 commitments?

14 ISAAC LEFKOWITZ: Absolutely.

15 CHAIRPERSON MOYA: Great.

16 RICHARD LOBEL: And we be happy to work  
17 with Isaac and the Council in order to ensure that.

18 CHAIRPERSON MOYA: Great. That is it for  
19 me. I would like to now take the opportunity to turn  
20 it over to Council member Yeger for some questions.

21 COUNCIL MEMBER YEGER: Thank you, Chair.  
22 I'll be very brief and, as always, I'll start with  
23 thanking the Chair for his diligence and his work in  
24 this project and doing the reviews necessary to get  
25 us to this point and I'm very grateful. My questions

2 are going to be limited because I have had the  
3 opportunity to be at that Community Boards public  
4 hearings. I have had extensive conversations with  
5 the applicant's, with the applicant's attorneys over  
6 the last few days and I will reiterate in public what  
7 I have said in private. I typically do not support  
8 rezoning's of my community board and this is a double  
9 whammy because it lacks the approval of my community  
10 board and it lacks the approval of my borough  
11 president. And so now we are the third step of the  
12 process and I typically don't support rezonings when  
13 they come with a double negative. The applicant has  
14 represented to myself and to the community board and  
15 now to this subcommittee that it intends to revise  
16 the plans that it has submitted and that it discussed  
17 with the community board and it wants another  
18 opportunity to have a conversation with the community  
19 board and possibly obtain it support. If that is the  
20 case, I will, you know, be happy to reevaluate my  
21 support. But, as things stand today, based on the  
22 same concerns that I heard at the community board  
23 hearing, which is the concerns of the neighbors  
24 concerning parking, Mr. Chair, as you indicated--  
25 construction, as you indicated, the last of a smooth

2 flow away then what is primarily a residential area,  
3 as the borough president indicated, it's not  
4 something that I can support right now. But I leave  
5 the window toward the door or the back door, the  
6 front door, the side door, and every window the  
7 building slightly open to the applicant to go back to  
8 the community board if it so chooses, have another  
9 public hearing doing the same outreach that was done  
10 prior here to get the community the opportunity to  
11 come out, see the revised plans, hear the concerns of  
12 the community, and, if the members of the community  
13 have so changed their minds and is the community  
14 board recommends a change of its heart, then we can  
15 have that discussion at that time. But I just wanted  
16 to say that on the record to be perfectly transparent  
17 about what has been transpiring with this project for  
18 the last several days. And, with that, I don't have  
19 any questions, Mr. Chairman. I will yield back to  
20 you.

21 CHAIRPERSON MOYA: Thank you, Council  
22 member Yeger. Council, are there any Council  
23 members that wish to ask the panelists any questions?

24 COMMITTEE COUNSEL: No, Chair. I don't  
25 see any members with questions at this time.

2 CHAIRPERSON MOYA: There being no further  
3 questions, the applicant panel is excused. Counsel,  
4 are there any members of the public who wish to  
5 testify on the 16th Avenue rezoning application?

6 COMMITTEE COUNSEL: If there any  
7 members of the public who wish to testify on the 16th  
8 Avenue rezoning proposal, please press the raise hand  
9 button now. In the meeting will briefly state  
10 entities will recheck to confirm members of the  
11 public. Chair Moya, I see no members of the public  
12 that wish to testify on this item.

13 CHAIRPERSON MOYA: Thank you. There being  
14 no members of the public who wish to testify on the  
15 16th Avenue to rezoning proposal under ULURP numbers  
16 C200062ZMK and N200063ARK, the public hearing is now  
17 closed and the item is laid over. I now opened the  
18 public hearing for LU items 714 and 7154 the 42-11  
19 Ninth Street special permit proposal relating to  
20 property in Council member Van Bramer's district in  
21 Queens. The proposal seeks a zoning text amendment  
22 and a zoning special permit pursuant to the amended  
23 text to include the project area within a new  
24 industrial business incentive area I had to modify  
25 various floor area height and setback and parking and

2 loading regulations. These actions would facilitate  
3 the development of a 21 story building which would  
4 include required industrial uses, commercial space,  
5 and ground-floor retail. The development would also  
6 include 67 accessory parking spaces and five loads  
7 births. We don't have any-- Council member Van  
8 Bramer is not here. So, with that, I would ask the  
9 counsel to please call the first panel for this item.

10 COMMITTEE COUNSEL: The applicant panel  
11 for this item includes Carlos Escobar, Jeff Nelson,  
12 and Emma Manson, who will be making the presentation  
13 today, as well as the number of additional team  
14 members who will be on hand to answer questions,  
15 including Michael Rem, Melanie Myers, Ellen Lehman,  
16 Carl Ordamen, Rachel Belski, Adnan Pacha, Tim  
17 Roberts, Will Warren O'Bryan, Bryan Weinberg, and  
18 Andrew Mitchell. Panelists, if you have not already  
19 done so, please accept the unmute request in order to  
20 begin to speak.

21 CHAIRPERSON MOYA: Okay. Once everyone is  
22 ready, counsel, if you could please administer the  
23 affirmation.

24 COMMITTEE COUNSEL: Of course.  
25 Panelists, please raise your right hands. Do you

2 affirm to tell the truth, the Holter, and nothing but  
3 the truth in your testimony before the subcommittee  
4 and answer to Council member questions?

5 UNIDENTIFIED: I do.

6 UNIDENTIFIED: Yes.

7 UNIDENTIFIED: Yes.

8 CHAIRPERSON MOYA: Thank you. When you  
9 have-- Okay. When you are ready for the slideshow--  
10 we need to get somebody to mute themselves there.

11 Okay. Thank you. When you're ready to present your  
12 slideshow presentation, please say so and it will be  
13 displayed on screen for you by our staff. Slides  
14 will be advanced for you when you say next. Please  
15 note that there may be a slight delay in both the  
16 initial loading and the advancing of slides. As a  
17 reminder, members of the viewing public speaking and  
18 accessible version of this presentation may send an  
19 email request to [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov).

20 And now, if the panelists would please restate your  
21 name and affirmation for the record, you may begin.

22 JEFF NELSON: Thank you, Chair Moya. I am  
23 Jeff Nelson with RXR Realty. I think we can put the  
24 presentation up. So, I lead public-private  
25 partnerships for our organization. Just introduce

2 the other folks on the team you will hear from ,  
3 Carlos Escobar from Titan Machine Corps and Emma  
4 Manson, also from RXR. This project in Long Island  
5 city is a partnership between RXR and Titan Machine  
6 Corp which is a long time Long Island City  
7 businesses. So, first and foremost, I'd like to turn  
8 it over to Carlos to introduce himself and Titan.  
9 Next slide, please.

10 CARLOS ESCOBAR: Thank you, Jeff. My  
11 name is Carlos Escobar. I am the president of Titan  
12 Machine. This is my favorite slide. You can see the  
13 resemblance between me and my father who started the  
14 company back in 1973 and, ever since, we been in the  
15 neighborhood. So, nearly 50 years now. Titan is a  
16 manufacturer of elevator parts and we also repair and  
17 refurbish them. We like to think of ourselves as the  
18 company that builds and repairs all the parts of the  
19 elevator that you don't see as a passenger. So, we  
20 been in the neighborhood for roughly 50 years since  
21 1973 and a lot has changed, of course, particularly  
22 with manufacturing and we know that we need to make  
23 some investments in our company in order for us to  
24 continue to flourish. So, we have been lucky enough  
25 to find a partnership with RXR, the company that

2 shares our commitment to investing in the  
3 neighborhood and not just preserving, but expanding  
4 the industrial character of it. A neighborhood that  
5 has been so good to me, my family, and our employees.  
6 So, we spent much of the last two years discussing  
7 with our neighbors and members of the community and  
8 getting feedback from them about the project and you  
9 are going to hear a lot about how we have  
10 incorporated that into the development. I am going  
11 to let Jeff and Emma go beyond shortly to talk more  
12 about those details, but, ultimately, we believe this  
13 project creates a mixed-use industrial office  
14 building that preserves and expands the neighborhoods  
15 industrial character, creates thousands of temporary  
16 and permanent jobs, and also strengthens the local  
17 economy, not just during the Covid recovery, but  
18 hopefully the sustaining growth that follows. It  
19 also, of course, allows us to leverage the value of  
20 our property, reinvest in our company, and become the  
21 company we would like to be going forward. So, with  
22 that, I will turn things back over to Jeff and Emma  
23 who can talk you through the rest of the project.

24 JEFF NELSON: Slide, please. So, just to  
25 touch on RXR for a second. We are a 500 person

1 vertically integrated firm. We been in the New York  
2 area since the mid-20th century-- RXR and its  
3 predecessors. We have a singular focus on the New  
4 York area. We control about 25 million square feet  
5 of commercial property and that ranges from midtown  
6 office space to outer borough industrial space.  
7 We're particularly proud of our work in public-  
8 private development partnerships and projects that  
9 deliver on policy and programmatic goals for out  
10 partners including, you know, folks like Carlos and  
11 Titan. We've been in New York for a long time. We  
12 continue to believe in the diversity and opportunity  
13 of the New York region and that's particularly true  
14 in Long Island City even in the midst of Covid. We  
15 think, ultimately, that this pandemic will accelerate  
16 some of the demand we have seen for hybrid workplaces  
17 and a more distributed model for companies--  
18 particularly as folks try to stay off the subways,  
19 have walked work opportunities, and so on. And, with  
20 that, I would like to turn talk a little bit about  
21 the project specifically. So, next slide, please.  
22 The project is located at Queens Plaza South between  
23 Ninth and 10th streets. This is the current M14  
24 zoning district. The site is about a 10 to 15 minute  
25

1 walk from the Queens Bridge and multiple trains in  
2 the Queens Borough Plaza. It's also approximate to  
3 Queens Bridge Houses and we're going to talk a little  
4 bit about the work we're doing with organizations  
5 associated with Queens Bridge and the community  
6 there. The current building which is occupied--  
7 owned and occupied by Titan-- is about one and a  
8 half stories and it sits on a 50,000 square foot  
9 footprint. The building itself is about 45,000 ft.<sup>2</sup>  
10 of industrial space and about 10,000 ft.<sup>2</sup> of  
11 ancillary office space. Titan has about 20 employees  
12 on site today. Next slide. So, the project-- and I  
13 will show you an image on-- in a moment. But the  
14 proposed project is a new industrial and commercial  
15 building and, to enable the project, we are here  
16 requesting approval under ULRUP for the following  
17 zoning actions. The first is to implement the  
18 industrial business incentive area zoning program.  
19 IVIA is the policy initiative to spur development of  
20 new industrial and commercial space and provides that  
21 for every square foot of industrial space that is  
22 constructed, a developer can build a certain amount  
23 of office space along with that. That industrial  
24 space is not optional. It's required and any tenants  
25

1 must be industrial users specific industrial and  
2 manufacturing zoning use groups. We're also  
3 requesting a special permit to allow the-- it's six  
4 and a half FAR commercial industrial space. This is  
5 effectively a request to expand the permitted used  
6 under the existing FAR at the site. There aren't any  
7 zone-- or height mapping changes requested. And  
8 then, finally, we're also requesting some adjustments  
9 to loading birth requirement. On the next slide, you  
10 can see a rendering of the proposed project. Okay.  
11 So, this is a ground-up development that is intended  
12 to bring both office and industrial space and jobs to  
13 the neighborhood. The base of the building the  
14 required industrial space that I just mentioned.  
15 This is about 70,000 square feet of space, so that  
16 would be over 50 percent increase to the existing  
17 industrial space on Titan's site today. The balance  
18 of the floors above the third floor office space.  
19 That is 270,000 square feet. In addition, some key  
20 design elements to touch on were incorporating  
21 widening sidewalks, landscape open space with the  
22 public art component, and retail at the corner of  
23 10th and Queens Plaza Self to try and activate that  
24 corridor and improve the public realm and additional  
25

2 improvements that Emma will speak to later. The  
3 resulting project will create about 1500 jobs,  
4 increase industrial space, and leverage community  
5 partnerships. I want to turn it over to Emma to dig  
6 into some more detail and also talk about this  
7 partnerships a bit more.

8 EMMA MANSON: Great. Thanks, Jeff. We can  
9 go to the next slide. So, I'm going to go into a bit  
10 of detail about the project starting from the ground  
11 up. We thought it was helpful to have this ground  
12 floor plan because it really demonstrates how this  
13 zoning and the building is designed to combine two  
14 different uses: industrial and commercial and improve  
15 the public realm and integrate into the neighborhood.  
16 So, what you see at right is the ground floor. The  
17 street at the bottom where the green space is is 10th  
18 Street, the top is Ninth. What we have done here is  
19 separate the industrial and commercial lobbies with  
20 the office lobby on 10th and the industrial lobby on  
21 ninth. The blue space as you see here are industrial  
22 space in the purple spaces a permitted retail space  
23 which we are hoping can be, you know, some food  
24 manufacturing, something that is open to the street  
25 or the Plaza were potentially something that is

1 connected to the industrial space. We also worked in  
2 depth with our design team to come up with a smart  
3 parking and loading solution for the property. So,  
4 the left-hand side, you see the gray portions. This  
5 is interior parking and loading. There are 67  
6 parking spots in the basement of the building which  
7 are accessed by a ramp on ninth Street. There are  
8 also five interior loading docks that provide head in  
9 and head out loading which reduces the amount of time  
10 that any truck will spend on Ninth Street trying to  
11 get into the building. The building also includes 43  
12 bike parking spaces on the ground floor and, as Jeff  
13 mentioned, there is landscaped public space on 10th  
14 Street, as well as landscaping improvements on Queens  
15 Plaza. You know, this building replaces a very  
16 traditional old-school close to the street one story  
17 industrial building with something that has ground-  
18 floor transparency. You can see into the spaces.  
19 There is new lighting, landscaping, and we are really  
20 excited about the opportunity to have some public art  
21 on the Plaza space that we are looking forward to  
22 partnering with a local nonprofit or arts  
23 organization to select something that really  
24 demonstrates the vitality of the neighborhood. On  
25

1 the next slide we included a stacking plan which we  
2 think really demonstrates the opportunity with this  
3 IVIA zoning to combine different uses and create  
4 jobs. So, as Jeff noted, the bottom three floors are  
5 the required industrial podium showed in blue. That  
6 is 70,000 ft.<sup>2</sup> of real industrial space. It is  
7 designed to different specs they in the office. It  
8 has heavier floor loads, higher ceilings, and to  
9 dedicated freight elevators. The floors above that  
10 from four to 21 our office space. So, altogether,  
11 this is a job generating project. As Jeff said, it  
12 creates around 1500 permanent jobs compared to those  
13 on site today. Of those, around 300 to 350 will be  
14 industrial jobs and what is really something we are  
15 excited about is that this project brings not just  
16 more industrial jobs to the existing Long Island City  
17 IBZ, but it also brings around 1200 office jobs to a  
18 business district outside Manhattan and, you know,  
19 around 80 to 85 percent of office jobs today are  
20 still concentrated in Manhattan and we think this is  
21 a really exciting opportunity to have those be more  
22 accessible to our neighbors in Long Island city. The  
23 other thing of note is that this is a project that is  
24 squarely in line with the Mayors 100,000 jobs plan  
25

1 that [inaudible 00:55:18] to kind of benefit and  
2 growth of the unique mixed-use character of Long  
3 Island city which is identified as a core [inaudible  
4 00:55:25] area in both of those. On the next slide,  
5 please. As Carlos mentioned, we have spent a lot of  
6 time over the last couple of years speaking with our  
7 neighbors in the community members on how this  
8 project can be an economic opportunity for the  
9 neighborhood and as long term members of the  
10 neighborhood and partners, RXR and Titan are very  
11 focused on making sure that this does create those  
12 opportunities. We have already developed strong  
13 partnerships to connect residents to the construction  
14 jobs created by the project. So, as Jeff mentioned,  
15 we have been working closely with some Queens Bridge  
16 based organizations on two programs we are very  
17 excited about that provide transferable skills and,  
18 you know, direct skills-based access to jobs on our  
19 site. The first with Urban Upbound, is the  
20 recruitment, coaching, and training for 100 residents  
21 that results in OSHA certifications and training.  
22 With LaGuardia community college and drew on the CUNY  
23 system, we are working on a construction skills  
24 training program that will result in credentials and  
25

2 a pretty intense training program in electrical and  
3 plumbing trades and we'll also be working with On  
4 Pointe Security which is a worker co-op based out of  
5 Queens Bridge to provide job site security. We've  
6 also, you know, heard from the community and are well  
7 aware that many of the most exciting jobs here are  
8 the permanent jobs and those are jobs that are  
9 created by our tenants. So, we have already started  
10 to discuss longer-term partnerships with local  
11 organizations to think of strategies and ways that we  
12 can connect to the community to jobs created by our  
13 tenants. Some of those-- these are slightly earlier  
14 because we're closer to construction than to having a  
15 building leased up, but with LaGuardia community  
16 college, we have been excited to discuss  
17 opportunities based on their existing expertise and  
18 were also looking forward to having further  
19 discussions with additional local organizations like  
20 Riis Settlement House and Sunnyside Community  
21 Services. We are also happy to be working with 32 BJ  
22 on the building maintenance and service jobs. So, on  
23 the next slide, we will just leave with a brief  
24 summary and then are happy to take questions. This  
25 is a 100 percent commercial site in Long Island city.

1 It is a new building that provides best in class new  
2 industrial and office space to this diverse, dynamic  
3 neighborhood in Queens. It has new construction,  
4 high quality industrial space that increases what is  
5 available today. It's designed for a mix of uses and  
6 to really benefit the entire neighborhood, not just  
7 the users in this building, with improved public  
8 space, ground floor retail, public art, lighting and  
9 landscaping. We have worked very hard to develop  
10 strong community jobs partnerships and have benefited  
11 from very helpful input in connections with our  
12 neighbors the Urban Upbound, at the Queens Bridge  
13 Houses, at LaGuardia Community College, and we're  
14 excited to be a part of a partnership between a  
15 longstanding local business and a development team  
16 that are very sensitive to community needs. And with  
17 that, we really thank you for your time and having us  
18 here today and are open to questions.

19  
20 CHAIRPERSON MOYA: Thank you. So, how do  
21 you plan to respond to the Community Board's  
22 conditional approval that the applicant set aside 10  
23 percent of the industrial floor area within the  
24 project at a discounted rate? Unmute Jeff.

2 JEFF NELSON: There we go. I was waiting  
3 for them to allow me to unmute. Thank you. So, we  
4 understand the Community Board's concerns and  
5 requests. We were happy that they, you know, issued  
6 a positive recommendation for this. I think, Council  
7 member, Chair Moya, that we're optimistic we will be  
8 able to address their requests and are in  
9 conversations with the Council member to reach a  
10 resolution on that.

11 CHAIRPERSON MOYA: Okay. And how do you  
12 respond to the BP's conditional approval that the  
13 applicant hire workers at a prevailing wage?

14 JEFF NELSON: So, as Emma noted, you know,  
15 on the permanent side we will be working with 32 BJ  
16 and then, on the construction side, you know, we open  
17 our project up to opportunities from all firms and  
18 contractors, but we are very proud, for instance, of  
19 being in participation that we have had on other  
20 projects that we have undertaken in the city.

21 CHAIRPERSON MOYA: Would this be open shop?

22 JEFF NELSON: It will be a mix, most  
23 likely. There will be opportunities for firms across  
24 the board. On prior projects, we have been able to  
25

2 achieve a fairly robust union participation and would  
3 hope to do so here, as well.

4 CHAIRPERSON MOYA: Right. But that would  
5 be an open shop. Correct?

6 JEFF NELSON: That's right.

7 CHAIRPERSON MOYA: It's not a mix. It's an  
8 actual open shop.

9 JEFF NELSON: Say again. I'm sorry. I  
10 didn't hear you.

11 CHAIRPERSON MOYA: So, it's not a mixture.  
12 It's actual-- it's an open shop, correct?

13 JEFF NELSON: Yeah. The bidding is open to  
14 a variety of terms, so you can consider that an open  
15 shop project.

16 CHAIRPERSON MOYA: I just wanted to make  
17 sure that you were being clear there. Okay. So,  
18 it's an open shop. And just lastly, can you provide  
19 anymore detail on the workforce development plan that  
20 you outlined for this project?

21 EMMA MANSON: Sure. So, on the  
22 construction jobs front, there are two programs that  
23 are the centerpiece of the workforce development.  
24 What is a recruitment in training program in  
25 partnership with Urban Upbound that focuses on doing

2 outreach, intake, interview prep, and some OSHA  
3 skills training with 100 residents of the Queens  
4 Bridge Houses. So, they'll get their eight hour OSHA  
5 card, two hour drug and alcohol training, fall  
6 preventions. They will graduate with those cards and  
7 we'll be timing that training so that by the time  
8 they have those, which are transferable skills--  
9 they're not obligated to work on our job, but they  
10 will be available for participate-- [inaudible  
11 01:01:28] that we are going to work with our  
12 contractors to make sure that they make opportunities  
13 available. The second prong of this program is for  
14 30 residents, also with the priority to Queens Bridge  
15 with LaGuardia Community College, that gives them an  
16 opportunity to attend LaGuardia's existing Plumbing I  
17 and Electrical I program classes. So, those-- and I  
18 always mix up the hours, but one is 150 hours and one  
19 is 160 hours of hands on training at LaGuardia in  
20 their electrical and plumbing labs. They'll get all  
21 material, lab time, textbooks. They graduate with  
22 NCER cards in both those trades as well as OSHA  
23 cards. And, again, the idea here is that this is  
24 some-- this gives the participants a real set of  
25 skills that will enable them to get-- you know, be

2 competitive and not just on our side, but on others  
3 in the future. And we were excited to work with both  
4 of those groups, obviously, because they are real  
5 anchors in the community and have an excellent track  
6 record for providing these services.

7 CHAIRPERSON MOYA: Okay. I'm sorry. This  
8 is the last one. What kind of tenants do you have in  
9 mind for the required industrial portion of the site?

10 EMMA MANSON: You know, it is a real mix  
11 and we are drawing here on our experience both the  
12 creators of mixed-use buildings like the Standard  
13 Motor Products on Northern Boulevard and Sara Lee  
14 [inaudible 01:02:43] in Queens. Excuse me. In  
15 Chelsea. But also on the diversity of manufacturing  
16 businesses that are in the city today. So I think,  
17 you know, great comps are the types of businesses  
18 that are at the Brooklyn Navy Yard or at the Brooklyn  
19 Terminal, but it is, you know, there-- as Jeff  
20 mentioned, there is a specific set of uses that are  
21 required by the IBI zoning. So it is very much light  
22 manufacturing, the same as with the production  
23 component. Hands on.

24 CHAIRPERSON MOYA: Okay. That's it for me.  
25 I know invite any of my colleagues to ask questions.

2 I'm going to ask our counsel to see if any Council  
3 members have any questions for this panel.

4 COMMITTEE COUNSEL: No, Chair. I see  
5 no members with hands raised for questions for this  
6 panel.

7 CHAIRPERSON MOYA: Great. There being no  
8 further questions, this panel is now excused.  
9 Counsel, there any members of the public who wish to  
10 testify on the 42-11 Ninth Street special permit  
11 application?

12 COMMITTEE COUNSEL: Yes, Chair Moya.  
13 There are approximately 11 public witnesses who have  
14 signed up to speak. For members of the public here  
15 to testify, please note again that witnesses will  
16 generally be called in groups of four. If you are a  
17 member of the public who has signed up to testify on  
18 the 42-11 Ninths Street special permit proposal, when  
19 you hear your name being called, please stand by and  
20 prepare to speak when the Chair says that you may  
21 begin. Please also note that once all panelists in  
22 your group have completed their testimony, you will  
23 be removed from the meeting as a group and the next  
24 group of speakers with be introduced. Once removed,  
25 participants may continue to view the live stream

2 broadcast of this hearing at the Council's website.

3 We will now hear from the first panel. The first  
4 panel will include Maria Free, Charles Yu, Elizabeth  
5 Luskin, and Hannah Weinstock. Our first speaker will  
6 be Maria Free followed by Charles Yu.

7 CHAIRPERSON MOYA: Thank you, Arthur. I  
8 just wanted to give a reminder to members of the  
9 public. You will be given two minutes to speak.  
10 Please do not begin until the sergeant-at-arms has  
11 started the clock. And, with that, Maria, whenever  
12 you're ready, you may begin.

13 SERGEANT-AT-ARMS: Time starts now.

14 MARIA FREE: Okay. Great. Hi. My name  
15 is Maria Free and I am the urban planning and policy  
16 analyst for the New York Building Congress. On  
17 behalf of the Building Congress, we are proud to  
18 support RXR and Titan mixed use proposal for 42-11  
19 Ninth Street. At a time of unprecedented economic  
20 crisis in our city, this proposal that creates  
21 thousands of jobs for the residents of Long Island  
22 city is critical. The Building Congress has, for 100  
23 years, advocated for investment in infrastructure,  
24 pursued job creation, and promoted preservation and  
25 growth in the New York City area. Our association is

2 made up of over 550 organizations comprised of more  
3 than 250,000 professionals. Through our members  
4 events and various committees, we seek to address the  
5 critical issues of the building industry and promote  
6 the economic and social advancement of our city and  
7 its constituents. As we strive to recover from one  
8 of the most severe disasters in New York's history,  
9 this proposal is the right type of investment for  
10 Queens to build back even stronger than before. In  
11 the short term, it will add hundreds of new good  
12 paying construction jobs for local residents and the  
13 workforce programs ensure Long Island city residents  
14 will benefit from these employment opportunities.  
15 Once the building opens, the site will also be a hub  
16 for over 1000 permanent jobs. Moreover, this project  
17 will preserve manufacturing in the city, adding even  
18 more industrial area than what currently exists. By  
19 building commercial office space, RXR will be able to  
20 offer that industrial space at affordable rent and,  
21 in turn, industrial companies can employ New Yorkers  
22 in high quality jobs that provide a path to the  
23 middle class. In closing, this proposal is an  
24 opportunity to invest in economic recovery by  
25 creating jobs for Long Island city residents and

2 strengthening the economy. The Building Congress  
3 strongly supports this project and we encourage you  
4 to do the same. Thank you.

5 CHAIRPERSON MOYA: Thank you, Maria.

6 COMMITTEE COUNSEL: The next speaker  
7 will be Charles Yu followed by Elizabeth Lusskin.

8 SERGEANT-AT-ARMS: Your time starts now.

9 CHARLES YU: Hi. This is Charles and I'll  
10 defer my testimony to the next speaker, Elizabeth  
11 Lusskin.

12 COMMITTEE COUNSEL: So, the next  
13 speaker will be Elizabeth Lusskin who will be  
14 followed by Hannah Weinstock.

15 SERGEANT-AT-ARMS: Your time starts now.

16 ELIZABETH LUSSKIN: Good morning, Chair  
17 Moya and members of the subcommittee and thank you  
18 for the opportunity to address you today. I am  
19 Elizabeth Luskin, president of the Long Island city  
20 Partnership, the local development Corporation for  
21 LIC. A longer version has been submitted. This  
22 creative and responsible project partnering Titan, a  
23 long time LIC industrial family business, with RXR,  
24 the creative commercial developer and owner,  
25 preserves and expands LIC's industrial footprint.

1 This is not an easy thing to achieve given the  
2 economics of the market. LIC is one of the most  
3 productive areas of the state, providing essential  
4 goods and services to the region and providing family  
5 supporting jobs locally. As the industrial business  
6 service provider for the LIC industrial business  
7 zone, we provide one-on-one assistance. But, for the  
8 most difficult issue facing industrial companies is  
9 finding available and appropriate real estate. A  
10 consequence of the evolution of LIC into one of the  
11 most dynamic mixed use areas of the country has been  
12 the reduction of space available for industrial uses.  
13 We are also seeing an increase in highly creative,  
14 but non-industrial companies seeking office space.  
15 New projects rarely add industrial space since the  
16 economics rarely work out. That, in turn, puts added  
17 pressure on the industrial rental market. This  
18 project actually expands industrial space by 55  
19 percent. We are also a strong advocate for  
20 commercial office space in LIC. It creates a wide  
21 range of good jobs, but is overwhelmingly  
22 concentrated in Manhattan. This project will allow  
23 Queens residents better access to good paying office  
24 jobs. The office component also makes the industrial  
25

2 expansion feasible. Unlike most new industrial  
3 space, this project won't receive public subsidies  
4 and, instead, relies on the office rents to provide  
5 space that is affordable to local manufacturers. If  
6 this project does not move forward, it will be a real  
7 missed opportunity to preserve the local  
8 manufacturing closer and to grow the existing 21 jobs  
9 of the building to as many as 350 new industrial jobs  
10 and over 1000 office jobs. This project is a real-  
11 life demonstration that the expansion of industrial  
12 space and creation of office space can together  
13 produce a market viable project in Long Island City.  
14 As we look to recovery post Covid, we need to  
15 encourage investments in our local economy. I'm glad  
16 to see two long time supporters of the LICP working  
17 together on this project. This will be a--

18 SERGEANT-AT-ARMS: Time expired.

19 ELIZABETH LUSSKIN: great example of  
20 what is possible.

21 COMMITTEE COUNSEL: The last speaker on  
22 this panel will be Hannah Weinstock.

23 SERGEANT-AT-ARMS: Your time starts now.

24 CHAIRPERSON MOYA: Hannah, you may begin  
25 whenever you're ready.

2 HANNAH WEINSTOCK: Hello. Can you hear me?

3 CHAIRPERSON MOYA: Yep. We can here you.

4 HANNAH WEINSTEIN: Excellent. I am Hannah  
5 Weinstock, senior director of workforce development  
6 at LaGuardia community college and I'm here to speak  
7 a little bit more about the workforce development  
8 program that we have been working on with RXR in  
9 conjunction with this project. As you know, New York  
10 City has been hit very hard by the pandemic and, with  
11 communities of color, immigrant communities, Queens  
12 communities, hit hardest by both the public health  
13 and economic crises, we have unemployment at an all  
14 time high, and so here at LaGuardia, we are laser  
15 focused on helping people get back to work and train  
16 for jobs in areas that are going to be in demand in  
17 the future. Our electrical and plumbing programs  
18 represent just that. We are very excited to  
19 potentially work with RXR to train local residents,  
20 NYCHA residents, women, people of color for careers  
21 in construction and for work specifically on this  
22 project. Our trainings are accredited by the  
23 National Center for Education and Research, NCER, so  
24 the students walk away not only with their OSHA 30  
25 and site safety, but national industry recognized

2 credentials in Electrical I or Plumbing I. They are  
3 doing hands-on training, as well as theory. They're  
4 building circuit boards, drainage systems, etc. We  
5 have run these programs for about four years now and  
6 we have seen graduates, you know, having a lot of  
7 success beginning their careers as electrical or  
8 plumbing helpers, apprentices, assistants, etc. and  
9 then moving up within a few years to junior mechanic  
10 positions. So, you know, we're excited to make sure  
11 that there's access to these jobs and, you know, for  
12 local residents, NYCHA residents, and to be helpful  
13 as best we can in that and we welcome any feedback or  
14 questions from the community board or the local  
15 elected officials.

16 CHAIRPERSON MOYA: Thank you. Thank you  
17 for your testimony. Counsel, do we have any Council  
18 members who have any questions for this panel?

19 COMMITTEE COUNSEL: No, Chair. I see  
20 no members with hands raised for this panel.

21 CHAIRPERSON MOYA: Okay. There being no  
22 questions for this panel. The witness panel is now  
23 excused. Counsel, can you please call up the next  
24 panel?

2 COMMITTEE COUNSEL: The next panel  
3 includes April Simpson, Ben Kubany, Brendan Leavy,  
4 and Laura Colacurcio. First speaker will be April  
5 Simpson followed by Ben Kubany.

6 SERGEANT-AT-ARMS: Your time starts now.

7 APRIL SIMPSON: Good morning. My name  
8 is April Simpson. Can you hear me?

9 CHAIRPERSON MOYA: We can hear you, April.

10 APRIL SIMPSON: Yes. April Simpson. I  
11 am for more president of the Queens Bridge Houses  
12 Resident Association and on behalf of the residents  
13 of Queens Range Houses and the existing three other  
14 housing developments in the area, we work very  
15 closely with Titan, a long time company in our  
16 community. I'm a longtime resident of Queens Bridge  
17 Houses. I have just celebrated a birthday. Almost  
18 60 years. I'm not going to tell you my age, but--

19 CHAIRPERSON MOYA: Happy birthday, April.

20 APRIL SIMPSON: Thank you. We are so--  
21 you know, we were all devastated by Covid 19 and  
22 before Covid 19, Queens Bridge Houses and NYCHA  
23 residents were already devastated economically and we  
24 need this opportunity. It's not just about jobs.  
25 It's also about training. And as for the residents,

2 we are all in favor of this great opportunity.

3 That's all I want to say. Thank you.

4 CHAIRPERSON MOYA: Thank you, April.

5 COMMITTEE COUNSEL: The next speaker  
6 will be Ben Kubany followed by Brendan Leavy.

7 SERGEANT-AT-ARMS: Time starts now.

8 BEN KUBANY: Good morning. My name is Ben  
9 Kubany. I'll be reading testimony prepared by  
10 Jonathan Bowles, Executive Director of the Center for  
11 an Urban Future, a thinktank focused on creating a  
12 more inclusive economy in New York City. I am  
13 testifying in favor of this project because New York  
14 City was facing a good jobs crisis long before the  
15 coronavirus pandemic and I believe this project will  
16 pave the way for a lot of new good jobs, both in the  
17 manufacturing sector which is still one of the most  
18 important sources of middle income jobs for New  
19 Yorkers without a college degree and also in the  
20 office sector which now accounts for the overwhelming  
21 majority of well-paying jobs that are growing in the  
22 city's economy. Supporting manufacturing jobs today  
23 requires embracing innovative financing mechanisms  
24 like this one. In the last couple decades, there has  
25 been only a few new industrial buildings developed in

2 the city. But as much as I love the manufacturing  
3 component of this development, I think the new  
4 offices will ultimately create even more  
5 opportunities for living wage jobs for lower income  
6 residents. Right before the pandemic, 83 percent of  
7 office jobs in the city were in Manhattan. Growing  
8 more of these jobs in Queens and the other four  
9 boroughs will lead to more jobs and internships for  
10 local residents and more training partnerships with  
11 local educational institutions. Some people don't  
12 think the office sector will help New Yorkers from  
13 lower income communities, but I don't think we have a  
14 choice. Where good paying jobs have been growing in  
15 the city, it is almost entirely been in the office  
16 sectors. That was certainly the case in the years  
17 before the pandemic and it is absolutely the case  
18 now. Thank you. I yield my time.

19 COMMITTEE COUNSEL: The next speaker  
20 will be Brendan Leavy followed by Laura Colacurcio.

21 SERGEANT-AT-ARMS: Your time starts now.

22 BRENDAN LEAVY: Good morning. This is  
23 Brendan Leavy. I am here are on behalf of the Queens  
24 Chamber of Commerce and I am reading this on behalf  
25 Tom Grech, our President and CEO. This is the time

2 that we need to invest in Queens in order to spur  
3 economic recovery, preserve and expand the industrial  
4 space, and create office jobs in Queens. So, the  
5 Queens Chamber is happy to lend support to RXR and  
6 Titan's proposal. We believe it is exactly the type  
7 of investment Queens needs to come back stronger than  
8 ever before. The Queens community has been  
9 disproportionately impacted by the pandemic and our  
10 businesses have struggled, so we need to get behind  
11 impactful projects that support job growth and  
12 enliven and activate these neighborhoods. This  
13 project will create over 1000 good paying office jobs  
14 and they are accessible to Queens residents which is  
15 a bonus. It will also provide a new home for Queens  
16 companies that are looking to grow and expand into  
17 modern space without having to leave the borough.  
18 It also includes 50 percent more industrial space  
19 than exists on the site today which box the decades-  
20 old trend to-- you know, the Queens rental market.  
21 There's a reason that almost nobody builds new ground  
22 up. Industrial space is expensive and fetches lower  
23 rents than building an office or apartment complex,  
24 so we're behind this project 110 percent. We commend  
25 RXR and Titan for exploring this new model for

2 industrial preservation and I hope it encourages more  
3 developers to follow suit. We are glad to see the  
4 project includes underground truck loading and  
5 parking which can help address some of the congestion  
6 issues that might've been a concern for the  
7 community. Alongside with the new public open space  
8 ground-floor retail another streetscape improvement,  
9 it will be a welcome addition to the neighborhood  
10 and, all told, this will transform an outdated  
11 building with 21 employees into a new facility that  
12 creates 300 industrial jobs and over 1000 permanent  
13 office jobs.

14 SERGEANT-AT-ARMS: Time expired.

15 BRENDAN LEAVY: Thank you.

16 COMMITTEE COUNSEL: The last speaker on  
17 this panel will be Laura Colacurcio.

18 SERGEANT-AT-ARMS: Your time starts now.

19 LAURA COLACURCIO: Thank you for the  
20 opportunity to testify on behalf of the Association  
21 for a Better New York. My name is Laura Colacurcio  
22 and I am the vice president of ABNY, a nonprofit  
23 organization dedicated to the healthy growth and  
24 renew all of New York City's people, businesses, and  
25 communities. As ABNY focuses on the cities inclusive

and equitable recovery from the Covid 19 pandemic, we are eager to support projects such as this one that create opportunities for New Yorkers to access good jobs with livable wages that allow for career development and economic mobility and wealth. This is more important than ever given the disproportionate impact of the Covid 19 pandemic on historically low income and disenfranchised communities. These communities, and all of New York City, must continue to receive investment to ensure that the city will ultimately recover from the financial crisis. As proposed, RXR and Titan's mixed-use project in Long Island city will create more than 1000 permanent jobs in Queens. The project will also create hundreds of construction jobs and the developers have demonstrated their commitment to ensuring that Long Island city residents benefit from these opportunities through workforce development programs with local organizations like Urban Upbound that will provide certificate training local residents, 30 of which will receive more intensive training at LaGuardia community college. This can make all the difference for members of the Queens community who have been impacted by the pandemic and

2 are looking for work in training that will allow them  
3 to develop a career. ABNY's CEO, Melva Miller, as  
4 personal experience in countless projects [inaudible  
5 01:19:38] at the industrial course of Queens rather  
6 than strength and them. It is rare to see a project  
7 that not only preserves, but expands the space  
8 available for manufacturing and other industrial uses  
9 in this community. Additionally and unlike other  
10 projects, this is a unique development that does not  
11 involve government subsidized rent, but instead  
12 employs a new and innovative model to preserve  
13 industrial space by using the office space rents to  
14 keep the rent of the industrial space affordable.  
15 This project provides a means to protect Long Island  
16 city is makers character, create more than 1000 good  
17 jobs, and represents a much needed investment. For  
18 these reasons, ABNY supports RXR and Titan's  
19 proposal. Thank you.

20 CHAIRPERSON MOYA: Thank you. Counsel, are  
21 there any Council members that have any questions for  
22 this panel?

23 COMMITTEE COUNSEL: Chair, I see no  
24 members with questions for this panel.

2 CHAIRPERSON MOYA: There being no questions  
3 for this panel, this panel is now excused and,  
4 counsel, if you could please call up the next panel.

5 COMMITTEE COUNSEL: The next panel  
6 includes Mitchell Taylor and Seth Bornstein. The  
7 first speaker will be Mitchell Taylor.

8 SERGEANT-AT-ARMS: Your time starts now.

9 MITCHELL TAYLOR: Good morning, Chair  
10 Moya, and Land Use Committee. I hope everyone is  
11 doing well on this early winter every afternoon. The  
12 snow is coming. My name is Bishop Mitchell G.  
13 Taylor. I am the cofounder and CEO of Urban Upbound,  
14 a nonprofit that began right in the heart of Queens  
15 Ridge Houses and now has expanded to a citywide  
16 footprint. Urban Upbound has been working with RXR  
17 and Titan since 2018 when they first reached out to  
18 us to discuss workforce development and a partnership  
19 to change inner-city communities not from the outside  
20 in, but from the inside out. It was a welcoming  
21 conversation. Since then, the scope of our  
22 partnership has grown and RXR has continued to  
23 support Urban Upbound's mission and work in the Long  
24 Island city community. Through Urban Upbound's  
25 workforce development program, we will, as others

1 have already identified, will work with approximately  
2 100 local residents, prioritizing Queens Bridge  
3 residents who will receive OSHA training, fall  
4 prevention training, drug alcohol awareness, other  
5 soft skills to support the practice of work that will  
6 be upcoming in the future. Furthermore, we will also  
7 identify a subset of participants who will receive  
8 further training in the skilled trades from LaGuardia  
9 community college. We are so excited to work with  
10 Hannah and her team to put together an innovative  
11 workforce initiative that will be second to none.  
12 RXR is working with its contractors to support our  
13 efforts in pushing local subcontracting and local  
14 minority subcontracting and local hiring. In  
15 addition to the workforce development program,  
16 Bourbon Upbound supports the incubation and growth of  
17 these local businesses and worker cooperatives. One  
18 of the worker cooperatives that we have launched was  
19 On Point Security, a Queens Bridge based worker  
20 cooperative. This company you will be included in--

21 SERGEANT-AT-ARMS: Time expired.

22 CHAIRPERSON MOYA: You can finish, Bishop.

23 MITCHELL TAYLOR: Oh. Sorry. This local  
24 community cooperative will be providing local  
25

2 security to the project during its development. We  
3 are excited to see the potential partnership and  
4 investment in job creation here in Long Island city.  
5 Rather than building more apartments, this project  
6 will create thousands of new industrial and office  
7 jobs right here in Long Island city. So, we applaud  
8 RXR in Titan and we look forward to all long-standing  
9 sustaining relationship of community development.  
10 Thank you.

11 CHAIRPERSON MOYA: Thank you, Bishop.  
12 Always good to see you, my friend.

13 MITCHELL TAYLOR: Likewise.

14 CHAIRPERSON MOYA: Let Pastor Young know I  
15 saw you today.

16 MITCHELL TAYLOR: I will. Thank you so  
17 much, Council member. All right.

18 CHAIRPERSON MOYA: You take care. Thank  
19 you.

20 MITCHELL TAYLOR: Thank you.

21 COMMITTEE COUNSEL: The next speaker on  
22 this panel will be Seth Bornstein. Seth Bornstein  
23 who will be followed on this panel by Timothy Duvall.

24 SERGEANT-AT-ARMS: Your time starts now.

2           SETH BORNSTEIN: Hi. Good morning. This  
3 is Seth Bornstein. I'm a director of Queens Economic  
4 Development Corporation. Our mission is to help the  
5 community through creating and retaining jobs,  
6 especially with a focus on low and middle income  
7 communities, immigrants, minorities, and women. We  
8 support this project by RXR and Titan because it  
9 really fits into everything we want to do. It  
10 creates a mixed-use community, industrial and  
11 commercial, which is rare in the city these days, and  
12 also supports people who can work there from the  
13 community. Working with LaGuardia, working with  
14 Queens Bridge, working with Urban Upbound is just  
15 everything a community project should be, so we  
16 really believe those jobs and community and money  
17 will stay in the community. It's also important that  
18 the project really fits into the context of the urban  
19 environment and what they have done there on the  
20 streets there is usually [inaudible 01:25:12] can be  
21 done for other industrial developments in the  
22 community. I don't want to reiterate so much of what  
23 other colleagues in the panelists have said, but it  
24 is a great project and great [inaudible 01:25:21] for  
25 other parts of Queens and the whole city. Thank you

2 for your time and we look forward to this project  
3 coming to fruition.

4 COMMITTEE COUNSEL: The next and last  
5 speaker on this panel will be Timothy Duvall.

6 SERGEANT-AT-ARMS: Your time starts now.

7 TIMOTHY DUVALL: Can you hear me? My  
8 name is Tim Duvall. Can you hear me?

9 CHAIRPERSON MOYA: We can hear you.

10 TIMOTHY DUVALL: Good. I have been a  
11 neighbor of Titan Manufacturing on Ninth Street in  
12 Long Island city for 39 years and we are good  
13 neighbors. They are a good resident company in this  
14 area. They help keep the area tidy and clean. They  
15 have cooperated with us with issues like parking and  
16 we are so pleased that the new building plans  
17 incorporate additional parking, which is the most  
18 critical thing in this part of Long Island city. Our  
19 building is a similar building to Titan Manufacturing  
20 in that it has a large footprint, but we intend to  
21 keep our building and keep it as it is because we  
22 think it has some historical importance and it is the  
23 foundry and it holds cages for events and for  
24 weddings and we see no objections whatsoever for  
25 Titan Manufacturing coming to the neighborhood and

2 expanding their business. We also like the idea that  
3 it keeps the industrial tone of the neighborhood and  
4 we are totally for and support their application.

5 Thank you.

6 CHAIRPERSON MOYA: Thank you. Counsel, do  
7 we have any Council members that have any questions  
8 for the panelists?

9 COMMITTEE COUNSEL: Chair, I see no  
10 members with hands raised for this panel.

11 CHAIRPERSON MOYA: Okay. There being no  
12 members of the public who wish to testify on 42-11  
13 Ninth Street special permit proposal under LUs 714  
14 and 715, the public hearing is now closed in this  
15 item is laid over. Thank you to the panelist for  
16 providing your testimony today. I now want to open  
17 the public hearing for the preconsidered LU items for  
18 1620 Cortelyou Road rezoning proposal under ULURP  
19 number C180496ZMK and N18049ZRK affecting property in  
20 Council member Eugene's district in Brooklyn. The  
21 proposal seeks a zoning map amendment changing an R6A  
22 C24 district to a R7D C24 district and a related  
23 zoning text amendment establishing a mandatory  
24 inclusionary housing area utilizing options one and  
25 two. These actions are intended to facilitate the

1 development of a new nine story mixed-use building  
2 with 85 dwelling units including approximately 21  
3 affordable units, ground floor commercial use, and  
4 accessory parking at the cellular level. I know that  
5 we have Council member Eugene on hand and I just  
6 wanted to turn it over to the Council member if he  
7 has any remarks before we hear from the applicant.  
8

9 COUNCIL MEMBER EUGENE: Thank you very  
10 much, Mr. Chair. Thank you so very much. What I  
11 would like to say is I know that this is very  
12 important issue for the community and there have been  
13 different opinions and I know that the community  
14 wants to see deeper affordable housing also to  
15 conserve the market, the laundromat, and other  
16 services that exist in that building and one thing  
17 that I would like to express is to see the commitment  
18 of the developer to hire locally and to make sure  
19 that the people in the community who have the skills,  
20 the competent, and they can have also the opportunity  
21 for jobs. The other thing also I would like the  
22 developer to mention is commitment to buy certain  
23 construction supplies in the community also to the  
24 construction companies and to create job  
25 opportunities and also to give the opportunity of

2 business to the people in the community. I do  
3 believe that the community won't be able to provide  
4 everything that is needed for this construction, but  
5 this is one of the things that I want the program to  
6 [inaudible 01:30:59] and this is very, very important  
7 for the community. But at this time, I don't have  
8 any special position, but I do want to hear and to  
9 listen to what the developer is going to say and I  
10 know that there is an important borough president and  
11 it is also a report from the community [inaudible  
12 01:31:18] after, you know, looking up all of the  
13 report and the different comments from the community,  
14 I would be able to take [inaudible 01:31:29] a better  
15 idea and to know exactly which way I'm going. Thank  
16 you very much, Mr. Chair.

17 CHAIRPERSON MOYA: Thank you, Council  
18 member Eugene. Counsel, can you please call up the  
19 first panel for this item?

20 COMMITTEE COUNSEL: The applicant panel  
21 for this item includes Richard Lobel and Amanda  
22 Ayanotti, land use counsel appearing on behalf of the  
23 applicant, Tony Doleh for the applicant, and Victor  
24 Filletti, the project architect. Panelists, if you

2 have not already done so, please accept the unmute  
3 request in order to begin to speak.

4 CHAIRPERSON MOYA: Thank you. Before you  
5 begin, counsel, can you please administer the  
6 affirmation?

7 COMMITTEE COUNSEL: Panelists, please  
8 raise your right hands. Do you affirm to tell the  
9 truth, the whole truth, and nothing but the truth in  
10 your testimony before this subcommittee and in answer  
11 to all Council member questions?

12 VICTOR FILLETTI: I do.

13 COMMITTEE COUNSEL: Thank you. We are  
14 in receipt of your slide show presentation for this  
15 proposal. When you are ready to present the slide  
16 show, please say so and it will be displayed on the  
17 screen by our staff. Slides will be advanced when  
18 you say next. Please note that there may be a slight  
19 delay in both the initial loading and advancing of  
20 slides. Members of the viewing public can obtain an  
21 accessible version of this presentation by emailing  
22 requests to [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). And  
23 now, if the panelists would please restate your name  
24 and affirmation for the record, you may begin.

2 RICHARD LOBEL: Thank you, Chair Moya.

3 Richard Lobel of Sheldon Lobel PC for the applicant.

4 I am joined by Amanda Ayanotti from my office and

5 representing Tony Doleh who is the owner and operator

6 of the food market at the base of the proposed

7 development. I think the slides could begin right

8 now. That would be great. Let me just start by

9 thanking the Council members and-- especially

10 Council member Eugene who has been very thoughtful in

11 his consideration of this matter is [inaudible

12 01:33:35] that really causes us to think about this

13 proposal. Actually, what you see before you is a

14 proposed rezoning for 16620 Cortelyou Road. The

15 [inaudible 01:33:44] market which is operated

16 currently at 1620 Cortelyou. It is operated by Tony

17 Doleh and while we come before the Council many times

18 with applications from career developers and

19 individuals who, by right, purchased the site and

20 then proceed to do development, this is not Tony.

21 Tony is a local operator of a food store who has been

22 at the site and has operated a food store for over 25

23 years. This puts his in a unique position with

24 regards to the community. While there were

25 opportunities for him to sell the property and to

2 move on, Tony wanted to do a development here which  
3 would accomplish several goals. The first would be  
4 to keep the food market and we're going to discuss  
5 with you our opportunity to do so. The second would  
6 be to provide for additional residential units in the  
7 community, but also to provide for additional  
8 affordable units in the community and, importantly,  
9 in community board 14 where these affordable units  
10 are few and far between. So, with that, we begin the  
11 presentation and talk about the background of the  
12 zoning and then the applicant team is happy to answer  
13 any questions. Next slide. You can see from the  
14 next slide is a copy of the zoning map and to note  
15 with regards to the zoning map-- and my screen  
16 hasn't advanced yet, but I have the presentation  
17 hardcopy before me. Chair Moya, can you see a zoning  
18 map right now or no?

19 CHAIRPERSON MOYA: Yep.

20 RICHARD LOBEL: You can.

21 CHAIRPERSON MOYA: I got it.

22 RICHARD LOBEL: For some reason it has  
23 not advance on my screen, but I'm just going to  
24 proceed. The zoning map--

25

2 CHAIRPERSON MOYA: And I've actually got a  
3 hardcopy here, so you can go. Yeah.

4 RICHARD LOBEL: Okay. Thank you. So,  
5 page two of the presentation has a copy of the zoning  
6 map which is-- notably, the existing zoning is R6A  
7 with a commercial overlay. The R6A, as well as much  
8 of the surrounding area, was rezoned in a 2009  
9 rezoning that was sponsored by the city which rezoned  
10 roughly 180 blocks in the surrounding area. What  
11 this did was it fixed zoning at R7A with inclusionary  
12 housing-- voluntary inclusionary housing for many of  
13 the blocks you see south and east of the site. What  
14 it did not do is create any inclusionary housing.  
15 The City Planning Commission in their recent report  
16 approving this noted that no affordable housing was  
17 created pursuant to the rezoning in the voluntary  
18 inclusionary housing area, so revision of  
19 inclusionary housing here is a worthwhile call and  
20 one which is not really populated by current  
21 buildings in current development sites. So the  
22 proposal would take this existing R6A and would  
23 rezone that to an R7D. Next slide. So, the next  
24 slide has the tax map which shows the lots included  
25 within the rezoning. These are four lots along

2 Cortelyou and then two lots which would be rezoned to  
3 a minimal amount behind those. The R7D C24 would  
4 accomplish several things. In addition to the  
5 additional residential bulk which would be at an FAR  
6 of roughly 5.6, there would be a commercial overlay  
7 of the C24. Now, importantly, in an R7D zoning  
8 district, the C24 commercial overlay mandates non-  
9 residential uses. So, while an R7A C24 would allow  
10 for rezoning of potentially a mixed use building, the  
11 R7D mandates that mixed-use by requiring commercial  
12 or non-residential ground floor uses. This is very  
13 important because, as we will likely discuss with  
14 regards to the community board, the community board  
15 and borough president noted the importance of the  
16 food market at the site. Next slide. So the next  
17 slide is a copy of the land use map and you can note  
18 several things from this land use map as you would  
19 expect. Cortelyou, being an 85 foot road is a major  
20 thoroughfare in the area. There are numerous  
21 commercial uses which are abounding within the  
22 commercial designated area along Cortelyou and the  
23 commercial overlay. You will note that there is a  
24 subway station within a block of the site. This is  
25 very important because, as City Planning will tell

1 you, there is an importance with regards to the  
2 accessibility of sites to local transportation. So,  
3 in areas in Brooklyn previously where we brought  
4 rezoning applications on wide streets near public  
5 transportation with commercial activity, these are  
6 areas which are considered to be, you know, highly  
7 desirable for rezoning's allowing access to the site  
8 and allowing for a lively streetscape and that is  
9 what would happen. You will also notice that to the  
10 south, there are six to eight story buildings abound.  
11 These were codified by the most recent 2009 rezoning  
12 in, you know, our long-standing buildings. Next  
13 slide. So, the next slide has a copy of the zoning  
14 change map. And the zoning change map takes what you  
15 see as an existing R6A C24 and would change that to  
16 an R7D C24. You will note that, if you look at the  
17 zoning change map, there is already a portion of the  
18 existing site which is within the existing R7A. That  
19 part is already zoned R7A. That part, you know, is  
20 permitted to greater density, albeit it was a small  
21 amount, but basically at this frontage here, there's  
22 limited options as far as what you'd be able to  
23 rezone to in order to have a productive building and  
24 in order to actually have a development that would  
25

2 move forward. Here, the R7D was chosen to be  
3 appropriate given the history of rezonings in the  
4 area and Brooklyn and the fact that you do want to,  
5 at the end of the day, have a development site as  
6 opposed to a site which would, you know, remain  
7 undeveloped and would have insufficient backbone in  
8 order to establish a building here. Next slide. So,  
9 the next slide and the slides that follow it are the  
10 building plans and, you know, I note several things  
11 in this regard because we have had conversations,  
12 many conversations with the community board, with the  
13 Brooklyn borough president's office, and now with  
14 city planning, all of whom. So before and with some  
15 condition have approved this rezoning. Importantly  
16 with regards to the proposal going forward, there was  
17 a discussion with regards to the massing of the  
18 building. There was a rather large dormer on this  
19 corner of the building on 16th in Cortelyou. This  
20 was removed from the property. So, what you see is,  
21 basically, a pair down building. The building would  
22 maintain 44 parking spaces beneath the building.  
23 This is greater than what is required by zoning by  
24 roughly 50 percent. So, the zoning would require  
25 roughly 30 spaces and the rezoning would produce

2 roughly 44 spaces below the development. I would  
3 note, because I am sure that there is a lot of  
4 comments and questions in regards to the application  
5 and with regards to the community board and Council  
6 and borough president recommendations, that many of  
7 these comments were geared towards the operations of  
8 the premises, how the premises would look,  
9 maintaining an attractive streetscape and such. To  
10 just talk briefly and not to talk for Tony, because  
11 he is here and available for questions, but Tony is  
12 operated this property for over 20 years. In those  
13 20 years, if you look at DOB violations on this site,  
14 while in the last 20 years, there are boiler  
15 violations, relatively routine boiler violations for  
16 reporting, there is not one DOB violation that has  
17 been issued to the site in the last 20 years which is  
18 an amazing statistic for a commercial building  
19 operating with over 13,000 ft.<sup>2</sup> of commercial  
20 operations. The second thing I would note is, in the  
21 pictures that are accompanying this presentation and  
22 others, you can see that this is a well-run site.  
23 This is a clean site. The pictures that we inserted  
24 our random Google photos taken from the last several  
25 years. They show clean streets before the building.

2 It is a well operated commercial thoroughfare. We  
3 are really excited about the opportunity that Tony  
4 has to take a building which is currently one story  
5 and over 90 years old and to put something productive  
6 up that will help the community, will allow for this  
7 food store to continue, and will provide benefits in  
8 the form of affordable housing. We would note here  
9 that there was a lot of concern over operations of  
10 the food store going forward. We have submitted  
11 plans and materials which demonstrate that we intend  
12 to phase the construction to allow for the continued  
13 operation of the food store. This is no small thing.  
14 We also had many comments with regards to employment.  
15 Tony employs over 30 people at the site, many of them  
16 from the surrounding area and so this is a local job  
17 generator. It is heartwarming to hear testimony from  
18 individuals who came to the community board hearing  
19 and talk to about the fact that this food store was  
20 the only place they had to go in the immediate area  
21 to provide for affordable food. There are other food  
22 stores in the area that are not affordable. This is  
23 something which is, basically, heavily utilized by  
24 the local area and allows for all different types of  
25 people to the shop in this and to come here. So,

1 provision of the food store here, the ability to  
2 update this building, the ability to generate  
3 affordable units, in a community District were over  
4 half of the households are rent burdened, where the  
5 rent burden is greater than the percentages in the  
6 city of New York and Brooklyn. This community board  
7 14, over 50 percent of homes spend more than 35  
8 percent of their income on rent. So, just the  
9 ability to add units when you don't have that  
10 opportunity, when previous rezonings, including the  
11 2009 rezoning failed to produce those results, this  
12 is a major opportunity, not only for our application  
13 here, but for the surrounding area. That is why we  
14 feel like we have gotten the support that we have and  
15 that is why we feel that we are strongly urging the  
16 Council to move forward on this and, of course, we're  
17 all happy to answer any questions.

19 CHAIRPERSON MOYA: Great. Thank you,  
20 Richard, for the presentation. Just a couple of  
21 questions before I turn it over to Council member  
22 Eugene. So, in order to minimize the-- and mitigate  
23 disruption, do you plan to conduct outreach and  
24 engagement with the neighborhood during construction  
25

2 and, if so, what are the strategies for that  
3 outreach? Can we unmute Richard? Hold on, Richard.

4 RICHARD LOBEL: Now I can unmute.

5 CHAIRPERSON MOYA: There you go.

6 RICHARD LOBEL: Chair, yeah. And Tony  
7 is available to speak as well, but I would start by  
8 saying that I think there are two areas where we are  
9 particularly well-suited with regards to outreach.  
10 The first is that Tony already has a tremendous  
11 amount of interaction with the local area given his  
12 activities and operating the food store here. So,  
13 there is always communication. There is always  
14 dialogue. That is, I think, one of the reasons that  
15 we receive the support that we did at the community  
16 board. The vote of the community board was 24 in  
17 favor and five against. And, again, while there are  
18 conditions to that resolution, we think that the  
19 fundamental support received is a testament to the  
20 fact that Tony is available and can talk to people in  
21 the area. So, we would review the personal  
22 interaction and the ability to disseminate  
23 information locally to be a strength of Tony and the  
24 other thing I would say is that, with regards to  
25 outreach, we have already spoken with local

2 organizations on the record at the community board.  
3 We discussed the fact that we had reached out to  
4 Camba and had preliminary conversations with them  
5 about outreach to people in the area, including in  
6 terms of financial literacy for those who might want  
7 to avail themselves in the lottery system and to have  
8 affordable units within the buildings. So, again, I  
9 would defer to Tony on that, but I think that, you  
10 know, that would be our goal going forward with  
11 regards to community outreach.

12 CHAIRPERSON MOYA: Tony?

13 TONY DOLEH: Yes. Good afternoon,  
14 everyone. In regard to outreach, absolutely. I'm  
15 open, as we always have been-- can you hear me?

16 CHAIRPERSON MOYA: Yeah. We can hear you,  
17 Tony. Thank you.

18 TONY DOLEH: We're always open. We always  
19 have discussion with our customers. A lot of our  
20 customers are supportive of this project. I mean,  
21 they know how we operate there for the past 27 years  
22 now and we always kept an affordable food market.  
23 With all the changes that's coming from competition  
24 with Amazon and competition from online and all the  
25 different things that change, but we always kept a

2 supermarket there that's affordable for everyone.

3 And this is what we are trying to do here is achieve

4 this by having, basically, the building on top and

5 the-- the apartments on top to subsidize the

6 affordable supermarket on the bottom. I mean, to be

7 honest with you, the way things are going,

8 supermarket owners, if they don't get creative, it's

9 going to be very hard in the future to survive. And

10 part of what we're doing here is to be able to

11 survive and to stay there in the community for many

12 years to come. So, you know, I would invest in the

13 community there. It's truly to keep mainly the

14 supermarket. We are, basically, grocers and

15 supermarket operators. We're not big time

16 developers, but, you know, we thought that this would

17 be better than just selling to property to some

18 developers who-- believe me. I get two or three

19 calls every day. They want to, you know, buy the

20 property and redo this site. I don't know if they're

21 going to keep the supermarket or it is going to be a

22 very exuberant amount different that the supermarket

23 will not be affordable anymore. So, us, as the

24 building owners and as the supermarket owners, we are

25 able to keep providing affordable prices at the

2 supermarket. I mean, this is what we're trying to do  
3 here. I know there are some neighbors who would like  
4 to see this day as a one story building forever, but  
5 this is a 90-year-old building that is becoming very  
6 hard to maintain also. All sorts of construction and  
7 rebuilding need to be done at some point. We will  
8 not do-- construction will not start, by the way,  
9 will start definitely after the pandemic and its  
10 effects are way over, you know, because, at this  
11 point, we understand, you know, the supermarket needs  
12 to be at its current condition and operating. So, we  
13 will definitely wait until the pandemic and its  
14 effects on the whole world, basically, is over. So,  
15 I'm open for any--

16 CHAIRPERSON MOYA: Got it.

17 TONY DOLEH: questions that you have.

18 CHAIRPERSON MOYA: Tony, I-- just a  
19 reminder. How many years have you been there? How  
20 long has the supermarket been there?

21 TONY DOLEH: Since 1995. Us and the  
22 supermarket been there for previous years, but since  
23 1995 we have done two times updated the supermarket  
24 and we would like to have a bigger, even, supermarket  
25 than we currently have. So, the project will provide

2 a bigger more modern supermarket with affordable  
3 prices. Continue affordability. That's a promise  
4 from me and my family who owns the business with me.  
5 And we want to have affordable housing on top also  
6 because also that's very much needed in the  
7 neighborhood. And this is after discussion with many  
8 people in the neighborhood, you know, there's not  
9 much affordable housing and we're doing this without  
10 city subsidy or any of that. You know? So--

11 CHAIRPERSON MOYA: I hear you, Tony. Thank  
12 you. Just a couple more questions and then I'm going  
13 to turn it over to Council member Eugene. MWBEs and  
14 local hires. Can you describe what your plans are to  
15 ensure that MWBE and local based contractors and  
16 their subcontractors are going to be participating in  
17 this development?

18 RICHARD LOBEL: I'll start. It looks  
19 like Tony may be muted. So, I think the answer is,  
20 you know, couple things. Tony is going to avail  
21 himself likely of tax abatement benefits which would  
22 mandate the use of MBWE hiring with regards to the  
23 construction itself. Obviously, not a tremendous  
24 job, but from what we have discussed internally and,  
25 again, Tony can address this, I understand that he is

2 committed to using MBWE and local hiring with regards  
3 to the construction project going forward. I would  
4 also note that, importantly, you know, there's lots  
5 of numbers that get thrown around with regards to  
6 actual employees in the application itself is that  
7 the 30 some odd employees that are currently employed  
8 at the food store will likely increase. The square  
9 footage of the food store would go up. This would  
10 now most likely be between 9000 and 10,000 square  
11 feet. And so, the opportunity for local hiring for  
12 permanent jobs beyond the construction is still very  
13 much present with regards to both the supermarket, as  
14 well as for an additional several thousand feet of  
15 commercial space could be used for other retail. So,  
16 again, you know, we understand as is typically  
17 presented by the Brooklyn Borough Pres. and others,  
18 that, you know, we would make a commitment to MBWE  
19 hiring going forward.

20 CHAIRPERSON MOYA: Okay. And just staying  
21 on that, he mentioned local hires. Describe the plan  
22 for local hiring in construction and how many local  
23 hires would typically be involved in a project like  
24 this.

2 RICHARD LOBEL: Yeah. I think that what  
3 we would ask, Chair Moya, Council and of the  
4 committee in writing simply because we Tony and I  
5 have discussed this, he has recently engaged with  
6 professionals with regards to project management  
7 moving forward. So, we've had these conversations,  
8 but I think we would be better prepared to submit  
9 those in writing.

10 CHAIRPERSON MOYA: You don't have the--

11 RICHARD LOBEL: Unless Tony wants to  
12 answer at this point. He may be able to have some  
13 better answers.

14 CHAIRPERSON MOYA: Can we unmute Tony?

15 TONY DOLEH: Yeah. I'm definitely-- I  
16 will say that before, but I was muted. We are  
17 definitely open for local hiring and to give  
18 opportunities to local companies and local suppliers  
19 to submit their bids and we are very much open.  
20 Absolutely. I mean, we are part of the neighborhood  
21 it would like to give opportunity to everyone to  
22 benefit from this.

23 CHAIRPERSON MOYA: Right. No. I'm just  
24 saying, what are the actual plans that you have to do  
25 that and on a project like this, typically, you will

2 roughly have an idea of how many local hires that  
3 would look like. So, I'm just asking very basic--

4 TONY DOLEH: [inaudible 1:52:52] for the  
5 construction concern?

6 CHAIRPERSON MOYA: Yeah.

7 TONY DOLEH: Yeah. As Richard said--  
8 because I don't want to say numbers just off the top  
9 of my head. I would like-- I will definitely submit  
10 a plan to the Council shortly.

11 CHAIRPERSON MOYA: Yeah. I'm just saying  
12 like there's been plenty of time for you to have a  
13 plan in action for a project this size. So, that is  
14 why I am saying, do you have no idea? You guys don't  
15 have a ballpark of what that would look like?

16 TONY DOLEH: As far as the amount of jobs  
17 that--

18 CHAIRPERSON MOYA: Yeah.

19 TONY DOLEH: Yes?

20 CHAIRPERSON MOYA: Yes.

21 TONY DOLEH: I'm sure it's over 60 jobs  
22 will be created in the construction. You know--

23 CHAIRPERSON MOYA: I don't want to take up  
24 too much time because I know Council member Eugene  
25 wants to ask questions, but yeah. We will follow up

2 when you submit that in writing. And just the last  
3 question, what sustainability and resiliency measures  
4 are incorporated into the building's design and  
5 construction?

6 TONY DOLEH: We will have solar--

7 RICHARD LOBEL: I think, actually, Chair  
8 Moya, Victor Filletti, the project architect is on.  
9 If we can unmute him, he can address some of the  
10 sustainability measures.

11 VICTOR FILLETTI: Yes. Thank you. So,  
12 yes. We are planning solar for the roof. We have  
13 tried to go beyond the building code requirements for  
14 being solar ready and are looking and actually  
15 putting in the solar panels for the roof. All of the  
16 appliances and all of the equipment in the building  
17 will be used at the highest efficiency units that we  
18 can propose and all of the required insulation values  
19 for the exterior walls and for thermal heat gain  
20 coefficients, it will all be far beyond the  
21 requirements for the building code. And just to get  
22 back a little bit with the hiring and the  
23 construction of the project, you know, we are dealing  
24 with an owner here-- an owner operator of the  
25 facility. He is not a developer, so some of the

2 means as to hiring locally, you know, he's giving you  
3 the information that he has available to him that he  
4 would encourage that as the owner, but I think we  
5 need to get into the developing a little bit more as  
6 far as who is a construction management will be.

7 But, from an owner's perspective and from an  
8 architect's perspective, we will do everything we can  
9 to hire locally during the construction. And the  
10 estimate of about 60 people being used during the  
11 construction is probably even allowable number that I  
12 would estimate for a building this size.

13 CHAIRPERSON MOYA: Got it. Thank you. So,  
14 we look forward to those submissions from you guys--

15 VICTOR FILLETTI: You're welcome.

16 CHAIRPERSON MOYA: in the days to come.  
17 All right. With that, thank you. I want to turn it  
18 over to Council member Eugene for his questions.  
19 Council member?

20 COUNCIL MEMBER EUGENE: Thank you very  
21 much, Mr. Chair. Thank you. Let me say that this  
22 project is a very important project and I think that  
23 the opinion has been very diverse and divided, as I  
24 said. But in terms of affordability, one of the  
25 problems in New York City, people always are

2 complaining about they are affordable, but they are  
3 not affordable to everyone. Of course, there is no  
4 way we can make it that affordable to everyone, but  
5 when it-- my question would be to Tony or to the  
6 representative, knowing that people are complaining  
7 some of the time or most of the time about the  
8 affordability of the apartment, is there any way you  
9 are going to try to include more people to give  
10 deeper affordability for those who are walking every  
11 single day also and those who are serving the  
12 community, but they don't have a high income-- they  
13 have a very low income-- are you planning to do some  
14 effort to include also those workers-- hardworking  
15 people-- who don't have the high salary to be part  
16 of this affordable housing opportunity? Richard?

17 RICHARD LOBEL: So I'll start and I  
18 think Tony would answer. So thank you, Council  
19 member Eugene. So right now the affordability and  
20 the option that was requested at the community board  
21 and at the Brooklyn borough president was option one,  
22 25 percent of the units being affordable. And so,  
23 the comments that the Brooklyn borough president and  
24 at the community board were two. The first was that  
25 they wanted a reduction in the number of units, if

possible, and in enlarging of the size of the units that were available both for the affordable and for the market rate units and Tony was happy to do that and we originally came in with a project upwards of between 85 and 87 units has been reduced to 80 units. The percentage affordable of those units is currently the option one at 25 percent. Obviously, 10 percent of the units would be at 40 percent AMI which is considered to be low affordability, so we're happy to be able to provide that. With regards to anything beyond that, I think there's a couple things to note. The first thing is that we've engaged Foresight Group which is a renowned expert with regards to affordable issues and they are currently modeling out the building looking at the finances to see, you know, whether or not any deeper affordability can be provided. So, Tony has made a commitment to provide what he's able to provide with regards to this project. The issue going forward is that the affordable supermarket here which, you know, there's no other way around it. This is a supermarket which allows for local people to buy affordable produce, dairy, bread, meat, etc. That acts as somewhat of a drain on the finances of the building. So, one of

2 the issues that Foresight has had with regards to  
3 modeling this out is that if you have an entirely  
4 residential building or the commercial on the ground  
5 floor was not a supermarket, it would be easier to  
6 expand the number of affordable units here. Right  
7 now, the margins with regards to adding affordable  
8 units and keeping the supermarket is very  
9 challenging, so we are working on it. It is  
10 something that we hope to work towards in the next  
11 several days, but, for now, I think that, you know,  
12 we are committed to what's required, but also,  
13 obviously, in an area where you don't get a lot of  
14 affordable units at all, we are making a start. So,  
15 again, we are trying to do the best we can. Were  
16 happy that the affordable units will mirror the  
17 market rate units generally in terms of the larger  
18 units of ones and twos, but, you know, that is where  
19 we are the numbers.

20 COUNCIL MEMBER EUGENE: Thank you very  
21 much. With respect to the food market, this is based  
22 on what people are saying and it seems like this is a  
23 common ground. Everyone in the community that sees  
24 the need to preserve and protect the food market and  
25 I see that you have the commitment to keep the food

1 market because-- especially for the senior citizens  
2 and also because of the price. The affordability of  
3 the goods that you're selling their and with respect  
4 to the local jobs and also business opportunities,  
5 let me tell you this is something that I very, very,  
6 very concerned about-- well, not concerned about  
7 her, but I would like to see in all developments in  
8 my district and, as a matter fact, [inaudible  
9 02:01:08] theater and Camba Garden, any project in my  
10 district, I always, always, you know, urge the owners  
11 to create job opportunities locally because, as I  
12 mentioned before, there are many people in the  
13 community that are skilled. They are hardworking  
14 people, but there is a need of jobs in my community  
15 and the community and then, you know, creating jobs  
16 is something very, very important and in a  
17 development like this one. And also, the opportunity  
18 for those people who have construction businesses who  
19 have a subcontract and the opportunity to have some  
20 businesses. Also this is very, very important for a  
21 community like mine and I know that some of the  
22 people that have been talking about opportunities for  
23 youth and especially, you know, that the top  
24 [inaudible 02:02:07] on the corner of Cortelyou Road,  
25

2 they mention the desire to see a certain connection  
3 from Tony with the community board and other  
4 opportunity to maintain that the [inaudible 02:02:26]  
5 that is used by so many families and children in the  
6 community. Can you give us some ideas of your plan  
7 to collaborate with community board to maintain the  
8 [inaudible 02:02:40] and also some opportunities that  
9 you may create for youth?

10 RICHARD LOBEL: Thank you. And thank  
11 you, Council member Eugene, for the comment and for  
12 your continuing commitment with regards to employment  
13 in the area. With regard to the two points you have  
14 made, number one, one of the reasons that we do love  
15 this application and love Tony as an applicant is  
16 because while there may be applicants and developers  
17 who clean up and application and cleanup the property  
18 for this purpose, foregoing through ULURP, Tony has  
19 been operating history here and has continuously  
20 employed people from the surrounding community,  
21 upwards of 30 people from the surrounding community,  
22 and shown a commitment. So, with regards to his  
23 maintaining that commitment to allowing for local  
24 hiring, and also, I mean, even in things as small as  
25 the local laundromat, when he heard that there were

1 issues with regards to the local laundromat in the  
2 opportunity users to continue using it as a low cost  
3 laundromat, Tony spoke with the laundromat owner and  
4 committed to relocating that owner making sure that  
5 he was able to operate during the pendency of  
6 construction and we submitted that letter to the City  
7 Planning Commission. So, yes, Tony is committed to  
8 local hiring. This is something which would  
9 continue. He is happy to make that commitment. With  
10 regards to the tot lot, the community board  
11 expressed, as did the Brooklyn Borough Pres.,  
12 hearings that this is a local concern and Tony, in  
13 the interest of being a good neighbor in the fact  
14 that, in addition to getting something, he is happy  
15 to give something, so has expressed his commitment to  
16 have funding the Lieutenant Nevarez tot lot on a  
17 going forward basis as he is gone on-- as Tony is  
18 fond of telling me, you know, once this is an actual  
19 project and he gets funding and he gets financing,  
20 he's happy to do all of this. But particularly with  
21 regards to the tot lot, the opportunity to add green  
22 space to this are for both customers, residents, and  
23 everyone is something he would love to do. So, yes  
24 to both of those, Council member.  
25

2 COUNCIL MEMBER EUGENE: Thank you so very  
3 much. Thank you. Mr. Chair, thank you very much for  
4 the opportunity to ask questions.

5 CHAIRPERSON MOYA: Thank you, Council  
6 member. Now, I invite any of my colleagues who have  
7 any questions. Arthur, do we have any Council  
8 members who have questions? I see Council--

9 COMMITTEE COUNSEL: Council member  
10 Ayala has a hand raised for the panel.

11 COUNCIL MEMBER AYALA: Good afternoon,  
12 everyone. So, I have a couple of questions and some  
13 concerns. Obviously, you know, Council members have  
14 already expressed an interest in the job and in the  
15 local hiring process, so, if you could add to the  
16 report, you know, how many jobs exactly. How many  
17 will be part time? How many will be full-time? And  
18 are any of these expected to be union? That would be  
19 really helpful to us and then I'm also concerned  
20 about the affordability of the units. There are 85  
21 units, only 21 of which would be affordable. We  
22 don't have an idea of how affordable those will be.  
23 I'm assuming it's between 40 and 80 which is fine,  
24 but you referenced several times in your testimony  
25 that, in this community board, too many people are

2 paying well above the 50-- you know, 50 percent of  
3 their income on rent. And so, that concerns me. You  
4 added-- you also mentioned that you added an  
5 additional 14 parking spaces. Have you considered  
6 the possibility of maybe forgoing some of those  
7 parking spaces so that you could accommodate more  
8 affordable units?

9           RICHARD LOBEL:     So, thank you, Council  
10 member Ayala, for the questions and it's good to be  
11 questioned by you for the first time at the  
12 subcommittee hearing. We will add all the materials  
13 you requested to the report with regards to local  
14 hiring, the number of jobs, etc. So, I think I could  
15 just address the affordability and at also address  
16 the parking. You know, it is interesting for me that  
17 the Flatbush rezoning in 2009, the City Planning  
18 Commission noted this in their recent report that  
19 despite the fact that they created large areas of R7A  
20 rezoning with voluntary inclusionary housing which  
21 would allow for a bump up for providing affordable  
22 housing, there were zero. No units were created  
23 pursuant to that program. So, I think that the  
24 numbers in this area, it is a challenge for  
25 affordable housing and one of the reasons that we are

1 happy that this project is moving forward. We don't  
2 want to give wrong answers and we don't want to give  
3 answers that are going to be disingenuous. Tony is  
4 really committed here, with regards to the  
5 affordability. He knows it is an issue with regards  
6 to the community board, the borough president, with  
7 regards to Council member Eugene. So, this study  
8 that he is looking at right now with regards to  
9 Foresight Group is penciling out option one. So,  
10 it's penciling out the lowest affordability and is  
11 penciling out including 40 percent. Obviously,  
12 option one is going to average 60 percent AMI, but,  
13 again, to the extent that we are able to expand those  
14 units, we are going to. Having said that, Foresight  
15 has initially found that the margins on the current  
16 project, if we want to put in a 10,000 square-foot  
17 food store, are very small. What amounts to be less  
18 than two percent. So, it's hard and we are going to  
19 do the best that we can and we are going to share all  
20 the information with the Council and with Council  
21 member Eugene, but it is something that we are  
22 working on. We would love to have the opportunity to  
23 provide less parking, if that was going to translate  
24 into additional residential units and, I mean, Victor

1 Filletti, the project architect, can address that,  
2 but as far as the push and pull is concerned, one of  
3 the issues that came up at the community board was  
4 that they actually were in favor of allowing for an  
5 overage of parking. You know, the parking is all  
6 below grade. We can't put residential down there.  
7 Most of the utilities are going to be below grade or  
8 on the roof. So, I don't think that we really have  
9 an opportunity to translate that parking. Normally,  
10 when we do projects that are primarily affordable  
11 housing, we know that parking is expensive and so the  
12 opportunity to provide more residential units is we  
13 are able to do that if we provide less parking. That  
14 is really not the case here. We are going to be  
15 going down anyway, so we're just going to be  
16 providing the parking. So, again, it is something  
17 that we are working on that we are thinking about. I  
18 think the important thing for us is that we actually  
19 have a development project going forward, was in  
20 that, you know, provides what we say it is going to  
21 provide, so we are working towards that and we do  
22 appreciate the thought and we will get back to the  
23 Council with the additional information.  
24

2 COUNCIL MEMBER AYALA: I appreciate the  
3 honesty. I think that, for us, it poses a little bit  
4 of a challenge, right, because the rezonings are real  
5 and only opportunity to really ensure that, you know,  
6 we are developing in a way that is smart and makes  
7 sense for future generations of New Yorkers and, you  
8 know, we are really in the midst of a million  
9 pandemics in the midst of a global pandemic and  
10 housing, it continues to be a hurdle that we can't,  
11 you know, seemed to work our way out of. Creating  
12 enough affordable housing units has proven to be  
13 really challenging and some boroughs and that  
14 concerns me. 21 units is, you know, it's fine, but  
15 when you compare the fact that, you know, 64 of them  
16 will be market, and, you know, it doesn't really add  
17 up to me. But I understand. These projects have to  
18 pay for themselves, right? And so, you know, I  
19 really hope that some consideration is given to, you  
20 know, adding additional units. Last question is I  
21 also see that 52 percent-- or 61 percent of the  
22 units are one-bedroom and 31 percent two-bedroom and  
23 I see that that is kind of like a growing pattern, so  
24 I am wondering do we no longer have a market for two

2 and three bedrooms? Because in my district, I need  
3 five. So, I'm not understanding that.

4 RICHARD LOBEL: I would say couple  
5 things. First of all, you know, what are the issues  
6 that we've actually, you know, in addition to the  
7 parking that you discussed, the bulk of the building  
8 is actually something that we have looked at, as  
9 well. This building is going to be 102 feet tall.  
10 The R7A rezoning which exists adjacent to this  
11 property can go up to 95 feet. So, we are able to  
12 keep this building relatively low. It is only seven  
13 feet taller than the R7A which already exists on a  
14 portion of the property. The push and pull of that  
15 is that if you are trying to keep a building which,  
16 you know, in the existing R6A you can go to 75 feet.  
17 In the existing R7A you can go to 95 feet. To keep  
18 it to 102 feet and to keep it within this bulk and to  
19 provided additional affordability is a challenge.  
20 Were we able to rezone to a more robust district, we  
21 would, obviously, have the opportunity and more  
22 flexibility to provide this additional units, but,  
23 again, you know, were doing the best we can with what  
24 we have in an area which doesn't get affordable units  
25 really at all. But with regards to the unit

2 breakdown, Council member, we have had the  
3 opportunity to revisit that. We reduce the number of  
4 studios and increase the numbers of one's and two  
5 bedrooms. So, we have gone from seven studios, 52  
6 one bedrooms, 26 two bedrooms. So, but now we are  
7 at-- we increase the number of two bedrooms. We  
8 reduced the studios from seven to two and we increase  
9 the two bedrooms from 26 to 31. So, we have had the  
10 opportunity to get the unit sizes up a little bit  
11 and, you know, one of the things that-- that was one  
12 of the things I was requested by everyone along the  
13 way.

14 COUNCIL MEMBER AYALA: Okay. Did you opt  
15 not to apply for city subsidy for this project?

16 RICHARD LOBEL: Yeah. We did. I think  
17 that there is an opportunity either to go all in and  
18 to seek city subsidies or not in this was a project  
19 where, given the existing commercial on the ground  
20 floor and the fact that it didn't necessarily want to  
21 be limited with regards to the availability, the  
22 envelope, and what we wanted to do with that food  
23 store, Tony basically decided to do this, you know,  
24 with the not subsidizing it into do it out of his own  
25 pocket, if you will.

2 COUNCIL MEMBER AYALA: Yeah. I just-- I  
3 get it but I think that I also-- it doesn't allow  
4 you the flexibility of also reconsidering the  
5 affordability aspect of this project which I think  
6 is really instrumental and I-- you know, look. A 90  
7 year old building, I'm pretty sure that it needs a  
8 lot of upgrading and I can appreciate the need for  
9 redevelopment, but, you know, we have a  
10 responsibility to ensure that we are creating, you  
11 know, as many units as possible. So thank you.  
12 Thank you so much. This is very informative.

13 RICHARD LOBEL: Thank you.

14 CHAIRPERSON MOYA: Thank you, Council  
15 member Ayala. Counsel, do we have any other Council  
16 members that have any questions?

17 COMMITTEE COUNSEL: Chair, I see no  
18 additional members with hands for this panel.

19 CHAIRPERSON MOYA: Great. Thank you.  
20 There being no further questions, the applicant panel  
21 is excused. Counsel, are there any members of the  
22 public who wish to testify on this application?

23 COMMITTEE COUNSEL: Yes, Chair. There  
24 are approximately 20 public witnesses registered to  
25 speak.

2 CHAIRPERSON MOYA: Thank you.

3 COMMITTEE COUNSEL: For members of the  
4 public here to testify, please note again that  
5 witnesses will be called in groups of four. If you  
6 are member of the public was signed up to testify on  
7 the 1620 Cortelyou Road rezoning proposal, please  
8 standby listen for your name to be called and be  
9 prepared to speak with the Chair says that you may  
10 begin. Please also note that, once all panelists in  
11 your group have completed their testimony, you will  
12 be removed from the meeting as a group in the next  
13 group of speakers will be introduced. After you have  
14 completed your testimony and your group has been  
15 removed, you may continue to view the live stream  
16 broadcast of this hearing at the Council's website.  
17 We will now hear from the first panel which will be  
18 Harriet Hines followed by Harry Bubins, Eileen  
19 McGill, and John Oros. The first speaker will be  
20 Harriet Hines.

21 SERGEANT-AT-ARMS: Your time starts now.

22 CHAIRPERSON MOYA: Just a quick reminder.  
23 Members of the public, you will be given two minutes  
24 to speak. Please do not begin until the sergeant-at-

2 arms has started the clock. Harriet, you may begin  
3 whenever you're ready.

4 HARRIET HINES: Okay. It saddens me to  
5 see how we have come to this point. The people of  
6 this community of cried out to their elected  
7 officials and our cries have landed on deaf ears. We  
8 have been deliberately denied our voice and forced to  
9 silence by not being informed of the details of this  
10 project in a timely manner. We are now resorted to  
11 having to beg just for the life of normalcy and  
12 relief from greed of capitalists. Like Custer's last  
13 stand, we have coined today is our communities last  
14 chance to save Cortelyou, as it is a fact of life  
15 that sometimes you win some and sometimes you lose  
16 some. Saving Cortelyou means to preserve our  
17 contextual district and area where we are free from  
18 towers, where we can actually see the sky, we can  
19 breathe and be free from noise pollution and where  
20 there are no worries of overcrowding. To save  
21 Cortelyou means that existing structures will remain  
22 and remain intact. Homeowners will not face the  
23 threat of being priced out as we pay enough in the  
24 taxes already. We will not be forced to see the  
25 people that work at the stores that serve suffer from

2 lack of employment and loss of business. With  
3 demolition comes an increase of rodents, so to save  
4 Cortelyou will alleviate the threat of that. The  
5 character of our neighborhood would be preserved  
6 through the land marking the buildings that capture  
7 periods in time that are recorded and valued in  
8 history books. Some of said that people represent  
9 character and not buildings. I can say that I agree  
10 that the character of people can be shown by what  
11 they do not value. Architecture, improved quality of  
12 life, and human bliss. To put a neighborhood through  
13 all of this for the sake of--

14 SERGEANT-AT-ARMS: Time expired.

15 HARRIET HINES: Hello?

16 CHAIRPERSON MOYA: Harriet, if you can wrap  
17 it up. I'll give you a couple of extra seconds here.

18 HARRIET HINES: Okay. Well, I would  
19 say, one, that as Brooklynites, we show our love for  
20 Brooklyn when we beautify it by cleaning streets and  
21 green spaces. We know will have to show our love for  
22 our borough in June and November 2021 when we have  
23 more than 30 days to about to save Brooklyn. I am  
24 asking for Councilman Eugene to please vote no for  
25 the up zoning of Cortelyou Road and just one other

2 thing, Mr. Doleh, when you considering the hiring  
3 process when you build your supermarket, if you could  
4 please hire--

5 CHAIRPERSON MOYA: Thank you, Harriet.  
6 Thank you so much for your testimony today. Thank  
7 you.

8 COMMITTEE COUNSEL: The next speaker  
9 will be Harry Bubins who will be followed by Eileen  
10 McGill.

11 SERGEANT-AT-ARMS: Time starts now.

12 CHAIRPERSON MOYA: Let's just stop the  
13 clock real quick. Harry, I just want to let you know  
14 like signs are not permitted here, so even though you  
15 have that on your screen, we don't allow that during  
16 the hearing. If you can take it off, fine. If not,  
17 we will just keep going, but it is just a reminder  
18 for everyone. Thank you.

19 HARRY BUBINS: Okay. Sure. That's  
20 [inaudible 02:18:51] keeping. This remote ULURP  
21 hearing is undemocratic and potentially a violation  
22 of law. You just heard another reason. We oppose  
23 this luxury up zoning which is really for the entire  
24 block and that total impact has not been studied.  
25 The landlord is part of a supermarket magnet family

1 with the finances then margins and judgment to have  
2 reportedly bought a condo in one of Trump's towers  
3 that who has paid the lobbyist to push this scheme  
4 since 2016. The rendering you saw today with the  
5 rooftop party areas was never even shown to the local  
6 community until today. They also evaded answering if  
7 there are any unionized jobs there now or in the  
8 future. The property does have 36 open violations,  
9 five barrels of chemicals, one stop work order, and  
10 zero hiring plans. Is that a nice neighbor? Up  
11 zoning in the de Blasio era from Gowanus to Flatbush  
12 are massive scams that resulted added scaled up  
13 development and vastly increased amounts of luxury  
14 housing. Mr. Eugene, reject this scheme and at least  
15 have a Brooklyn zoom background. This block was part  
16 of the recent Flatbush rezoning with an overall  
17 increase in allowable FAR. Cortelyou Road is a  
18 unique, eclectic strip of predominantly independent  
19 small businesses and it was rezoned to R6A as part of  
20 that in-depth planning to protect and scale. To  
21 erase all that work to gain approval for a luxury up  
22 zoning is wrong. The landlord can build a very  
23 sizable 100 percent affordable housing development  
24 as-of-right up to 75 feet. 1921 Cortelyou Road down  
25

2 the block is 100 percent affordable. So is Caton  
3 Flats. Here, they want to build 87 percent larger  
4 than allowed to increase the private profits. We  
5 need landmarking protections for buildings like the  
6 Flatbush Savings Banks. We don't need spot luxury up  
7 zonings like this. Thank you.

8 COMMITTEE COUNSEL: The next speaker  
9 will be Eileen McGill who will be followed by John  
10 Oros.

11 SERGEANT-AT-ARMS: Your time starts now.

12 EILEEN MCGILL: Hi. Hello.

13 CHAIRPERSON MOYA: Hi. Whatever you're  
14 ready.

15 EILEEN MCGILL: Hi. Okay. I have some  
16 notes. So, I am the president of the Beverly Square  
17 East Block Association which completely butts up  
18 against that part of Cortelyou Road. We are not  
19 anti-development, but we are against to this  
20 development and we kind of want to make it clear that  
21 everyone is acting like Tony is this benevolent  
22 person doing such good for the neighborhood. I have  
23 shopped at his store for 20 years. I do not know  
24 Tony. I know every single other employee. His  
25 employees are terrified. They have no idea what is

2 going on. They don't know if they are going to have  
3 jobs in the future. Our association is had to  
4 organize cleanup days to clean his block because he  
5 does not. He does not give to any team sport,  
6 school, he's not even a member of the local  
7 merchant-- the Cortelyou Road Merchant Association  
8 which all of my friends are they pay their 300  
9 dollars a year dues which pays for the garbage  
10 cleanup on Cortelyou Road which does not happen. But  
11 Tony doesn't contribute to that. So, we were  
12 formally-- Ditmas Park was formerly the most diverse  
13 neighborhood in the country. Families that are  
14 economically insecure and cannot advocate for  
15 themselves, we are here to represent them. Families  
16 have been pushed out of this neighborhood for years  
17 now. There is serious food insecurity. If this  
18 above zone building goes through, Cortelyou Road,  
19 just like everything else this developer is cherry  
20 picking in Brooklyn, will quickly become a high-rise  
21 corridor. The only affordable grocery nearby-- and  
22 the laundromat which will be displaced-- will be six  
23 blocks away and as far as affordable, during the  
24 pandemic, a bottle of Prego was nine dollars in  
25 Tony's store, so please stop saying it is affordable.

2 Everyone I know is had to gather and go to other  
3 neighborhoods to shop. Many residents and small  
4 businesses are barely surviving this pandemic and  
5 this will further--

6 SERGEANT-AT-ARMS: Time.

7 EILEEN MCGILL: marginalize my  
8 neighborhood and all of the families in it. Please  
9 do not allow this up zoning. Cortelyou Road will  
10 quickly become a high rise corridor. Please don't do  
11 that to our neighborhood.

12 CHAIRPERSON MOYA: Thank you. Thank you  
13 for your testimony.

14 COMMITTEE COUNSEL: The next and last  
15 speaker on this panel will be John Oros.

16 JOHN OROS: Thank you. Oh. Can you hear  
17 me?

18 CHAIRPERSON MOYA: We can hear you.

19 JOHN OROS: Great. Thank you so much. I  
20 am sure you are going to be hearing from a lot more  
21 of my neighbors and community members saying a lot of  
22 the same things which I'm about to say which is that  
23 there is a really strong community opposition to this  
24 project. You know, we-- there is a lot of reasons  
25 that will be mentioned, including not adequate

2 affordable housing. But one part that I would just  
3 like to implore the city Council members to really  
4 consider is just the out of scale scope and how  
5 unnecessary this is for the stated goals that the  
6 developers and applicants are pushing forward. I  
7 have read and I think just to prove how engage the  
8 community is, that there has been we are reading into  
9 all the different commission-- What the borough  
10 president has said. He actually called out in his  
11 report that he does not agree that the applicant--  
12 that it is necessary for this large up zonings to  
13 R7D. So I would just really put it on the Land Use  
14 Committee to really consider this seriously. It is  
15 up to 87 percent taller height and not adequate  
16 affordable housing to allow it. And for all the  
17 other reasons that the community has shared, we are  
18 opposed to it. And I just would like to make a final  
19 not that as a community member listening in through  
20 this whole ULURP process, starting with the community  
21 board which I wasn't aware of when it was in front of  
22 the community board, but having the community board  
23 join on the record meeting with CPC and say that  
24 there was confusion on the community board level when  
25 this was pushed through, I think this needs to be

2 rejected outright and have the applicant, you know,  
3 go back and reapply because, along the way, we are  
4 just picking up more and more community involvement  
5 about this and it is really interesting to listen to  
6 the other applicants that were on board today and  
7 here all the community support that is out there for  
8 projects that you guys are voting on and I don't  
9 think that they're going to be nearly the amount of  
10 support from our community. In fact, it will be the  
11 exact opposite [inaudible 02:25:16] opposition to  
12 this development that is rooted in greed and not in  
13 the community's best interest. Thank you.

14 CHAIRPERSON MOYA: Thank you. Thank you  
15 for your testimony today. Is that the last of our  
16 panel, counsel?

17 COMMITTEE COUNSEL: Yes, Chair. That's  
18 last speaker on this panel.

19 CHAIRPERSON MOYA: Is there any Counsel  
20 members that have any questions for this panel?

21 COMMITTEE COUNSEL: I see no members  
22 with race stands for this panel.

23 CHAIRPERSON MOYA: Okay. There being no  
24 more questions for this panel, the witness panel is  
25 now excused and, counsel, if you can please call up

2 the next panel. Thank you all for your testimony  
3 today.

4 COMMITTEE COUNSEL: The next panel  
5 includes Anthony Finkel and Junior Juniors. The  
6 first speaker will be Anthony Finkel.

7 SERGEANT-AT-ARMS: Your time starts now.

8 ANTHONY FINKEL: Hi. Can you hear me?

9 CHAIRPERSON MOYA: We can hear you.

10 ANTHONY FINKEL: One second. I just want  
11 to get my comments together. Okay. Good afternoon  
12 everybody. Thank you for allowing me to speak. My  
13 name is Anthony Finkel. I have been a resident of  
14 Ditmas Park for over 30 years and I operated a small  
15 business in this community. For the last two years,  
16 I've also served on the Board of Directors for the  
17 Cortelyou Road Merchant Association, so I can tell  
18 you firsthand that Mr. Tony has contributed to the  
19 Association financially. I'm voicing my support for  
20 Mr. Tony and in the up zoning of 1620 Cortelyou Road,  
21 as Mr. Tony has owned and operated the Me Food for  
22 almost 30 years and has been an active member in the  
23 community. After speaking with him, I feel very  
24 confident about the up zoning. Up zoning would at  
25 least 20 new affordable housing units to Cortelyou

2 Road which we desperately need. Approving the up  
3 zoning would ensure that 1620 Cortelyou will remain  
4 in the hands of someone who has already been  
5 investing in the community for the past 30 years  
6 rather than giving it to a private developer who  
7 could do whatever he chooses. The new apartment  
8 units will benefit young families by providing them  
9 with an opportunity to move into the area instead of  
10 pushing young families away who might not be able to  
11 afford to purchase the million dollar Victorian homes  
12 in our community. The new apartment building and its  
13 inhabitants will increase business activity at the  
14 local shops, the restaurants, and the bars in the  
15 area. This increased business activity is good for  
16 Cortelyou Road and for Ditmas Park. Finally, I  
17 believe the Mr. Tony has proven that he is receptive  
18 to the community's needs and wants. Mr. Tony has  
19 demonstrated this by adding 20 additional affordable  
20 housing units while performing the construction in  
21 phases as to keep the supermarket open and available  
22 to the public throughout the development. Mr. Tony  
23 also did not have to go about--

24 SERGEANT-AT-ARMS: Time expired.

2 ANTHONY FINKEL: construction this way.  
3 Okay. Thank you.

4 COMMITTEE COUNSEL: The next and last  
5 speaker on this panel will be Junior Juniors.

6 SERGEANT-AT-ARMS: Your time starts now.

7 CHAIRPERSON MOYA: You may begin whenever  
8 you're ready.

9 COMMITTEE COUNSEL: It does take a  
10 little additional time for telephone witnesses. It  
11 does seem as though we are having a technical issue  
12 with Junior Juniors' audio. We will attempt to come  
13 back to that speaker in a subsequent panel. And for  
14 now, that will conclude this panel.

15 CHAIRPERSON MOYA: Okay. Are there any  
16 Council members that have any questions for this  
17 panel?

18 COMMITTEE COUNSEL: No, Chair. I see  
19 no members with raised hands for this panel.

20 CHAIRPERSON MOYA: Okay. There being no  
21 more questions for this witness panel, this panel is  
22 now excused. Counsel, can you please call up the  
23 next panel?

24 COMMITTEE COUNSEL: The next panel  
25 includes Johanna Neufeld, Hailey Nuthals, Gabriel

2 Cosman Alter, and Cassandra Jean Pierre. First  
3 speaker will be Johanna Neufeld followed by Hailey  
4 Nuthals.

5 SERGEANT-AT-ARMS: Your time starts now.

6 JOHANNA NEUFELD: Hello?

7 CHAIRPERSON MOYA: Oh. Got a little echo  
8 there.

9 JOHNNA NEUFELD: Can you hear me?

10 CHAIRPERSON MOYA: Now we can hear you.

11 JOHANNA NEUFELD: Okay. Sorry about that.

12 This issue. My name is Johanna. I live around the  
13 corner from the proposed site and our building does  
14 have a prepared statement which one of my neighbors  
15 is going to be reading, but in addition to that  
16 statement, I just want to note a couple of things  
17 that Mr. Lobel said that I believe are dishonest a  
18 little misleading. Right now, we know that the  
19 current building site already has one violation.  
20 They did begin the demolition process which we can  
21 see from our building and the Department of Buildings  
22 did do a stop work order. It has since been removed  
23 and I believe they have continued demolition, but,  
24 you know, if people are already having issues and  
25 saying that there is something improper going on, I

1 can only imagine what is going to happen when the big  
2 building begins to actually go up. As to their  
3 outreach, there are many of us who have been asking  
4 for more information. You know, we have talked to  
5 many members of the community and people really don't  
6 know what's going on. It's also really misleading to  
7 say that they have been doing community outreach.  
8 People in the neighborhood don't want their  
9 supermarket to be gone. They don't know where they  
10 are going to shop for two years, so to say that they  
11 had been, you know, negotiating with the community is  
12 just inaccurate. Lastly, I just also want to say  
13 that while it is an improvement to decrease the  
14 number of studios from seven to two, that this  
15 property is not here for low income community  
16 members. It is here to make money for Mr. Tony. I  
17 believe that that is what all of his commercial  
18 endeavors are for and that's fine, but it is also  
19 misleading to say that this is for the community,  
20 that it's going to benefit most of the people here.  
21 You know, if you talk about 10 percent of the 25  
22 percent of the--

24 SERGEANT-AT-ARMS: Time expired.

2 JOHANNA NEUFELD: of the building, that's  
3 really only two or three apartments. Thank you.

4 CHAIRPERSON MOYA: Thank you. Thank you  
5 for your testimony today.

6 COMMITTEE COUNSEL: The next speaker  
7 will be Hailey Nuthals followed by Gabriel Cosman  
8 Alter.

9 SERGEANT-AT-ARMS: Your time starts now.

10 HAILEY NUTHALS: Thank you, Subcommittee  
11 and Chair Moya and the remaining guests here. Thanks  
12 for your time. My name is Hailey Nuthals and I'm  
13 speaking on my own behalf and on behalf of the local  
14 organization, [inaudible 02:33:23] Workers United  
15 which has been organizing alongside the group, Save  
16 Cortelyou, in opposition to this rezoning. For the  
17 reasons that have been stated by my fellow neighbors  
18 and community members previously in addition to what  
19 I'm about to say, I am speaking in opposition to this  
20 proposal both because of its intentional dishonesty  
21 and its overall lack of proven benefit for the  
22 community. Or for the community. Pardon me. As the  
23 legal counsel, Mr. Lobel, noted. This developer had  
24 many, many conversations with politicians like  
25 Council member Eugene, the local community board, and

1 even the borough president's office. As my fellow  
2 citizens have noted, however, there has been a stark  
3 contrast in the amount of outreach to the community  
4 itself which includes at our public school, PS 249,  
5 over 30 languages spoken. So, outreach really does  
6 need to be comprehensive in order to have any sort of  
7 semblance of being enough to say you've got the  
8 public's support or input on this. So the outreach  
9 has been a massive issue. We've had a lot of issues  
10 trying to have our voices heard in this matter,  
11 including technical issues with various meetings and,  
12 particularly during the Covid crises, online meetings  
13 are simply really inaccessible for a large portion of  
14 our community members. So this is, I think-- as was  
15 previously stated, this entire process does need to  
16 be revisited. Concerns have also-- I will now speak  
17 to a few more specific issues. Concerns have been  
18 brought regarding the staged construction of this  
19 building. We have heard repeatedly there promises to  
20 either keep businesses on this property open or have  
21 them be relocated--

22  
23 SERGEANT-AT-ARMS: Time.

24

25

2 HAILEY NUTHALS: during construction so  
3 they can continue. And we know they can't do that  
4 with the underground parking. Thank you.

5 CHAIRPERSON MOYA: Thank you, Hailey.  
6 Thank you for your testimony.

7 COMMITTEE COUNSEL: The next speaker  
8 will be Gabriel Cosman Alter who will be followed by  
9 Cassandra Jean Pierre.

10 SERGEANT-AT-ARMS: Your time starts now.

11 GABRIEL COSMAN ALTER: Thank you very  
12 much, Committee members. I am speaking on behalf of  
13 the Board of East 17th Street Corporation. We oppose  
14 the project in its current form. This project's  
15 massing and plans have shown the EIS is not accurate.  
16 Bulkhead is missing, dead-end [inaudible 02:35:53]  
17 it, plus 80 feet on the plan site has inaccuracies  
18 with regards to distance to 400 East 17th Street.  
19 That means window to window distances of 40 feet not  
20 complying with ZR 23-711. The massing at the rear  
21 will have small lot lines Windows and added costs for  
22 required opening protective per BB 201517. The  
23 massing presented is speculative, so where will  
24 nonconforming bulk be relocated to max out the FAR?  
25 The proposed zoning, R7D, has a height limit of 115

1 feet, so approval of the up zoning could lead to an  
2 even higher building than presented without carefully  
3 crafted stipulations. Our residents at the rear will  
4 lose all views as we would with an AO our  
5 development, but with the potential new height and  
6 bulkhead, we will also lose light. Lastly, we are  
7 seeking to increase our energy efficiency with the  
8 solar panel arrays. Solar panel or green roof would  
9 be required for roof replacement under BB 2019010.  
10 The app zoning has the potential to partly overshadow  
11 our roof which creates a major conflict if we are  
12 required to add solar. It may affect our grade level  
13 and while reducing emissions allowances will we incur  
14 finds in the future. Some items we would like to  
15 see. It would be preferable if the building used 15  
16 feet for the ground-floor retail which is in line  
17 with the residential double switchback stair instead  
18 of 20 feet and 9 feet eight inch floor to floor  
19 instead of 10 feet for residential floors. Parapets  
20 should be classed. The elevator could be MRL instead  
21 of traction to reduce the bulkhead, but this only  
22 gets us so far. Ideally, we believe the massing  
23 should be reduced at least a floor below 75 feet at  
24 the western edge and a series of step terraces  
25

2 created to a peak on the east where the core bulkhead  
3 should be moved. If the developer picks up the  
4 eastern lots now or in the future, this would allow a  
5 central core which is more efficient. We believe  
6 that a stepped massing, if our related well, will  
7 allow for a breakdown of the street wall more in  
8 keeping with the context. We are looking forward to  
9 seeing viable proposal and massing that addresses the  
10 concerns of residents of 400 East 17th Street co-op  
11 and that of the community at large. And that's from  
12 our board president, Mr. Timothy [inaudible  
13 02:37:47].

14 CHAIRPERSON MOYA: Thank you.

15 GABRIEL COSMAN ALTER: You're welcome.

16 CHAIRPERSON MOYA: Thank you, Gabriel, for  
17 your testimony.

18 COMMITTEE COUNSEL: The next and last  
19 speaker on this panel will be Cassandra Jean Pierre.

20 SERGEANT-AT-ARMS: Your time starts now.

21 CASSANDRA JEAN PIERRE: Good afternoon.

22 Thank you for taking the time to speak with us on  
23 this. As a lifelong resident of Ditmas Park, I  
24 oppose the proposed up zoning of Cortelyou Road. As  
25 a lifelong resident, I've never before at this

2 meeting seen Mr. Tony had any Cortelyou event. So,  
3 again, Councilman Eugene, I am begging you to please  
4 vote no for the 1620 Cortelyou Road up zoning. Thank  
5 you.

6 CHAIRPERSON MOYA: Thank you. Thank you,  
7 Cassandra, for your testimony today. Counsel, do we  
8 have any Council members who have any questions for  
9 the panel?

10 COMMITTEE COUNSEL: Chair, I see no  
11 members with questions for this panel.

12 CHAIRPERSON MOYA: Thank you. There be no  
13 more questions for this panel, the witness panel is  
14 now excused and, counsel, if you could please call up  
15 the next panel.

16 COMMITTEE COUNSEL: The next panel  
17 includes Cecilia Cortez, Stacie Shub, Blake Morris,  
18 and Whitney Payne. The first speaker will be Cecilia  
19 Cortez followed by Stacie Shub.

20 SERGEANT-AT-ARMS: Your time starts now.

21 COMMITTEE COUNSEL: We will now hear  
22 from Cecilia Cortez followed by Stacie Shbb.

23 SERGEANT-AT-ARMS: Your time starts now.

24 CECELIA CORTEZ: Thank you. Hello. How  
25 are you? Can you hear me?

2 CHAIRPERSON MOYA: We can hear you.

3 CECILIA CORTEZ: Okay. Hi. How are you?

4 My name is Cecilia Cortez. I thank you for letting  
5 me speak. I am speaking against this project because  
6 this project will create more crowd numbness into our  
7 neighborhood and it will cut the light in the subway  
8 also will be much more crowded and there are no--  
9 there would be many more people in the neighborhood  
10 and there is no protections for-- it will be one of  
11 the tallest buildings in the neighborhood. We have  
12 tried for 30 years to bring landmarks to the  
13 neighborhood, protecting. We have a very nice  
14 neighborhood that it has neighborhood-- it has  
15 businesses that are owned by people and people shop  
16 every day. They work in the streets and bringing  
17 these big buildings, the only thing it will bring is  
18 displace our current people who live there, who can  
19 afford it because of the prices that are going to be  
20 are not affordable for people who are living in the  
21 community and I oppose this building. I don't think  
22 that it should be allowed, this up zoning. It was  
23 already-- the up zoning was changed already in 2009.  
24 We don't need big buildings. What we need is to use  
25 the current buildings that we have, buildings in the

2 neighborhood, that are empty because they cannot be  
3 afforded by people in the neighborhood. And we are  
4 still planning to bring big buildings. It's time to  
5 stop that. Please don't allow this building to be--

6 SERGEANT-AT-ARMS: Time expired.

7 CECELIA CORTEZ: developed. Thank you.

8 COMMITTEE COUNSEL: The next speaker  
9 will be Stacie Shub who will be followed by Blake  
10 Morris.

11 SERGEANT-AT-ARMS: Your time starts now.

12 CHAIRPERSON MOYA: Do we have Stacie?

13 COMMITTEE COUNSEL: We do have Stacie.  
14 She is in the meeting. We will give this just a few  
15 more seconds to sort out the audio.

16 CHAIRPERSON MOYA: Okay.

17 COMMITTEE COUNSEL: Okay. Maybe we  
18 come back to Stacie and could we hear from Blake  
19 Morris.

20 SERGEANT-AT-ARMS: Your time starts now.

21 BLAKE MORRIS: Hi. I'm Blake Morris.

22 ULURP application and I oppose this project. There  
23 are numerous objections that you have heard and you  
24 will subsequently hear from me and others after they  
25 speak from me. But I'm talking about the increased

2 residential density at this location. The adjacent  
3 subway station at Cortelyou Road on the Brighton  
4 Line, the Q line service, the Broadway Express within  
5 300 feet. The proposed project is incapable of  
6 absorbing any increase in residential density at this  
7 location on Cortelyou Road or in the immediate 10  
8 block radius of the subway station. This station has  
9 extremely narrow platforms, operates at over capacity  
10 during rush hour. Due to the nature of the layout of  
11 this station and open cut, there's no mitigation  
12 measures that are possible at either reasonable or  
13 unreasonable mitigation. It's just not possible at  
14 all and it's also only a sole, narrow staircase that  
15 access each platform. An increase in residential  
16 density would lead directly to increased rush hour  
17 subway use. It will be the approximate cause of a  
18 passenger fatality or injury. No increase in  
19 residential density as possible at this location. I  
20 am asking that the project-- that the application be  
21 denied in its entirety and that the applicants can  
22 use their 2009 up zoning and grace that everyone else  
23 on the street had received. And also, we have the  
24 problem of consistency. There is a drugstore in the  
25 Flatbush Food Co-op which is within 500 feet of the

2 project and if this ULURP is approved, those two  
3 other properties can make the same application and  
4 they will not be able to be denied as a matter of law  
5 [inaudible 02:45:04] or similarly situated. Thank  
6 you for your time.

7 COMMITTEE COUNSEL: We will next hear  
8 from Whitney Payne. Whitney Payne and then we will  
9 hear from Stacie Shub.

10 SERGEANT-AT-ARMS: Your time starts now.

11 WHITNEY PAYNE: Hello. Good afternoon.  
12 Thank you for allowing the public to participate in  
13 this land-use meeting. I have been living in Ditmas  
14 Park for the last 18 plus years and coming from the  
15 real estate side of things, I am a proponent for  
16 people to be able to renovate and build and develop,  
17 however, I'm also a proponent for neighborhood  
18 consistency. And throughout the years, I've seen--  
19 whether it's in Harlem, Brooklyn, or where have you--  
20 there has not been consistency when people come to  
21 develop and having this already had been passed, as  
22 they said, back in 2009, to be an R6 zone, they can  
23 continue to do their developing in that same zone and  
24 it does not have to be up zoned to R7. So I would  
25 like to implore our Council member, Mr. Eugene, to

2 vote against this up zoning in its current form. As  
3 the gentlemen spoke from 400 East 17th Street, that  
4 with changes, the development can move forward. And  
5 those changes more affect some others than others in  
6 this neighborhood, but crowding is going to be an  
7 issue and all kinds of other things that my neighbors  
8 have already spoke about during this entire process.  
9 So, as-- and the problem that we did say earlier was  
10 that no one was able to get in early to bring these  
11 things to bear at the community board level and so  
12 now that we are here now, let us go back and begin  
13 again with the proper architectural design that meets  
14 everyone's needs. The developer's needs and the  
15 community's needs together. Thank you and have a  
16 great afternoon.

17 CHAIRPERSON MOYA: Thank you.

18 COMMITTEE COUNSEL: And we will now  
19 hear from Stacie Shub who will be the last speaker on  
20 this panel.

21 SERGEANT-AT-ARMS: Your time starts now.

22 STACIE SHUB: Thank you. Sorry for the  
23 technological problems before.

24 CHAIRPERSON MOYA: No worries.  
25

2 STACIE SHUB: Actually, much of what I have  
3 wanted to address has already been said, so, for the  
4 sake of time, I will just let you know that, although  
5 I don't live in the area, I do visit. I request the  
6 application be denied. We can't handle additional  
7 density here, especially as someone who has used to  
8 the subways. I can just a test to the fact that the  
9 system is woefully inadequate to handle more  
10 commuters. So, thank you for listening.

11 CHAIRPERSON MOYA: Thank you. Thank you,  
12 Stacie, for your testimony. Counsel, do we have any  
13 Council members that have any questions for the  
14 witness panel?

15 COMMITTEE COUNSEL: No, Chair. I see  
16 no members with questions for this panel.

17 CHAIRPERSON MOYA: Okay. Seeing none, this  
18 witness panel is now excused. Counsel, if you can  
19 please call the next panel.

20 COMMITTEE COUNSEL: The next panel  
21 includes Megan Demarkis, Josue Pierre, and Rita  
22 Joseph. The first speaker on the next panel will be  
23 Megan Demarkis followed by Josue Pierre.

24 SERGEANT-AT-ARMS: Your time starts now.  
25

2 MEGAN DEMARKIS: Thank you so much for  
3 inviting me. My name is Megan Demarkis. I'm the  
4 parent coordinator at PS 139 which is the school that  
5 is local to this project. I want to share a quick  
6 story. I was just visiting a family and 1610  
7 Cortelyou-- next door. The entire family has Covid  
8 19 and the needed thermometers, gloves, masks, Lysol  
9 wipes. I went to drop that off. I will tell you  
10 that the intercom doesn't work, that the doors  
11 covered in graffiti, the front door doesn't lock and,  
12 when the family came downstairs to open the door to  
13 receive the package from me, I could see that the  
14 hallway was full of garbage and that the light in the  
15 hallway also didn't work. That is adjacent to two  
16 buildings that are-- to businesses that are-- have  
17 been closed and renovating for-- I don't know--  
18 years. So, I think that the developer's comment  
19 about this being a clean street with no violations  
20 isn't true. I also bring up this story to illustrate  
21 who lives in our community. The family that I was  
22 delivering supplies to, they are not a family who  
23 would be eligible for affordable housing. They are a  
24 family that is in need of low income housing and that  
25 is true of most of the families within our community.

2 PS 139 is a Title I school. 70 percent of the  
3 families are at or below the poverty line. If this  
4 project is to serve our community, it must have low  
5 income housing units. This is something we have  
6 illustrated to Councilman Eugene and he agrees. He  
7 knows the community well. I expect that he will vote  
8 no to this proposal and will stand with the community  
9 and asking that the owner go back to the drawing  
10 board to develop a project that would serve this  
11 community. We are in need of green space and we are  
12 sorely in need of a youth or community development  
13 center to assist families within our community. So,  
14 yes. There are Victorian houses in this community.  
15 I've been here for 15 years. I family has been here  
16 for over 40 years and can tell you firsthand that  
17 this is the neighborhood that--

18 SERGEANT-AT-ARMS: Time expired.

19 MEGAN DEMARKIS: [inaudible 02:50:39]  
20 families. I will also say that in this process--  
21 this is probably my 12 meeting on this particular  
22 topic. I started going to these meetings for years  
23 ago before the community board and everyone has  
24 spoken in opposition to this project except for Mr.  
25 Finkel who, I think, was on today. So, this is

2 definitely a project that has zero community support.  
3 We know what our community--

4 CHAIRPERSON MOYA: Thank you, Megan. Thank  
5 you so much for your testimony today. Thank you.  
6 Thank you.

7 COMMITTEE COUNSEL: The next speaker on  
8 this panel will be Josue Pierre who will be followed  
9 by Rita Joseph.

10 SERGEANT-AT-ARMS: Your time starts now.

11 JOSUE PIERRE: Good afternoon. My name  
12 is Josue Pierre. You can call me Josh. I'm a  
13 Flatbush resident and affordable housing activist, a  
14 former financial analyst of the New York City  
15 Comptroller's office where my job was investing  
16 pension money into affordable housing where we use a  
17 number of subsidies to achieve that. I'm here today  
18 in opposition to the currently proposed up zoning of  
19 the entire block facing Cortelyou Road between East  
20 16th and East 17th Street. I second many of the  
21 statements that were made in opposition before and I  
22 ask that the plan be voted down and taken back to the  
23 drawing board so that we can have a more equitable  
24 plan going forward. The focus of any development  
25 project seeking up zoning, especially in a district

1 where affordable housing is a major issue, should be  
2 prioritizing increasing the number of affordable  
3 units throughout-- and you have to do that through a  
4 robust engagement process that puts community members  
5 at the center and not after the fact. This is  
6 absolutely not an affordable housing project. This  
7 is a luxury project with some sprinkling of  
8 affordable housing. 10 percent of the units would be  
9 for 40 percent of AMI. That's, basically, all we're  
10 really getting for all of what is being asked of us  
11 in terms of the rezoning and the changes being made  
12 to the community. The number of affordable units  
13 simply do not justify the number of incoming luxury  
14 units which would lead to a domino effect of having  
15 more and more of these style buildings come in and  
16 completely exacerbate the displacement and  
17 gentrification situation that we already see in the  
18 Flatbush Ditmas Park area. I heard it was mentioned  
19 earlier that that owners are not pursuing subsidies.  
20 Having worked with those types of subsidies to create  
21 affordable housing across the city already, I can  
22 tell you that anyone who is not really looking at  
23 that is indicating that their priority has not been  
24 affordable housing. And so, to have this presented  
25

2 as some type of affordable housing project that  
3 benefits our community is absolutely a farce. And I  
4 talked about the domino effect. Anytime you have  
5 seen a project like this come forth in a community--  
6 you can look at Franklin Avenue in Crown Heights--  
7 you can--

8 SERGEANT-AT-ARMS: Time expired.

9 JOSUE PIERRE: it has had the effect of  
10 increasing these types of developments. So, I urge  
11 the Council, the Subcommittee, Mathieu Eugene, our  
12 Council member, and our community members be heard  
13 and that we do not move forward with this project and  
14 we, instead, get a vote no and also have it redrawn  
15 [inaudible 02:53:38]--

16 CHAIRPERSON MOYA: Thank you so much for  
17 your testimony today. Thank you.

18 COMMITTEE COUNSEL: The next and last  
19 speaker on this panel will be Rita Joseph.

20 SERGEANT-AT-ARMS: Your time starts now.

21 RITA JOSEPH: Thank you. As a member of  
22 this community for more than 20 years, I feel deeply  
23 that an obligation to oppose this proposed up zoning  
24 as of 1620. The current proposal and is an arbitrary  
25 to rezoning that is a plot of land that was

2 previously up sound as part of the larger 2009  
3 Flatbush rezoning. That rezoning has a significant  
4 amount of community input. This proposed rezoning  
5 does not. Additionally, this proposal does not  
6 provide the affordable housing units that our  
7 neighborhood needs. Our neighborhood in central  
8 Brooklyn, already at risk of being gentrified. I  
9 fear that the proposed project being completed would  
10 only accelerate the affordability crisis in our  
11 neighborhood. We are already facing a shortage of  
12 affordable housing supplies throughout Brooklyn as it  
13 is proposed currently. This project would not help  
14 matters. Lastly and significantly, the proposal will  
15 take away the only laundromat in the neighborhood  
16 which services the entire community. I urge the  
17 Council subcommittee to oppose this upcoming up  
18 zoning. Thank you for your time.

19 CHAIRPERSON MOYA: Thank you, Rita. You  
20 for your testimony today.

21 RITA JOSEPH: Thank you.

22 CHAIRPERSON MOYA: Thank you, Council. Do  
23 we have any Council members that have any questions  
24 for this panel?

2 COMMITTEE COUNSEL: Chair, I see no  
3 members with questions for this panel.

4 CHAIRPERSON MOYA: Okay. There being no  
5 more questions for this panel, this witness panel is  
6 now excused and, counsel, can you call up the next  
7 witness panel, please?

8 COMMITTEE COUNSEL: Panel will include  
9 Robert Elstein. Robert Elstein.

10 SERGEANT-AT-ARMS: Your time begins now.

11 ROBERT ELSTEIN: Hello. I'm here.  
12 Present. May I speak?

13 SERGEANT-AT-ARMS: Yes.

14 ROBERT ELSTEIN: Okay. Thank you.

15 CHAIRPERSON MOYA: Whenever you're ready,  
16 Robert. Yeah.

17 ROBERT ELSTEIN: Okay.

18 CHAIRPERSON MOYA: Robert? Did we lose  
19 Robert?

20 COMMITTEE COUNSEL: I don't believe  
21 that we have lost him. I see him in the meeting.  
22 Okay. I think he's coming in. Robert Elstein will  
23 be the next speaker.

24 CHAIRPERSON MOYA: Robert, can you hear us?  
25

2 ROBERT ELSTEIN: I'm here. Sorry. Just  
3 plugging in.

4 CHAIRPERSON MOYA: Whenever you're ready.

5 ROBERT ELSTEIN: And now, okay. I'm  
6 ready. Okay. I was just walking around outside. I  
7 was just on the block of 1620 Cortelyou and it's  
8 really such an inappropriate proposal. The character  
9 of this neighborhood is one that retains that of old  
10 New York. It is a really enjoyable, wonderful place  
11 to walk around. It is a wonderful place to go  
12 shopping, to go to a café, to eat restaurant. I have  
13 lived in this neighborhood for 42 years and it has  
14 maintained the character that it has had since it was  
15 first developed in the early 20th century. From a  
16 preservation standpoint, this proposal is absolutely  
17 ludicrous. From an environmental standpoint, it's  
18 murderous. The way that ULURP is designed to have  
19 absolutely no consideration for the environmental  
20 impact is, in my mind, unethical and immoral. I will  
21 also say that there needs to be changed to ULURP in  
22 terms of the AMI. It is-- the intent of ULURP was  
23 to create affordable housing for families. All that  
24 is happened as a result of ULURP is one bedroom and  
25 studio apartments at or above market rate because of

2 the way that it is tied to AMI. Until ULURP is  
3 reformed, we need to really consider whether we can  
4 go forward with any of these developments and that's  
5 the end of my testimony and I thank you all for your  
6 time.

7 CHAIRPERSON MOYA: Thank you, Robert.  
8 Thank you for your testimony today.

9 COMMITTEE COUNSEL: We have an  
10 additional speaker-- an additional witness for this  
11 panel. The next speaker on this panel will be Avi  
12 Glickstein. Avi Glickstein.

13 SERGEANT-AT-ARMS: Your time starts now.

14 CHAIRPERSON MOYA: Hey, Avi. You have to  
15 unmute yourself. Hold on.

16 AVI GLICKSTEIN: Hi. I'm sorry. I  
17 thought I was registering actually be in the meeting  
18 and not actually speak, but I do oppose the project  
19 and I support-- I'm a parent at PS 139 and I know--  
20 I'll say what I said at the meeting where they were  
21 at the prior meeting which is this is a community  
22 that there are 30 languages spoken at our school. It  
23 is a title I school, as Megan said, our parent  
24 coordinator and there is extreme food insecurity in  
25 the neighborhood. There is a food pantry on Coney

2 Island Avenue and Foster Avenue a little further down  
3 which was profiled in the New York Times daily  
4 podcast because it has 1000 people every week coming  
5 in lining up because of the pandemic. There is  
6 another group called People In Need that serves  
7 people. It's just that this is not a neighborhood  
8 the needs of zoning or luxury apartments. There is a  
9 building at one end of Cortelyou Road that was  
10 renovated from a former site that laid dormant for a  
11 long time that is now empty. There is one at the  
12 other end that was just developed which seems to also  
13 be empty or continues to be empty. So, we don't need  
14 more one-bedroom apartments. The fact that this is  
15 the majority one-bedroom development, let alone going  
16 above the zoning level. I'm not oppose, as many  
17 other people are, to development. It's just this is  
18 not, as Megan said-- we need low income housing and  
19 we don't need to push the limits so that other  
20 developers can come in here and create a canyon. I  
21 come from-- I grew up in Miami Beach where we had  
22 something called condo canyon down one of our streets  
23 down Collins Avenue and I don't want Cortelyou Road  
24 to become that where there is no sunlight and there's  
25 no airflow be it's surrounded by tall towers. I

2 mean, it's ridiculous. But thank you very much and,  
3 Council member Eugene, please vote against this. I  
4 know you've given some money to the school. This  
5 would be even more impactful for the community than  
6 any money you could give to the community. Thank you  
7 so much.

8 CHAIRPERSON MOYA: Thank you so much for  
9 your testimony, Avi.

10 COMMITTEE COUNSEL: Chair, the next  
11 speaker in the hearing is Junior Junior. Junior  
12 Junior.

13 SERGEANT-AT-ARMS: Your time starts now.

14 COMMITTEE COUNSEL: I know we had some  
15 issues with Junior Junior's access earlier. We're  
16 going to see if we can get them in here in a few more  
17 seconds.

18 CHAIRPERSON MOYA: While we wait for Junior  
19 to come on, I just want to give everyone a reminder,  
20 as well, that if you would like to submit your  
21 written testimony, you may email it to  
22 [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov).

23 COMMITTEE COUNSEL: Okay. It appears  
24 that we have lost Junior Junior, so that is a timely  
25 reminder and that concludes this panel, Chair. And

2 at this time, if I may, we will do a last call for  
3 any outstanding public witnesses.

4 CHAIRPERSON MOYA: Okay.

5 COMMITTEE COUNSEL: If there are any  
6 members of the public who wish to testify on the 1620  
7 Cortelyou Road rezoning proposal, please press the  
8 raise hand button now. The meeting will now briefly  
9 stand at ease while we check and confirm for members  
10 of the public. Chair, were going to try again with  
11 Junior Junior. It appears that they been able to  
12 rejoin, so if we can get testimony from Junior Junior  
13 at this time. Okay. Apologies for that. We do have  
14 another public speaker. I'm going to ask that the  
15 unidentified phone caller with the number ending 6182  
16 be permitted to testify. We have a phone and call  
17 her with the number ending in 6182.

18 SERGEANT-AT-ARMS: Time starts now.

19 MILANA UNKNOWN: Can hear me? Can you  
20 hear me?

21 SERGEANT-AT-ARMS: Yes.

22 MILANA UNKNOWN: Oh, wonderful. Thank  
23 you, guys. I am Milana. I am a local resident and  
24 small business owner. I am here to say that we do  
25 not need to choose between being pro-growth and pro-

1 community, however, in this case, this project is  
2 pro-growth and anti-community. I am from Save  
3 Cortelyou, a group that has been advocating for  
4 community first and consensus-based thoughtful  
5 development, based on the outcome of a community  
6 board meeting in the hundreds of people that we enjoy  
7 talking to on the street that were against this.  
8 this group and I and many others who have spoke are  
9 part of a coalition of 250 working parents, social  
10 workers, teachers, senior citizens, college students,  
11 urban planners, and small business owners. We  
12 started two months ago having teach-ins, zoom parties  
13 on telling people what AMI, MIH, and FAR is. We have  
14 fulltime jobs and we have to go toe to toe with  
15 Richard Lobel and his team. We have the people and  
16 they have the power. And I appreciate you listening  
17 to us. I will touch on one point specifically. On  
18 food access and jobs. I would like to underscore  
19 that the supermarket was one of the major regions for  
20 the neighborhood coalescing around support and why  
21 our community board voted for it. However, to be a  
22 good neighbor, you must take care of your people and  
23 you much tell the truth. Tony is not a good  
24 neighbor. We have no plan for what will happen to  
25

2 the employees. 100 plus employees that will be out  
3 of a job that work at the laundry mat and the grocery  
4 store for 18 months to two years during the  
5 excavation of 44 parking spaces. To repeat, the  
6 supermarket will not be open and this is one of the  
7 reasons why the community supported it. I am  
8 imploring you, based on your discussion, to please,  
9 please make any community benefit binding and to  
10 understand that the developer has not acted in good  
11 faith since the beginning. I'm here to ask you to  
12 reject this up zoning to R7D and ask for a better  
13 project to come forth and for the developer to talk  
14 to us and to restart again without restarting the  
15 cycle. The ULURP cycle. Thank you so much.

16 CHAIRPERSON MOYA: Thank you. Thank you  
17 for your testimony today. Counsel, do we have any  
18 other members of the public?

19 COMMITTEE COUNSEL: Chair, it does  
20 appear that we may have one additional speaker to  
21 testify. This is individual identified as Baruch  
22 Weisman here wishing to testify. Baruch Weisman.

23 SERGEANT-AT-ARMS: Your time starts now.

24 BARUCH WEISMAN: Can you hear me? Hi.  
25 Good afternoon. I appreciate you allowing me to give

1 a quick, that. The area is already densely  
2 overpopulated relative to the rest of the community  
3 board district 14 and most of the concentration of  
4 high rise apartment buildings are along the corridor  
5 of Ocean Avenue in the Northwest quarter and there  
6 has already been a tremendous strain on the public  
7 infrastructure. By allowing access development,  
8 rather than distributing the developers throughout  
9 the remainder of the district , we are overloading  
10 already the crumbling infrastructure. The walls of  
11 the subway station are crumbling. The platforms are  
12 narrow. The public schools are overcrowded and over  
13 their allotted density, so these are just a couple of  
14 examples of poor community board planning because the  
15 remainder, and the three fifths of the district of  
16 community board 14 are comprised of low-rise housing.  
17 One and two single or two family homes and most of  
18 the new development has been concentrated in this  
19 corner of Ditmas Park. So I think that we should've  
20 adopted a different attitude as in Minneapolis where  
21 they actually created public housing in low-rise  
22 density portions of the districts in the various  
23 neighborhoods and it turned into a tremendous success  
24 in allowing de facto integration rather than de facto

2 segregation which is still being maintained by this  
3 policy of this community board and throughout the  
4 remainder of the community boards in New York City.

5 Thank you for allowing me to share my comment.

6 CHAIRPERSON MOYA: Thank you for your  
7 testimony today. We appreciate it very much.

8 Counsel, do we have any other members of the public  
9 that wish to testify?

10 COMMITTEE COUNSEL: Chair Moya, with  
11 that, I see no additional members of the public who  
12 wish to testify on this item.

13 CHAIRPERSON MOYA: Great. Okay. Thank  
14 you. There being no members of the public that which  
15 to testify on the 620 Cortelyou Road rezoning  
16 proposal under ULURP numbers C 180496 ZMK and N  
17 180497 ZRK, the public hearing is now closed and the  
18 item is laid over. That concludes today's business.  
19 I would like to thank the members of the public, my  
20 colleagues, the subcommittee counsel, land use, and  
21 other council staff and the sergeant-at-arms for  
22 participating in today's meeting. Thank you. This  
23 meeting--

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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 February 2, 2021