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COMMUNITY BOARD ELEVEN

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Land Use, Landmarks & Planning Committee July 13, 2016 - 6:00 p.m. Bonifacio Senior Center 7 East 116th Street, NY NY 10035

*** Minutes ***

- Present: Adem Brija, Holley Drakeford, Brodie Enoch, LaShawn Henry, Alvin Johnson, Alex Kohen, Francis Mastrotta, Xiomara Pedraza, Theresa Richardson, Steven Villanueva, H. Candy Vives-Vasquez, Marie Winfield, Jonathan Winstone, Jesse Yang
- Excused: Beverly Alston, Vinny Torres, Jemar Ward
- Absent: none
- Guests: Amanda Ianatti, Sheldon Lobel; Kevin Parris, HPD; Lucian Reynolds, MBPO; Jeffrey Monteiro; Ray Totado, CVH; Jaritza Taveras, TPE; Ashley Peate, L&M; Spencer Orkus, L&M; Robert Anazagasti; Roberto Anazagasti; Roger Hernandez; Debbie Quiñones, CB11; Gabriel Hernandez, AM Rodriguez; Yasmin Corneilius, C&C; George Janes, CB11 Consultant

1. Call to Order – Adoption of Agenda

Motion to adopt the agenda by Henry, seconded by Brija and passed unanimously. The meeting commenced at 6:05 p.m.

2. Presentations & Discussions

- a. Continuing Discussion on Land Use Application, C160194ZMM, for *1968 Second Avenue Rezoning*

The initial presentation on this application was presented in the June meeting in greater detail.

Amanda Janatti provided a blueprint of the property which showed where the rezoning would occur. She explained that it is a very small rezoning. It is just extending the C1-5 overlay 55 feet into the mid-block of block 1673. This would legalize the existing Cherry Valley Supermarket.

It was asked if there were any 311 complaints due to the loading dock at the supermarket. Angel Mescain said he looked into it and there were no 311 complaints.

It is worth noting that nothing will change in terms of the operation of the supermarket. This application is simply to legalize what is already taking place at the site. The board had originally approved this when it came before them as a variance application for the BSA. However according to Ms. Vives-Vasquez, BSA instructed the applicant to go for a rezoning to the Department of City Planning instead.

If the application is approved the change will be permanent. Meaning it will allow the existing commercial use to continue, as well as any different future commercial uses.

It is also worth pointing out that this rezoning does not allow for any greater bulk to the site. So should the existing building be demolished and a new one put up, the new building would not be allowed to be built any bigger than currently allowed because of this zoning change. The application is simply for use, not bulk.

If the application got rejected during ULURP, the landlord would change the use from a supermarket to a community facility, because without the rezoning the supermarket could not continue to use the loading docks making the supermarket not a feasible option going forward.

Motion to approve land use application #C160194ZMM submitted by 1968 Second Avenue Realty LLC to amend zoning sectional map 6b to expand an existing C1-5 commercial overlay district onto an area, 1968 Second Avenue (Block 1673, Lots 1 and 6) at the corner of 101st Street, currently zoned R7A to facilitate the legalization of a long-standing supermarket.

Motion by L. Henry, seconded by F. Mastrotta and passed unanimously.

- b. Continuing Discussion on Land Use Application for *Lexington Gardens II* housing development

Raquiba LaBrie, Director of Community Investment at L+M presented on the local hiring plan for the *Lexington Gardens II* housing development. L+M provided a list of their track record in terms of local hiring. For virtually every project they are either on track to meet their local hiring goals, or have already exceeded them.

L+M surveyed some local sub-contractors to see how many of their employees were residents of CB11. The results based on their survey was that 5 percent of the employees live north of 96th street, and 1 percent are residents of CB11.

L+M is looking to do two things. One redefine local hiring. Meaning anyone hired who lives north of 96th street would be a local hire. Priority would still be given to CB 11 residents. Secondly they would double the number of local hires for development to 10 percent of the total employees. So 100 hires out of roughly a total of 1000 needed for the development.

L+M also asks CB11 for any help they can offer to meet the local hiring goal. If we have lists of any local subcontractors or lists of individual workers, if we could provide them to L+M.

Building Skills NY track record has been 80 placements over the past year and a half, with 60 percent retention. Also they seek to get people a new job placement once their existing one ends within 30 days of the end date of the previous job.

L+M also is planning to partner with Vincent Torres and Positive Workforce.

Building Skills and Positive Workforce are going to pilot a program at Positive Workforce at 125th street to provide advanced training in plumbing to workers currently employed on affordable sites and have gotten a positive reference from their employer.

L+M will provide OSHA training, 3 free classes for up to 30 residents.

L+M will pay a minimum of \$15.00 per hour with benefits or \$16.50 per hour without benefits.

Skilled workers will be vetted by Building Skills, and based on the vetting process will be hired and provided different levels of pay.

Post-Construction there will be jobs available with the management company. There will be 1 superintendent job at \$53,000 per year plus a free apartment, and 5 porter jobs at \$40,000 per year plus qualification for an apartment.

Any contract with subcontractors that is for \$500,000 or more the sub-contractors must post the new jobs on the HIRE NYC and Small Business Services website.

In terms of MBE's 15 percent of roughly a total of \$87 million in contracts will be awarded to them. 5 percent will be awarded to WBE's. And 1 percent will be awarded to local businesses.

Holly Drakeford expressed that we are only concerned with local hires within the zip codes of CB11. He asked L+M if what they were saying was that they would not be able to meet the original goals. Ms. LaBrie stated that based on L+M's surveys of subcontractors if they limited the scope of local hires to CB11 they wouldn't be able to meet the number of local hires we asked for. She also said if we could provide them with lists of CB11 residents who were qualified and wanted to work on the job they would hire them.

Spencer Orkus from L+M explained that the subcontractors already have existing workforces and can't simply go and hire only local residents for one specific job. What L+M does is build in a local hiring requirement into each of their sub-contracts. For example, if a sub-contractor is going to need 10 employees on the job they need to hire 1 local resident for the job as well. Another way they get local residents employed is by working with Positive Workforce to get people hired in security positions and entry level positions. With that said Mr. Orkus said even with that it is hard to achieve much more than 5-10 percent local hires for the job. If there are any subcontractors who can bid competitively and already have a good number of CB 11 residents employed L+M would love to prioritize them.

Ms. Vasquez asked if L+M could put out an advertisement in a local newspaper such as the Times, Daily News, or Post for jobs. She explained that there are skilled people in the

community who are out of work, not just people who are looking for security or entry-level positions.

Mr. Orkus explained that L+M is a general contractor so they hire very few individuals. They hire out a security firm which can bring in a lot of local hires. And they hire subcontractors who already have existing employees. He explained an ideal situation would be if they could get East Harlem based subcontractors who already employ a lot of East Harlem based residents, however they have not been able to identify many Harlem based subcontractors.

Brodie Enoch asked that the local hiring reflect the population in the community.

L+M also will in the BID qualifications they sent out to subcontractors, they are going to ask each bidder how many CB11 employees they can put on the site, so it incentivizes them to hire locally more to make their BID more competitive.

LaShawn Henry stated that the community board has lists of workers and subcontractors and that we can provide L+M with those lists, however L+M must provide support to their subcontractors so that they will be able to do the work, because some of our subcontractors are not ready for prime time. She further stated that we need subcontractors that bring our community together.

Marie Winfield said that Kevin Perris said he was unsure about whether there were possibilities of mitigating known effects regardless of whether they meet the SEQR threshold for further analysis. Ms. Winfield also expressed that after reviewing the Environmental Assessment there are many things that are concerning to her. She stated that George Janes also did an analysis specifically on school children generation and transportation. She further stated that based on the work Mr. Janes did for school children generation, that the SEQR analysis the numbers being used for the multiplier to see if there needs to be any mitigation are not accurate enough to come up with the right mitigation that provides our community that's living here now with the necessary infrastructure. She also stated that there are schools in the EAS that no longer exist. She also said what can be done besides a lawsuit (like the one brought on by the parents at PS 163 on the UWS) to get the real analysis and to find out what the real impact is on our environment, our transportation system, our school system, our childcare facilities etc.

Alvin Johnson asked how many of the units at Lexington Gardens II are going to be permanently affordable.

Kevin Perris stated that 30 percent of the residential units would be permanently affordable.

Spencer Orkus said it would be a minimum of 30 percent, by L+M was looking into doing more than that.

Adem Brija asked if the remaining Tahl Propp violations that had been discussed had been removed.

Tahl Propp responded that they said that by this meeting they would have removed 300 violations; they have removed about 325, which leaves about 100 violations spread out over 550 units currently.

Brodie Enoch commended Tahl Prop on the reducing the number of violations down to roughly 100 remaining, but expressed concerns that it takes a new development for them to go out and make these repairs.

Steven Villanueva asked if this is LEED project. The response was no. Mr. Villanueva further asked if there were any goals in that area.

Mr. Orkus responded that the project is applying for Enterprise Green Communities and NYSERDA has an energy efficiency program as well.

One question from the public was if there would be a social impact statement included for this project and every other project.

Gabriel Hernandez from AM Rodriguez's office asked if we got L+M the lists we have of local subcontractors would L+M be committed to hiring them? He also asked what was the best method to getting people to in CB11 to non-local subcontractors so that they may be hired for jobs?

Spencer Orkus responded for individual hires, anyone who is interested in working would apply through the Building Skills program.

Roberto Anazagasti Jr. asked if this was a non-union job and if there would be prevailing wages? Spencer Orkus replied that this was a non-union job and there would not be prevailing wages. He also asked if any sub-contractors had already been hired. L+M responded that no sub-contractors have been hired and construction would likely not start till the middle of next year. Mr. Anazagasti Jr. stated that it would be very easy to incorporate and add to the subcontractor's contracts a requirement that 10 percent of their employees on their jobs be locally hired.

Mr. Orkus responded that they are asking as part of the bidding process the bidders if they can commit to a certain number of local hires for the job and use it as part of their evaluation of the bidders.

The committee spoke about community outreach. They discussed making sure that the local residents and people directly effected by this project know about it. There was talk about creating a flier, as well as what may go on that flier. As well as how that flier may be disseminated to the public.

Alvin Johnson asked when the 70 percent of affordable units that are not permanently affordable would expire in terms of affordability, whether it was 20 or 30 years?

Spencer Orkus responded that it is an absolute minimum of 30 years. He said that it may end at up to 60 years on the low income units, and up to 40 years on the middle income units.

Motion to approve land use applications C160336ZMM, N160337ZRM, 160338ZSM, 160339ZSM and 160340HAM. To facilitate the construction of a new affordable housing development with 390 dwelling units on property comprised of Block 1635, Lots 1, 7 and 16 (Park Avenue, 108th Street, Lexington Avenue and 107th Street) the following land use actions are requested: zoning map amendments;

Urban Development Action Area Project (UDAAP) designation and project approval and disposition of city-owned property; Special permits; Zoning Text Amendment to apply the Mandatory Inclusionary Housing program.

Motion by L. Henry, seconded by A. Brija and passed with five opposed (Enoch, Johnson, Kohen, Richardson, Winfield).

3. Old Business
4. New Business
5. Announcements
 - a. Angel Mescaïn announced that EDC will release the scoping document for the 126th Street Bus Depot redevelopment site in mid-August and will host a public scoping session on September 27, 2016 (site tbd).
 - b. Gabriel Hernandez announced that the new shelter at 119th street which has been seemingly approved, is opposed by AM Rodriguez. AM Rodriguez is most likely coming to full board to discuss this. Opposition is due to the large number of shelters already in CB11. Mr. Hernandez came to hear the boards view on this new shelter. He wanted to know how this got approved without any board intervention and how we can prevent this from happening in the future.
 - c. Candy Vives-Vasquez announced that St. Paul Roman Catholic Church was designated as a landmark by the city's Landmarks Preservation Committee.
6. Adjournment

Motion to adjourn by Richardson, seconded by Mastrota and passed unanimously. The meeting was adjourned at 8:45 p.m.

Minutes prepared by Adem Brija