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**Testimony of Council Member Daniel R. Garodnick
On the Rezoning Application of the East River Realty Company
Before Manhattan Borough President Scott M. Stringer
Thursday, November 15, 2007**

Good evening Borough President Stringer, and thank you for the opportunity to testify this evening. As you know, the proposed rezoning application before you represents a major development that will, in any form, permanently alter the East Side of Manhattan. Accordingly, I thank you for holding this hearing, and for doing so in a location that is convenient for residents of the affected community.

I also thank you for your steadfast commitment to community-based planning. You have reinvigorated and professionalized the community boards, and have made a mark as a leader in the effort to promote responsible development.

My views on the proposal before you are widely known: We need residential development scaled to match the context of existing neighborhood. We need additional open space, with access to the waterfront, and parks that are not obscured by shadows. Of course, as a member of the New York City Council, I will have an opportunity to vote directly on this application.

Since I will have a direct say on this proposal, let me limit my testimony tonight. I will begin with a comment about process. I had the pleasure of reading the *New York Times* today. In an article about the developer and his plans for this area, his "heir apparent" within the company said of the proposal, "It's going to be exactly the way he wants it to happen. I don't ever see him taking anyone else's advice, or letting anyone stop what his overall vision is."

It is important to make clear that what the East River Realty Company owns is a nine-acre lot for manufacturing purposes. Unless and until the City elects to rezone these properties, there are no assurances that any new residential or commercial construction will take place. Regardless of any concessions the developer has already made, or the developer's own devotion to his vision, this Uniform Land Use Review Procedure is not

a rubber-stamp. It is neither a coronation, nor a predetermination. The community will have a say in this process, and its voice will be heard.

I should note that the community has its own professional and comprehensive plan to rezone this site in a way that limits the height and density of the buildings, and that takes into account the physical characteristics of the area today. These six blocks of First Avenue from 35th to 41st Streets lie in a residential neighborhood with scarce amounts of public open space. It is an area served by public transportation options that are already severely hampered by congestion and overcrowding. Students in the local public schools are being prepared for a cheek-by-jowl existence, as their classrooms currently have no seats to spare. It is easy to see how the ERRC's proposal — one that includes seven tremendous towers ranging from 47 to 69 stories, which would bring thousands of new residents and workers to the area — would put a stress on the existing resources, and how that stress would be felt far and wide.

Earlier this month, the ERRC took steps to address two concerns associated with this application: the absence of affordable housing, and the need for a new public school. The ERRC has committed to devote 20 percent of the floor area to permanently affordable housing in properties being upzoned, and to provide space large enough to house a school of some 650 students (as well as working with the City's School Construction Authority to achieve its construction). However, it is important to note that these commitments are but the first step. Without these conditions being satisfied, serious consideration of this application could not have taken place — but many other concerns remain, which must be resolved before we can approve this plan.

This community has very clearly articulated views on how this area should be developed. They are not inconsistent with the ERRC's proposal in kind — but in degree. The community wants development at this site, but it must be done in a way that will enhance, not overwhelm, the area and its infrastructure.

We will expect the East River Realty Company to come to this process open to the community's and to the Borough President's recommendations before the City Council makes its final determination.

Thank you again for the opportunity to testify tonight.