

Please vote yes on the Cullinane/Slotnick substitute motion.

Even the ARB's Consultant demonstrated his understanding of 60% of the first floor at ground level to mean what it says:

In the ARB hearing of Oct 2, 2023, the ARB's consultant was asked to give his insights after Mr Benson pointed out the Board had not settled for certain on 60%, saying that the Board had just received a letter from the Chamber of Commerce saying that 60% is not enough. Mr Revilak invited the ARB's consultant, and Mr Littell for his insights.

Mr. Littell then defends staying with 60% and not increasing it, saying:

..."our thinking is it works on bigger parcels and smaller parcels.... you have a 10,000 square foot building, that's 6000 sq feet, that's a lot...very few establishments can fill that.....you have a smaller parcel, let's say your footprint is 3000 sq feet, or 2000, it will **still give you** 1200, but you need space for 2 means of egress, elevators, lobbies, package room, mechanical," ALL THIS CLEARLY INDICATES HE IS THINKING WHAT THE WORDS SAY – 60% AT GROUND LEVEL.

Oct 2, 2023 <https://www.youtube.com/watch?v=KtCl5gUcoSk&t=11135s>

My second example is when the developer of 126 Broadway first applied for the permit approval, he explained that he was close to achieving the 60% required for a fifth floor with 0 setback. He was working on the understanding that 60% meant 60% - he had no prior knowledge that it meant something else, because its meaning was and is plain as day. The ARB then explained to him he could use their more relaxed standard.

This is basic: the law says what it says: 60% of the first floor at ground level. That perception was the common understanding on which this law was passed.

MY CONCLUSION IS: FEAR NOT. WE SHOULD HOLD THE LINE ON THE VOTED LAW, TO REQUIRE 60% COMMERCIAL TO BE GRANTED THE BONUS.

PLEASE VOTE YES ON THE CULLINANE/SLOTNICK SUBSTITUTE MOTION