

Community Board Ten Board Meeting Attendance
Shore Hill Community Room
Monday, January 23, 2012 – 7:15 pm

Board Members Present: 37

Greg Ahl
Liz Amato
Kevin Peter Carroll
Shirley Chin
Judith Collins
Doris Cruz
Ida D'Amelio
Anna DeMetz
Khader El-Yateem
Ann Falutico
Michael Festa
George Fontas
Andrew Gounardes
Ronald Gross
Robert Hudock
June Johnson
Katherine Khatari
Brian Kieran
Scott Klein
Stella Kokolis
Nikolaos Leonardos
Rita Meade
Mary Nolan
Eleanor Petty
Susan Pulaski
Mary Quinones
Dean Rasinya
Susan Romero
Dilia Schack
Eleanor Schiano
Joanne Seminara
Joseph Sokoloski
Lawrence Stelter
Sandy Vallas
Fran Vella-Marrone
Mary Ann Walsh
Lori Willis

Board Members Excused: 11

Allen Bortnick
Laura Caruso
Barbara Germack
Judith Grimaldi
Stephen Harrison
Habib Joudeh
Dino Lamia
Jeannie May
Rhea McCone
Husam Rimawi
Jean Ryan

Board Members Absent: 2

Michael Casale
Luigi Lobuglio

Ex-Officio:

Councilman Vincent Gentile

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COMMUNITY BOARD TEN GUESTS

Date: January 23, 2012, 7:15 PM

Subject: CB10 Board Meeting – Shore Hill Community Room

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THANK YOU.

Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Susan Tirotti			susantirotti@verizon.net	RESIDENT
Jacklyn Tirotti			jacklyntirotti@gmail.com	Resident
Richard Lobel	212 725 2727		rlobel@sheldonlobel.com	Attorney (1241 77th St)
Frank Relillo	212 227 1040		frankrelillo	Asst
Michelle Chambers Clerk of Assembly under Nicole Malachuk	(718) 987-0297		michelleschambers@gmail.com	OFFICE OF Assembly member Nicole Malachuk
Ray Riley				SEN. Golden
Angelo Licca	347 729 6000			
Christina Ferrara	917-533-1301			
Linda Lupia				Am Brook-Kranz
Joe Sell	718-630-5277		joe.sell@mail.house.gov	Rep. Grimm

COMMUNITY BOARD TEN GUESTS

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Andrew Olsen	347-556-7929		Aolsen@cityhall.nyc.gov	Mayor's Office
Asmi Fathelbab	646 6434870		asmifathelbab@gmail.com	Egyptian American Community Fund
Jumana Bishara, Tanoreen	718 7485600		tanoreen@gmail.com	Neighborhood Busin ess
Alism Kohler	718 6304721		alison.kohler1@us.army.mil	Fort Hamilton
ELISEE CHENDJOU	914-227-7924		ELICHEN23@YAHOO.COM	
LINDA ORLANDO	238 9135	238 9135	LINDORLANDO@aol.com	
Christine Gallo	718 836-7487		cgallo254@earthlink.net	
Elizabeth Liakos	(347) 276-2984		lizliakos@aim.com	
Stephen Maresca	(718) 748-0154		stevemaresca@yahoo.com	
PO Kirschner				68TH PCT

COMMUNITY BOARD TEN BOARD MEETING
January 23, 2012 – Shore Hill Community Room
MINUTES

Chair Seminara called the meeting to order at 7:20 PM and introduced Georgine Benvenuto, Founder/Curator of Gallery 364, to lead the Honor of the Pledge.

Chair Seminara invited Hon. Justice Matthew J. D’Emic to swear in officers for the 2012 term. He administered the Oath of Office to Brian J. Kieran, Vice Chair; Eleanor Schiano, Secretary; and Mary Ann Walsh, Treasurer.

Judge D’Emic then invited Chair Seminara to join him at the podium, at which time he administered the Oath of Office to her.

Chair Seminara asked for permission to amend the Agenda to have the first item be the Zoning and Land Use Committee report, as Committee Chair Falutico had to leave the meeting early for a personal matter. Chair Seminara asked for a motion from the floor to adopt the Agenda. Motion by BM Romero; second by BM Festa. Agenda adopted as amended.

PUBLIC HEARINGS

In the matter of an application from Tanoreen Caterers Inc., pursuant to Section 366-a(c) of the New York City Charter, of the grant of a new application for a revocable consent to operate under change of ownership an enclosed sidewalk café with 4-8 tables and 16 seats at 7523 3rd Avenue, Zoning and Land Use Committee Chair Falutico rendered the Committee report. See Attached. Discussion followed.

BM Stelter asked which agency approves this application and was informed that it is both City Planning and Consumer Affairs.

BM Romero asked if the new owner owns any other restaurants. The owner was present at the meeting and responded that she does not.

Chair Seminara noted there was a motion on the floor to approve this application. Motion second by BM Vella-Marrone.

Motion: CB 10 to recommend the approval of an application from Tanoreen Caterers Inc., pursuant to Section 366-a(c) of the New York City Charter, of the grant of a new application for a revocable consent to operate under change of ownership an enclosed sidewalk café with 4-8 tables and 16 seats at 7523 3rd Avenue. 36 in favor; 1 recusal – BM Stelter. Motion carried.

In the matter of Application #191-11-BZ to the Board of Standards and Appeals which seeks a special permit to allow the proposed enlargement of the existing residence at 1246 77th Street in an R4-1 District, Committee Chair Falutico rendered the Committee report. See Attached. She passed a photograph of the residence around the room, and invited Mr. Lobel, the applicant’s attorney, to briefly explain the application.

Chair Seminara noted that it is the recommendation of the Committee that this application for a special permit be approved. Motion second by BM Vallas.

Motion: CB 10 to approve BSA Application #191-11-BZ for a special permit to allow the proposed enlargement of the existing residence at 1246 77th Street in an R4-1 District. 36 in favor; 1 recusal – BM Stelter. Motion carried.

With regard to the Department of City Planning Zone Green Text Amendment, Committee Chair Falutico rendered the Committee report. See Attached. Discussion followed.

Chair Seminara asked for clarification on air conditioning condensing units being 18” from the side wall of the structure. Committee Chair Falutico replied that the Committee meant that the unit has to be within 18” of the house. This issue will be clarified further.

Chair Seminara asked for a second to the Committee’s recommendation that the Board endorse the Zone Green Text Amendment with the three stipulations. Motion second by BM Schack.

BM Vella-Marrone asked what would happen with the condensing unit if there were attached homes and/or a community drive. Committee Chair Falutico replied that currently for attached houses it is 8’ from the back or side. The constraints would be the same so this would not help that person.

With regard to rooftop greenhouses, BM Romero asked for clarification on the 25’ height. Committee Chair Falutico responded that by certification of the Chair of City Planning, the proposal is to allow greenhouses to be exempt from floor area and height limitations provided that it is located on top of a building that does not contain residences. These greenhouses must not exceed 25’ in height and must be set back 6’ from the roof edge. BM Romero said her concern is the 25’ height of the greenhouse glass and asked if there were regulations for that. Committee Chair Falutico said that there are regulations which would be set forth and enforced by the building code. The comfort is that no building that contains residences of any kind is eligible for these greenhouses.

BM Gross noted that the condensing units can hang off the rear wall or side wall and do not necessarily have to be on the ground.

BM Johnson feels that the turbines produce such a little amount of power and she would not like those ugly turbines on buildings in our neighborhood. Chair Seminara clarified that the buildings would have to be taller than 100’, which would be 10 floors.

BM Willis asked where the free standing turbines would be, and was informed that they would be in certain zones, commercial developments near the waterfront. Committee Chair Falutico noted that the Committee’s proposal was to change the height of the turbines from 55’ to 35’, and that they would be permissible by special permit only. Chair Seminara noted that this would give the Community Board a chance to review and weigh in on it.

BM Cruz asked how often special permits are denied. BM Festa asked if we know enough about turbines to make a recommendation. Chair Seminara stated that this has been certified and we have only 60 days in which to respond.

Chair Seminara noted that the recommendation was seconded by BM Schack, and called for a vote on the motion.

Motion: CB 10 to endorse the Zone Green Text Amendment with the following provisions:

- **Add definition of the term “wind turbine” structure adding limitations as to the diameter of the support structures (allowing diameter only as required for structural stability). Define further to ensure no accessory use within the support structure.**

- **Add more restriction on height of wind turbines, allowing freestanding wind turbines over 35' in height to be constructed only by Special Permit.**
- **With respect to permitted locations of AC condensing units:**
 - **In front yards, prohibit AC condensing units anywhere in the front yard (all residential zones and especially Bay Ridge Special District.)**
 - **In side yards, allow AC condensing units only within 18" of the side wall of the structure.**

34 in favor; 2 opposed – BM Johnson, BM D'Amelio; 1 recusal – BM Stelter. Motion carried.

Chair Seminara asked for a motion from the floor to adopt the Minutes from the December 19, 2011 Board Meeting. Motion by BM Klein; second by BM Rasinya. Minutes adopted as written.

PUBLIC SESSION

Chair Seminara invited Council Member Vincent Gentile to speak. The Councilman first congratulated the 2012 slate of officers and the newly appointed Chairs and said he looked forward to working with everyone.

Councilman Gentile announced that his staff, along with Senator Golden's staff and the Merchants of Third Avenue, is continuing to work on planning the Summer Streets proposal. The preliminary proposal was submitted to the Department of Transportation last month, and they are looking forward to discussing this proposal with the community in the next month or so.

The Councilman announced that this week legislation was passed to end the "gotcha parking tickets" in the City. One bill was passed that allows traffic agents to cancel tickets that they write immediately if they are presented with a muni-meter receipt within five minutes of the ticket being issued. The second bill that passed this week will stop late fees from being issued while a driver is appealing a ticket. The final bill will stop the City from placing those difficult to remove neon stickers on cars that indicate you might have been violating alternate side of the street parking.

Councilman Gentile announced that this week he and DM Beckmann would be meeting with Department of Transportation Commissioner Palmieri to talk about some DOT projects in the area including the loading zone at 93rd Street and 4th Avenue.

The Councilman noted that Borough President Markowitz has a task force in place working to beautify 4th Avenue all the way down to Bay Ridge. They have met several times and are now going to start meeting about the 4th Avenue portion of Bay Ridge. Since he will be unable to attend all the meetings, he has asked Eleanor Petty to be his representative on that task force with the Borough President.

The Councilman noted that recently while reading the legal notices page in the newspaper he noticed the name Mousa Khalil, who is one of the notorious developers in our neighborhood. Mr. Khalil owns up to 30 properties in Bay Ridge, many of which are vacant and deteriorating. The legal notice stated that eight of his properties in Bay Ridge were being foreclosed. Seven of the properties are 464 and 456 Ovington Avenue, 7910 4th Avenue, 225 77th Street, 7701 and 6815 Ridge Boulevard, and 166 82nd Street. It was a blanket mortgage for all of the properties. He noted that there are eight properties, however only seven were being foreclosed upon. The eighth property not being foreclosed upon is Mousa Khalil's Sunset Park plumbing business on 50th Street and 4th Avenue. The Councilman noted that this is a third mortgage that is going to foreclosure. This foreclosure had a \$2.3 Million lien on it. In order to bid that person would have to satisfy the lien and then deal with the second and first mortgages. Councilman Gentile had someone attend the auction last week and there were no bidders. The mortgage holder, Congregation Imrei Yehuda, bid \$1,000 on seven properties in Bay Ridge and they now have the title since there were no other bidders. Congregation Imrei Yehuda has a history in land speculation and mortgage lending. He has spoken with Chair Seminara and DM Beckmann about this issue, and they have

referred this to the Brooklyn DA's office. It troubles him that Mousa Khalil was able to keep his property, and the other properties went for \$1,000 each in Bay Ridge. He will keep us updated on this issue.

Joe Sell from Congressman Michael Grimm's office spoke about the Red Hook Container Terminal issue. A plan was put forth by U.S. Customs to eliminate inspections at the Red Hook Terminal, which would force cargo that requires inspection to be trucked through Brooklyn, across the Verrazano Bridge to Staten Island. Congressman Grimm has spoken out in disapproval of this plan because (1) it would put uninspected cargo on the streets of Brooklyn, Staten Island and across the bridge, and (2) it would give the Red Hook Terminal a competitive disadvantage and possibly lead to its going out of business and costing jobs. The latest update is that the Congressman went to the Red Hook Terminal and met with Customs officials on Friday and they decided to put a 90 day suspension of this decision in place to allow for further assessment of economic and security concerns. They are still working on this issue and it is high on Congressman Grimm's priority list.

Ray Riley from Senator Golden's office announced that the Senator will be providing free tax service for low income residents within the district. Starting the first Thursday in February, it will be every Thursday evening from 6:00 to 9:00 PM, and every Saturday morning from 9:00 AM to noon, through April 9th. He encouraged anyone interested to contact the Senator's office.

Eileen Kassab from the Dyker Public Library noted that people can track all the programs going on in all the Brooklyn Public Library branches on their website, www.brooklynpubliclibrary.org. Dyker Library received a Lifetime Arts Grant and they will have free workshops for choral singing beginning April 13th and running every Friday at 1:00 PM through June.

CHAIR'S REPORT – See Attached

DISTRICT MANAGER'S REPORT – See Attached

Chair Seminara announced that she has asked BM Hudock to be the Board's representative at the 4th Avenue Task Force meeting which will be held on February 13th. BM Stelter represented the Board at the last meeting.

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

POLICE AND PUBLIC SAFETY COMMITTEE

Committee Chair Fontas rendered the Committee report. See Attached. Discussion followed.

With regard to the SLA Transfer Application for 8214 Restaurant LLC, d/b/a Nouveau, 8214 3rd Avenue, Committee Chair Fontas noted that the Committee's recommendation is to deny this SLA application unless the following stipulations were agreed to, all of which the applicant agreed to:

- That the French doors on 3rd Avenue would close nightly at 10:00 PM
- That there would be no use of the alleyway behind the building
- They will have no DJ or live music
- Will not apply for a cabaret license
- Will only institute valet parking if they have an agreement with a location to park their cars
- Food service ends no earlier than one hour before closing

- They agree to come back to the Committee in the future if they decide to change the method of operation

Frank Palillo, representative for the applicant, was present at the meeting. Mr. Palillo thanked the Committee for the time they put into this application. Their only concern is about the stipulation that they will have no DJ, since they would like to have one employee who is able to control the music with the use of a computer. Committee Chair Fontas said that that is acceptable.

BM Romero felt it is irrelevant what form it takes to project the music and feels the issue is how loud the music gets, how long the music is playing, etc. Chair Seminara responded that there is a decibel level that all establishments must be under so it is regulated by the law. BM Romero asked what the difference is then between a DJ and computerized music. Committee Chair Fontas responded that they would have to abide by the law and what the Committee found is that live music and DJs are not generally restaurants, but are generally dancing establishments or night clubs which we are trying not to have at this site. He also noted that going back to Ibiza, the site had been very well soundproofed and there was an acoustic report done by Acoustalog which is a very well known acoustic engineer in the city, and the Board was very satisfied with that work.

BM Willis thought that there had been a stipulation that we were including Acoustalog's recommendations and that the applicant would abide by them. Committee Chair Fontas responded that he thought the stipulation was that they would try to institute Acoustalog's suggestions, and we could add that as a friendly amendment.

BM Willis made a motion to amend the resolution that a stipulation be added that the premise will only be a restaurant and no other type of venue. Chair Seminara noted that that is a restatement of what the applicant told us in regard to their method of operation, and asked if BM Willis wanted it stated permanently. BM Willis replied in the affirmative. Chair Seminara asked Committee Chair Fontas if he agreed with that, and his response was yes.

With regard to using a laptop to control the music, BM Willis noted that she recently was at a club where the DJ had a laptop and the music was extremely loud. She sees no difference in a DJ or laptop. BM Pulaski agreed, noting that she was at a similar event and the music was very loud from the laptop. Chair Seminara thought maybe we can get some clarification on that.

Angelo Licea, the owner, stated that a PC has nothing to do with noise, but it is the way the system is set up. They are not looking to blast the music. They want customers to come in to dine, have a good time, good ambiance, and a good environment with comfortable music. He stated that they had someone who specializes in noise and they will comply with whatever he puts in his report.

Chair Seminara noted that her only editorial comment having gone to several of these meetings is that most applicants do not do an acoustical study. She has seen the report from this company and we could add a stipulation that the applicant abides by the requirements of the acoustical study. The concern seems to be that the noise is contained or buffered or soundproofed.

BM Rasinya asked if the music was going to be controlled by the applicant and not a DJ, and was told that was correct. He feels this is OK for background music.

BM Kieran noted that the application itself said there would be no dancing and no dance floor, and asked if anyone from the community was present at the Committee meeting. Committee Chair Fontas replied that Bob Howe, head of Third Avenue Merchants, was present at the meeting and spoke in support of this application on behalf of the landlord. The landlord is a local resident who lives nearby and strongly asked us to support this application. BM Kieran asked if the landlord was a principal of the restaurant and was told he was not.

BM Pulaski asked if they will be using both floors and was told that they would.

BM Willis asked if the stipulation will remain that there will be no DJ and was told that it will.

Chair Seminara asked Committee Chair Fontas to repeat the motion. He stated that the motion is to accept the Committee's recommendation with regard to all stipulations mentioned, in addition to two friendly amendments which were that the premise would be operated only as a restaurant, and that they will follow the recommendations of Acoustalog. Chair Seminara noted that the recommendation of the Committee is to deny the application unless the stipulations are met. Mr. Palillo asked to insert that a DJ does not include an employee using a laptop, and Committee Chair Fontas agreed.

Motion: CB 10 to deny the new SLA Application for 8214 Restaurant LLC, d/b/a Nouveau, 8214 3rd Avenue unless the following stipulations are agreed to:

- **That the French doors on 3rd Avenue would close nightly at 10:00 PM**
- **That there would be no use of the alleyway behind the building**
- **They will have no DJ or live music (an employee may play music from a laptop)**
- **Will not apply for a cabaret license**
- **Will only institute valet parking if they have an agreement with a location to park their cars**
- **Food service ends no earlier than one hour before closing**
- **They agree to come back to the Committee in the future if they decide to change the method of operation**
- **They agree that the premise will only operate as a restaurant**
- **They agree to abide by the recommendations of an acoustical engineer**

All in favor. Motion carried.

Chair Seminara noted that the Committee recommendation given in Police and Public Safety Chair Fontas' report was to approve the SLA Transfer Application for Sun Wong Restaurant Inc., 6619 Fort Hamilton Parkway, which is primarily a take-out restaurant that wants to serve wine and beer on the premises. Motion seconded by BM Quinones.

Motion: CB 10 to approve the SLA Transfer Application for Sun Wong Restaurant Inc., 6619 Fort Hamilton Parkway. All in favor. Motion carried.

BY LAWS COMMITTEE

By Laws Committee Chair Fontas rendered the report. See Attached.

Chair Seminara noted there were two proposed changes and we would take them one at a time since they are very different. She asked Committee Chair Fontas to talk about the reason for the recommendation to separate the Parks Committee. Committee Chair Fontas noted the concern was that Parks deserved its own committee; that it may have been getting lost in the shuffle in the bigger committee. After discussion, the Committee decided that they would propose to separate the Parks Committee, give them their own chair and committee group.

Chair Seminara asked for a second to that recommendation. Second by BM Quinones. Discussion followed.

BM Cruz feels that this is appropriate because our capital and expenses budgets are 70% parks issues. Chair Seminara agreed that our top priorities are parks.

Motion: CB 10 to approve the Standing Committees to set forth a new Article 8.1 which separates our Communications and Public Relations Committee and our Parks Committee. All in favor. Motion carried.

Chair Seminara restated the proposed change in the timing of elections of officers, which would not affect her office or the newly elected officers. The thinking of the Committee was that if we install officers in June effective as of July 1st, that election would coincide with the fiscal year of the City of New York. It would also give the Chairs and new officers a chance to familiarize themselves with the workings of the Board and their agenda over the summer, rather than having to do it over the holiday month, December to January. Chair Seminara thought that this would affect the next Chair. Committee Chair Fontas responded that he thinks the way it is written in the By Laws Chair Seminara would serve an extra six months.

Chair Seminara asked for a second to the motion. Second by BM Quinones. Discussion followed.

BM Romero noted that this was a change that was made many years ago and asked why it was made and if there was a drawback. Chair Seminara responded that she did not know the reason it had been changed.

Motion: CB 10 to approve the Article VI, Section 6.2 change in officers' term to begin July 1st. All in favor. Motion carried.

OLD BUSINESS

NEW BUSINESS

BM Stelter noted that he attended a meeting in Manhattan of the New York Chapter of the American Institute of Architects which had a presentation on bike share. Transportation Commissioner Janette Sadik-Khan announced this new program of having bicycles to rent throughout the city, and said that the Community Boards will be given the choice of where these bicycle facilities will be. She also noted that it has widespread support.

BM Stelter also noted that last Thursday he attended a meeting in Community Board 7 on the 4th Avenue Task Force sponsored by the Borough President's office. They talked about changing the name of 4th Avenue to make it a highway. Also the plan that the Borough President had showed a rendering of 86th Street with an elevator and bus bays at 4th Avenue where the Staten Island buses come in. This will all be discussed further and there will be a lot of outreach regarding this issue.

BM Fontas said he noticed that at 66th Street and 3rd Avenue the sign over the street reads "Shore Road Drive" however on the street corner the sign reads "Shore Road". DM Beckmann stated that we will have that corrected.

BM Cruz stated that the signs at 95th Street and 4th and 5th Avenues are incorrect. DM Beckmann responded that she would bring this issue up at this week's meeting with Commissioner Palmieri.

Chair Seminara asked Board Members to check the Committee assignments as changes have been made, and she encouraged members to attend their Committee meetings.

BM Schiano made a motion to adjourn. With no further business, Chair Seminara adjourned the meeting at 8:55 PM.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

January 10, 2012 @7:00 pm

ZONING AND LAND USE SUBCOMMITTEE PRE-MEETING @ 6:30 pm

Attendees: See attachment

Item #1: Existing enclosed café at Tanoreen Caterers at 7523 3rd Avenue

Filed is for change of ownership, no other change.

See Minutes attached and prepared by Ron Gross, Chair Sub-Committee for Sidewalk Cafes

General ZALUC Meeting was called to order @ 7:00 pm.

Attendees: See attachment

Item #1 -Special Permit Review – 1246 77th Street Rear Extension

BSA Calendar #191-11 BZ

The application requests a Special Permit to allow the proposed rear enlargement of the existing residence. The residence is an attached brick one-family house with a driveway easement to the rear. The house has an existing one story extension. The two adjoining neighbors have two story extensions identical to the one proposed by this application and were erected legally under past zoning regulations. The applicant requests to add a Second story to her one story, thereby making it identical to the two adjoining neighbors.

Current regulations do not allow this additional floor area as of right.

Ms. Zerillo, the home owner, was present as was a representative from the office of her attorney Sheldon Lobel. Sufficient information as presented including drawings, statements and photos.

The Committee discussed the issue and felt that the enlargement would be in keeping with the character of the row of houses and did not impose negative impact on any neighbors.

Therefor the committee recommends that the Board vote in favor of the Special Permit.

Item #2 – Review and Comment on Proposed Green Text Amendment to the Zoning Resolution

This Zoning Text Amendment seeks to promote green buildings by removing zoning impediments to the construction and retrofitting of green buildings

Six Main Features of the proposal were discussed and are summarized herein. The rationales for the proposed changes were explained by Richard Jacobs in an informative power point presentation and also in the attached NYCPlanning Zone Green Text Amendment Summary Sheet.

The Six Main Features are as follows:

- 1. Energy Efficient Building Walls
Allow existing buildings to add exterior insulation within the property line while exempting it from floor area calculations and yard regulations.
- 2. Sun Control devices
Above the ground floor, allow sun control devices and awnings to project 2-6" over required open areas, but not 30% of the façade from which they project.
- 3. Solar Energy
Allow solar panels on flat roofs anywhere below the parapet regardless of building height. Taller solar installations would be subject to limits on roof coverage and height.
On sloping roofs, panels would be allowed to be float mounted at less than 18" high.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

January 10, 2012 @7:00 pm

- 4. Other Rooftop Equipment
Allow low lying features such as green roofs, recreational decks and skylight anywhere below the parapet, regardless of building height, Guard rails no more than 30% opaque would be allowed up to 3'6" above the top surface of the roof.
Greater volume would be allowed above the maximum building height to accommodate modern bulkheads with requirements for setback and screening of equipment.
- 5. Rooftop Greenhouses
Allow a greenhouse to be exempt from floor area and height limits (up to 25" and set back minimum of 6' from the roof edge) provided it is located on top of a building that does not contain residences or sleeping accommodations.
These would be by certification of the Chair of the City Planning Commission only.
- 6. Wind energy
On buildings taller than 100', a wind turbine assembly may rise up to 55' above the rooftop (including pole and rotor) providing it is set back at least 10 feet from any property line. In addition, free standing or building mounted turbines would be allowed in commercial development near the waterfront. Installations must follow all requirements from the Department of Buildings.

Committee was very receptive to this Text Amendment because it embraces new technologies and encourages positive action regarding our energy challenges. It further enables building owners to incorporate energy features without a zoning "sacrifice". The Committee felt that, overall, the changes in regulations would not result in a negative impact on our community. Committee recommends that the Board endorse the Green Text Amendment with the following provisions:

1. Add definition of the term "wind turbine" structure adding limitations as to the diameter of the support structures (allowing diameter only as required for structural stability).
Define further to ensure no accessory use within the support structure.
2. Add more restriction on height of wind turbines, allowing freestanding wind turbines over 35' in height to be construction only by Special Permit.
3. With respect to permitted locations of AC condensing units:
In front yards, prohibit AC condensing units anywhere in the front yard (all residential zones and especially Bay Ridge Special District.)
In side yards, allow AC condensing units only within 18" of the side wall of the structure.

Meeting was adjourned at 9:15 PM

Respectfully Submitted:

Ann Falutico, Committee Chair, Zoning and Land Use Committee



ZALUC Subcommittee for Outdoor Cafés

Meeting Minutes

January 10, 2012

Community Board 10 Offices – 7pm

The ZALUC Subcommittee for Outdoor Cafés met on 10-Jan-2012. A quorum **WAS** | **WAS NOT** met.

A **NEW** | **RENEWAL** application for an **ENCLOSED** | **UNENCLOSED** sidewalk café was discussed for 4-8 tables and 16 seats at Tanoreen Caterers, Inc. located at 7523 3rd Avenue. The Consumer Affairs License Number is 1360215.

The applicant **WAS** | **WAS NOT** present.

The Board has received no complaints regarding this establishment.

There were no proposed changes

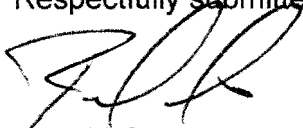
This is an amended application: DESCRIBE _____

Notes: This is a new Change of Ownership required modification.

After discussion, the committee voted **UNANIMOUSLY** | **2 TO 1** to **RECOMMEND** | **DENY** approval of the application for this café permit and thereby so moves.

After discussion, the committee's recommendation is to **SUPPORT** | **DENY** approval of the application for this café permit. As quorum was not met, a motion from the floor is required.

Respectfully submitted,



Ronald Gross
Chair, ZALUC Subcommittee for Outdoor Cafés

CONTINUED

Chair's Report
Community Board 10
January 23, 2012

Dear Board Members and guests:

Happy New Year. I look forward to chairing the Board this year and thank you for your confidence, cooperation and support as we install new Chairs of our committees. Every person I asked to chair a committee accepted with graciousness and I heartily ask all of you to attend committee meetings and support your new Chairs. I know each of them will look to the guidance of former Chairs and I suggest "new" and former Chairs reach out to one another so we can continue with the good ideas and programs we have started.


If you picked up the Bay Ridge Eagle of January 19, 2012 you will see two notable articles that speak to our very reasons for being here. You will note with sadness the illegal demolition of a grand Ridge Boulevard defining house at 7624 Ridge Boulevard which was demolished suddenly and as has been reported, illegally, with a permit. This is a shocking event; the "stop work" order is too little too late but we must find a way to make sure actions like this are deterred.

This article appears on the same page as another article in the same issue of the Bay Ridge Eagle which highlights the announcement that the Historic Districts Council (HDC) listed Bay Ridge as one of the six neighborhoods in New York City that merit preservation, praising the work of the Bay Ridge Conservancy. The HDC cited Bay Ridge for its "elegant row houses, Victorian-era mansions, and pre-war apartment buildings" which it said "combine with parks, vibrant commercial streets and impressive institutions to make Bay Ridge a quintessential New York City neighborhood." HDC is one of the leading New York City voices for historic preservation, serving over 500 neighborhood based community groups in all five boroughs.

Thank you, Paula Katinas for your skilled reporting and informative articles, and Heather Chin of the Home Reporter for the earlier article on the illegal demolition.

We know what we need to continue to protect and preserve our wonderful neighborhoods and acknowledging this honor is a good way to start the New Year as we re-dedicate ourselves to this cause as Community Board members.

Respectfully Submitted,


Joanne Seminara, Chair

DISTRICT MANAGER'S REPORT

January 23, 2012

Good Evening Board Members:

On behalf of the District Office staff, I would like to extend my congratulations and best wishes to our officers, Chairperson Joanne Seminara– Brian Kieran, Vice Chair, Mary Ann Walsh, Treasurer and Eleanor Schiano, Secretary. I would also like to send my well wishes to our outgoing chair – it was a pleasure working with you all.. and certainly best wishes to our new Committee Chairs and Parliamentarian. I look forward to another exciting and productive year at CB 10.

I attended the recent Fifth Avenue Business Improvement District meeting this month and learned about a new initiative called NYC Business Acceleration), a new initiative providing eligible new restaurants, bars, bakeries, and butcher shops a streamlined program to become "kitchen ready." NBAT transforms the way these new businesses deal with City government and get through some of the bureaucratic red tape. Information about this program is available on line for anyone interested.

I wanted to alert everyone to a change in signage in our community –and that is the extension of meter parking at 65th Street and Fort Hamilton Parkway. Metered parking is now in effect until 10pm and we have had a few calls from residents who were not aware of the change and received summonses.. I was not aware of the change.. so I am alerting you of the sign change.

I am also happy to let you know that the City Council passed a MOD this week that restores each Community Board's PEG of \$4,138 for FY12. Therefore, there will be no reduction for FY12; there is still a 6% cut for FY13. We are grateful to Council Member Gentile who works hard to advocate for our Community Board and the entire Council who made this restoration to our small agency.

Agency Announcements

NYC Parks Department has officially begun to recruit lifeguard candidates for our 2012 summer season. Parks lifeguards play a critical role in the city's 8 beaches and 54 outdoor pools. If you know anyone who may be interested information is available both on our website and at www.nyc.gov.

The Environmental Control Board has moved its Brooklyn Office to 9 Bond Street the 7th Floor.

On Monday, January 30, 2012 the New York City Department of Homeless Services will conduct its annual Homeless Outreach Population Estimate (HOPE). Thousands of volunteers are needed to canvass parks, subways and other public spaces to survey the number of people living unsheltered in the city. DHS is asking for volunteers to help collect vital information that is used by outreach teams to help homeless people leave the streets for a better life.

The next General Board Meeting for Community Board Ten will take place on Monday, February 27th 7:15PM at the Knights of Columbus 1305 86th Street.

Respectfully submitted,


Josephine Beckmann

District Manager

**COMMUNITY BOARD TEN
TREASURER'S REPORT**

Fiscal Year: July 1, 2011 to June 30, 2012

Budget Appropriation for FY 12	\$208,895.00
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	7/31/11	8/31/11	9/30/11	10/31/11	11/30/11	12/31/11	1/31/12	2/29/12	3/31/12	4/30/12	5/31/12	6/30/12	Y - T - D
DISTRICT MANAGER	\$7,564.74	\$7,564.74	\$7,564.74	\$7,564.74	\$11,347.11	\$7,564.74							
COMMUNITY COORDINATOR	\$4,596.66	\$4,596.66	\$4,596.66	\$4,596.66	\$6,894.99	\$4,596.66							
COMMUNITY ASSOCIATE	\$1,440.96	\$1,440.96	\$2,161.44	\$1,440.96	\$1,440.96	\$1,440.96							
COMMUNITY ASSISTANT													
Total Personal Services	\$13,602.36	\$13,602.36	\$14,322.84	\$13,602.36	\$19,683.06	\$13,602.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$88,415.34

ExpensesCode	Description	7/31/11	8/31/11	9/30/11	10/31/11	11/30/11	12/31/11	1/31/12	2/29/12	3/31/12	4/30/12	5/31/12	6/30/12	Y - T - D
10B	Telephone	191.70	187.35	188.99	190.06	189.23	186.52							
10X	Intra-City Supplies													
40B	Intra-City Telephone													
100	Supplies & Materials				135.62		243.85							
101	Printing Supplies													
117	Postage													
170	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office furniture													
315	Office Equipment													
319	Security Equipment	135.00		135.00			135.00							
552	Data Process Equipment													
537	Books													
462	Tel./Communications													
412	Rental/Misc./Equip	44.41	44.41	44.41	804.41	234.41	234.41							
417	Advertising													
431	Leasing Misc. Equip.													
451	Local travel expenditures				394.00		400.00							
602	Telecomm. Maintenance	21.70	21.70	21.70	21.70	21.70	21.70							
612	Office Equip. Maint.													
613	Data Process Equipment													
615	Printing Supplies													
622	Temporary Services-contractual		2,005.00			620.00								
624	Cleaning Services	160.00	160.00	160.00	160.00	160.00	160.00							
608	Iron Security Gate Maintenance													
676	Awning													
414	Water, Sewer, Utility													
Total Other than Personal Services		\$552.81	\$2,418.46	\$550.10	\$1,705.79	\$1,225.34	\$1,381.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,833.98

TOTAL PS AND OTPS EXPENSES	14,155.17	16,020.82	14,872.94	15,308.15	20,908.40	14,983.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	96,249.32
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TOTAL UNCUMBERED BUDGET BALANCE														\$110,645.68
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Respectfully submitted,



Mary Ann Walsh, Treasurer

The Police and Public Safety Committee met on January 18th to discuss 2 applications.

A transfer application for Sun Wong Restaurant Inc. at 6619 Ft. Hamilton Parkway was heard by the committee. This would be a transfer of a beer and wine application from the former Café Blue Ginger to the new owner that will operate a largely take out/delivery restaurant with seating for 30 on the premises. The committee saw no problems with this site and this application and approved it unanimously.

A new application for a full liquor license at 8214 3rd avenue, the former Level Lounge, and Ibiza Restaurant has been requested by 8214 Restaurant LLC doing business as Nouveau. Given the history of this site the committee asked a number of questions seeking to confirm that this location will operate as a restaurant as presented. The owner is the former manager of highly rated Kitti Chi Restaurant in Soho and intends on having seating for 58 at tables and 16 at bar stools located on the ground and basement levels.

The committee felt satisfied that the applicant intends to operate the venue as a restaurant but requested the following stipulations, all of which the applicant agreed to:

1. That the French doors on 3rd Avenue would close nightly at 10:00 pm.
2. That there would be no use of the alley way behind the building.
3. They will have no DJ or Live Music
4. Will not apply for a cabaret license
5. Will only institute valet parking if they have an agreement with a location to park their cars.
6. Food service ends no earlier than one hour before closing.
7. They agree to come back to the committee in the future if they decide to change the method of operation.

The Hours of Operation for this venue will be:

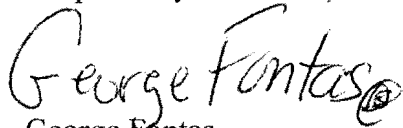
Monday and Tuesday: 4:00 PM - 2:00AM

Wednesday-Saturday: 4:00 PM - 3:30 AM

Sunday: 11:00 AM - 12:00 Midnight

The committee voted unanimously in favor of denying the application unless the stipulations are agreed to.

Respectfully submitted,



George Fontas

Police and Public Safety, Chair

Report by the By-laws Committee October 17, 2011. Chair, George M. Fontas

Committee met in quorum October 13, 2011

Committee voted unanimously to recommend the following changes to the Brooklyn Community Board 10 By-Laws

EXISTING BY-LAWS:

ARTICLE VI
Officers: Election, Succession, Resignation, and Removal

6.1 Officers

- (a) The Officers of the Board shall be:
 - 1. Chairperson
 - 2. Vice-Chairperson
 - 3. Secretary
 - 4. Treasurer
- (c) In the event the office of Vice-Chairperson, Treasurer, or Secretary becomes vacant, the Chairperson shall appoint a replacement until the next regular election.
- (b) Each officer shall be elected from the appointed members of the Board and shall serve for a one-year term commencing on January 1st and until a qualified successor is elected.
- (c) Officers shall not serve for more than three (3) consecutive terms in one office.

6.2 Election of Officers

- (a) At the Board's regular meeting in the month of October, the Chairperson shall designate a Nominating Committee consisting of five members of the Board, none of whom shall be currently serving as an officer of the Board, and shall designate one of their members to be the chairperson of said committee.
 - 1. The Nominating Committee shall meet within 10 days of the Board meeting in the month of October and as often as necessary thereafter in order to report to the Board at its meeting in the month of November. [Adopted 24 March 2008]
 - 2. At the Board meeting in the month of November, the Nominating Committee shall nominate only one candidate for each of the offices of

Chairperson, Vice-Chairperson, Treasurer, and Secretary. [Adopted 24 March 2008]

3. At the Board meeting in the month of November, the chairperson of the Nominating Committee must submit to the Board a brief written report outlining the process that the committee used to arrive at its nominations. [Adopted 24 March 2008]
- (b) Members may nominate additional candidates from the floor at the Board meeting in the month of November provided that each member nominated from the floor assents to his or her nomination. [Adopted 24 March 2008]
- (c) The election of officers shall take place each year at the regular meeting of the Board held in the month of December. There shall be no additional nominations at the December meeting unless there is no nominee for a particular office. [Adopted 15 October 2007]

AMENDED VERSION: CHANGES TO THE BYLAWS FOUND UNDERLINED AND TALICIZED

ARTICLE VI

Officers: Election, Succession, Resignation, and Removal

6.1 Officers

- (b) In the event the office of Vice-Chairperson, Treasurer, or Secretary becomes vacant, the Chairperson shall appoint a replacement until the next regular election.
- (c) Each officer shall be elected from the appointed members of the Board and shall serve for a one-year term commencing on July 1st and until a qualified successor is elected. Except in the case of an amendment to the dates when officers are to begin their term. In such situations the term shall be one-year plus the additional days to comply with the amended dates.
- (d) Officers shall not serve for more than three (3) consecutive terms in one office.

6.2 Election of Officers

- (a) At the Board's regular meeting in the month of April, the Chairperson shall designate a Nominating Committee consisting of five members of the Board, none of whom shall be currently serving as an officer of the Board, and shall designate one of their members to be the chairperson of said committee.

1. The Nominating Committee shall meet within 10 days of the Board meeting in the month of April and as often as necessary thereafter in order to report to the Board at its meeting in the month of May. [Adopted 24 March 2008]
 2. At the Board meeting in the month of May, the Nominating Committee shall nominate only one candidate for each of the offices of Chairperson, Vice-Chairperson, Treasurer, and Secretary. [Adopted 24 March 2008]
 3. At the Board meeting in the month of May, the chairperson of the Nominating Committee must submit to the Board a brief written report outlining the process that the committee used to arrive at its nominations. [Adopted 24 March 2008]
- (b) Members may nominate additional candidates from the floor at the Board meeting in the month of May provided that each member nominated from the floor assents to his or her nomination. [Adopted 24 March 2008]
- (c) The election of officers shall take place each year at the regular meeting of the Board held in the month of June. There shall be no additional nominations at the June meeting unless there is no nominee for a particular office. [Adopted 15 October 2007]

ARTICLE VIII Committees

8.1 Standing Committees

- | | |
|---|--|
| (a) Budget and Personnel | (e) Senior Issues, Housing, and Health and Welfare |
| (b) Environmental | (f) Traffic and Transportation |
| (c) Communications and Public Relations | (g) Youth Services, Education and Libraries |
| (d) Police and Public Safety | (h) Zoning and Land Use |
| | (i) <u>Parks</u> |

Three handwritten signatures in black ink, appearing to be initials or names, located below the list of committees.

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
LNMP&P Restaurant Corp., 9011 3 rd Avenue	1/18/12	Renewal
Tereus Café Inc., d/b/a Omonia Café, 7612/14 3 rd Avenue	1/18/12	Renewal
Cavan Garden Inc., d/b/a Three Jolly Pigeons, 6802 3 rd Avenue	1/19/12	Renewal
7525 Wild Rover Corp., d/b/a Bean Post Pub, 7525 5 th Avenue	1/19/12	Renewal
Saint Germain French Bistro LLC, 8303 3 rd Avenue	1/19/12	*Corporate Change
8318 Imperial Corp., d/b/a NGI, 8318 3 rd Avenue	1/19/12	Notice of 500' Hearing
Lonestar Bar & Grill, 8703 5 th Avenue	1/20/12	Renewal
Armand Dacordo or Entity to be formed, 8402 3 rd Avenue	1/20/12	*New Application (Liquor, Wine and Beer)
Ambe USA Inc., 6424 4 th Avenue	1/20/12	Renewal
Ponte Vecchio, 8808-8810 4 th Avenue	1/23/12	Renewal
Hinsch's, 8518 5 th Avenue	1/23/12	New Application (Liquor, Wine and Beer)
Killarney Pub, 6911 5 th Avenue	1/26/12	Renewal
Sirico's Catering Inc., 8015-17-23 13 th Avenue	1/26/12	Renewal
Secota Mano, Inc., 7312 13 th Avenue	1/26/12	Renewal
Gallery Social, 7915 3 rd Avenue	1/27/12	*Corporate Change
Rankin-Healy VFW Post #4785, 9312 4 th Avenue	1/27/12	Renewal
Something Greek LLC, 7616 3 rd Avenue	2/1/12	Renewal
KTB Corp., d/b/a Katty Bar, 8910 5 th Avenue	2/2/12	Notice of 500' Hearing
The Corner Kitchen and Bar Corp., 6725 5 th Avenue	2/3/12	*New Application (Liquor, Wine and Beer)
Areo Restaurant, 8422-8420 3 rd Avenue	2/9/12	Renewal

*Has been invited to present application at Police & Public Safety Committee Meeting in February 2012.