

**Community Board Ten Board Meeting Attendance
Norwegian Christian Home
Monday, November 17, 2014 – 7:15 pm**

Board Members Present: 44

Greg Ahl
Liz Amato
Jumana Bishara
Allen Bortnick
Kevin Peter Carroll
Judith Collins
Doris Cruz
Ida D'Amelio
Donna Mae DePola
Khader El-Yateem
Ann Falutico
Michael Festa
Barbara Germack
Judith Grimaldi
Ronald Gross
Stephen Harrison
Robert Hudock
June Johnson
Habib Joudeh
Brian Kaszuba
Katherine Khatari
Brian Kieran
Stella Kokolis
Nikolaos Leonardos
Nick Nikolopoulos
Mary Nolan
Adil Oualim
Susan Pulaski
Mary Quinones
Dean Rasinya
Husam Rimawi
Linda Sarsour
Dilia Schack
Eleanor Schiano
Joanne Seminara
Joseph Shaia
Joseph Sokoloski
Lawrence Stelter
Sandy Vallas
Brian Walsh
Mary Ann Walsh
Lori Willis
Tony Wu
Jonathan Yedin

Board Members Excused: 5

Jaynemie Capetanakis
Paul Cassone
Victoria Hervas-Castaneda
Shirley Chin
Rhea McCone

Board Members Absent: 1

Anna DeMetz

Ex-Officio:

Councilman Vincent Gentile

COMMUNITY BOARD TEN GUESTS

Date: November 17, 2014 – 7:15 PM

Subject: CB10 Board Meeting – Norwegian Christian Home

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THANK YOU.

Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
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Kirk TZANIDES	212 883-0004		kpt@tzanideslaw.com	Plato
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Olga Andriopoulos	918- 614-2505		olga@andriopoulos.com	Plato
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VASILIOS K. DANAS	(917) 569-9639		VASILIOS.DANAS@GMAIL.COM	PLATO
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Vincent Boehrino	846-705		MAREBOE@AOL.COM	KARP
Maria Marinelis	646 388 0240		mmarinelis@msn.com	PLATO
Sophia Mirones	917-669-5545		S5mirones@gmail	PLATO

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
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S. Christakos 1315 75th				
A. Paloumbis 1222 81st St.			hpixes@gmail.com	
G. Ardami 1138 85th				
C. Ardami 1138 85th				↓
Marulle Nataris 561-8257			michat@gmail.com	Plato
Bella Vasilopoulos	646 823 2211		bellatzen@gmail.com	Plato
Stacy Efthemiadis	(718) 745-5308		stacyadis@aol.com	Plato

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Maria Davomelos	347-307-7939		Mariad1103@gmail.com	Plato
Elaine Ruedke				
Marilyn King				
Eleni Kavagheorgiou				Plato
Tina Vellios				Plato
Latish Abstatua			eflatifi@hotmail.com	Plato
Gloria Mancini	718-331-2327		efwimancini@aol.com	Plato
DEAN KATSAROS	347-495-4995		kkatsarose@hotmail.com	92ND ST. RESIDENT/ PLATO
Vougiouklaki Eleni			alproswel_@hotmail.com	CB st. resident/ Plato
Nicholas Chamtras			nacedprofessional@gmail.com	Assembly member Nicole Hallsotabos

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
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Katherine Nonukos	7187451824			

Geroulanos

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
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Bazi/Capitanis	917 748-7122			Past Member
Chris Tzavelis	917 596 9105		Chris@Tzavelis	-
Ruios Lami	718 833 0973			

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
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George Stavropoulos 979-83rd St, BKlyn, NY 11278			stavtwins@gmail.com	
Tina Sofos 232-54th Street 11209	347-529-9759		gwisecoandao1	
John Quaghone	718 238-6044	718 238 6170	quaghone@nyenate.gov	
Christina Geradinos	917-232-4357		cmgsta10@aol.com	Plato
Frieda Antonakopoulou	347 721 2236			neighbor Plato
Peter Karavinos	718 833 3461		pekavinos@gmail.com	DYKER Resident & parent
Soulia Schreier			SULAT@VERIZON.NET	DYKER Resident Past student

COMMUNITY BOARD TEN BOARD MEETING
November 17, 2014 – Norwegian Christian Home
MINUTES

Chair Kieran called the meeting to order at 7:25 PM and invited Donna Mae DePola, President and CEO of the Resource Training Center, to lead the Honor of the Pledge.

Chair Kieran gave a special thank you to Jim and Mary Beth Lamond who organized a food drive for the St. Vincent de Paul Society at St. Patricks in memory of former Board Member Helen Sokoloski. He then reminded everyone that there will be a traffic policy and planning meeting at Borough Hall tomorrow evening at 6:00 PM.

Council Member Vincent Gentile introduced new Board Member Donna Mae DePola. He also thanked the Board Members for their food drive contributions. He announced that he is sponsoring a Veterans Food Drive in coordination with the City Council from November 10th to November 20th. Non-perishable food donations can be dropped off at his district office, 8018 5th Avenue.

The Councilman announced that he introduced a resolution calling on Congress to pass legislation that would allow states and localities to grant disabled veterans access to the High Occupancy Vehicle (HOV) lanes throughout the City of New York.

Councilman Gentile noted that the 86th Street Dyker Park dog run has reopened following the refurbishment. There will be an opening ceremony on Tuesday, November 25th. He also noted that this was the first year having the Eco Dock in use. It is now closed for the season, but will reopen in May. The Councilman noted that the success of the Eco Dock this year was due in large part to the advocacy of Board Member June Johnson, who is the Chair of the Parks Committee. She has done a tremendous job advocating for the Eco Dock, and he presented her with a Citation with the Official Seal of the City of New York to thank her for her efforts.

The Councilman announced that last week City Council passed a law that gives the Department of Sanitation the power to immediately remove the illegal clothing bins from public property instead of waiting 30 days. First time violators will face a \$250 fine, with subsequent fines being \$500 and above. These bins are unsafe and unsightly and many of the donations are sold.

With regard to some of the police bills that were introduced in City Council that handcuffs police or takes away some of their discretion in doing their job, Councilman Gentile announced that he will not be supporting those bills.

Finally, the Councilman noted that tonight the Board has an important decision and vote regarding the BSA variance application for 670 92nd Street. He thanked the Committee for their work and Committee Chair Falutico for her leadership. He will have his say on this matter when the application gets to the Board of Standards and Appeals, but he wanted the Board to keep in mind several things during the discussion and in deciding their vote. Remember the zoning changes over the years that this Board has made. Keep in mind the concerns expressed by the community surrounding 670 92nd Street. Keep in mind the ways that the applicant has worked to revise their plans several times over in an attempt to respond to those concerns. Consider that the members of the Committee have the most knowledge of the application because it has been talked about for many, many hours on end, so it is good to hear from as many of them as possible tonight before you vote. But most of all, just remember that this application was approached in good faith by the residents, by the Greek School of Plato as the applicants, and certainly by the diligent members of Community Board Ten. It has been a good faith effort on all sides of this controversy.

Chair Kieran asked for a motion from the floor to adopt the amended Agenda. Motion by BM Vallas, seconded by BM Joudeh. Agenda adopted as amended.

Chair Kieran asked for a motion from the floor to adopt the Minutes from the October 20, 2014 Board Meeting. Motion by BM Rasinya, seconded by BM Joudeh. Minutes adopted as written.

PUBLIC SESSION

Nicholas Chamberas announced that Assembly Member Nicole Malliotakis has been re-elected and there is a lot of work to be done. Today is the first day to apply for the Home Energy Assistance Program (HEAP), which is a federally funded program, administered by the State. Homeowners interested in applying can contact their office at 718-987-0197 or by calling 311 with any questions. The financial guidelines for eligibility are for one person household \$2,194, two person household \$2,869, three person household \$3,544, and four person household \$4,219.

With regard to the Greek School of Plato variance application, he noted that obviously this issue has prompted passionate responses from both sides. The residents in the area have expressed legitimate concerns. The Greek School of Plato looks forward to being a good and positive neighbor and has worked in good faith. The Assemblywoman hopes that tonight during the public session we can come to an understanding that will address the concerns of the residents and allow this worthwhile project to continue moving forward.

Nicholas announced the Annual Christmas Toy Drive being organized by Assembly Member Malliotakis from November 28th through December 21st. The two drop off locations for new unwrapped toys are Salam Arabic Lutheran Church at 414 80th Street, and Holy Cross Greek Orthodox Church at 8401 Ridge Boulevard.

Bob Hudock announced that the Harbor Ring group is having a party for the 50th anniversary of the Verrazano Narrows Bridge at Yellow Hook, 3rd Avenue and 70th Street, on Thursday, November 20th at 7:30 PM. Councilman Gentile and John Quaglione from Senator Golden's office will be there.

Bob Cassara spoke about the illegal conversions of one and two family homes into SRO multi-family units. They have formed the Brooklyn Housing Preservation Alliance which has gotten over 2,700 petition signatures against the illegal conversions. They need more people to go to their website and post about illegal conversions. Most of the comments they are seeing on the website are about the safety issues for both residents and first responders, about how it is destroying our community, creating large amounts of trash, and overcrowding our schools. This week Max Jaeger of Courier Life did an article showing the correlation between illegal conversions in Dyker Heights and how schools in that area are overcrowded. On November 11th, the New York Times reported that a landlord just pled guilty to illegally converting the building where five immigrants were killed in a fire in 2010. He was fined \$80,000, is going to prison for 1-3 years, and was also fined another \$1 Million for another issue. There will be a Town Hall meeting in January, date to be announced, in cooperation with the Dyker Heights Civic Association.

Larry Morrish announced that Assembly Member Felix Ortiz has been helping the St. Nicholas Home. He wants the business community to recognize that he will be meeting with them. He is very happy to be supporting Donna Mae DePola's center and thanks to Assembly Member Ortiz they will have a van to transport people from Bay Ridge to the main center. Finally, Larry stated that he was at Fort Hamilton today and it was overcrowded with reservists and the National Guard. Unfortunately, units will be shipped to Afghanistan before the month is out. The Assemblyman is going to be on the base before they leave obtaining the food. The base thanks everyone for their support. They need everything they can get. The base is at full capacity and we are going to do our part to take good care of those who are serving us.

Andrew Gounardes from Borough President Eric Adams' office announced that tomorrow they will have a forum with DOT officials at 6:00 PM at Borough Hall. It is part of The City Speaks series where they are bringing city agencies to speak with constituents. They are also having a MetroCard van on Wednesday from 12:00-3:00 PM. This Friday they are offering free flu shots from 11:00 AM to 2:00 PM. He noted that copies

of the Borough President's Newsletter, Message of the Month, are on the rear table. Andrew stated that there was an article in last week's paper about manuscripts from Italy that were written by St. Francis of Assisi 700 years ago and have not left Italy in 700 years. They just learned that they are coming to Brooklyn in two weeks.

Finally, he invited everyone to the next meeting of the Bay Ridge Historical Society which will be on Wednesday at 7:30 PM at Shore Hill. It will be on the life and times of Enrico Caruso, who performed at the Brooklyn Academy of Music in 1920. He added that there is an Enrico Caruso Museum in Sheepshead Bay.

PUBLIC HEARING

Zoning and Land Use Committee Chair Falutico rendered the Committee report regarding the BSA Special Permit for 8008 Harbor View Terrace. See attached.

With regard to the BSA Special Permit Application for 8008 Harbor View Terrace, it was noted that the Committee's recommendation was to approve the application as submitted, pending confirmation that the front yard elements including the size and location of the curb cut, the increased width of the garage doors to permit a two-car garage and the reduction of green space are all as-of-right components of the project. Committee Chair Falutico noted that Michael Nacmias brought statements this evening in the form of a letter from the architect who confirms in great detail that all those elements are in fact as-of-right. Discussion followed.

Chair Kieran asked if the Committee met in quorum and was told that it did. BM Harrison asked for the name of the applicant and was told that the applicant is Peter Haskopoulous.

Motion: CB10 to approve the BSA Special Permit Application for 8008 Harbor View Terrace for legalization of an enlargement at the rear of the second floor of an existing two story dwelling in an R-2 residential zoning district contrary to side yard and floor area requirements, Calendar No. 239-14-BZ, pending confirmation that the front yard elements including the size and location of the curb cut, the increased width of the garage doors to permit a two-car garage and the reduction of green space are all as-of-right components of the project. 43 in favor; 1 recusal – BM Stelter. Motion carried.

With regard to the BSA Variance Application at 670 92nd Street, Chair Kieran stated that several people signed up to speak on this topic. He will try to have one person speak in support of the project and one person speak in opposition, as they indicated on the form.

Kirk Tzanides, general counsel for the Greek School of Plato, wanted to correct any misunderstanding. He does not want anyone here to misunderstand their passion for the school as some sort of conflict or adversarial relationship with the community. They see themselves as part of this community. For the record he stated that the Greek School submitted over 1,000 signatures from residents in Community Board Ten and also 60 – 70 letters from residents who live in and around the radius of Battery Avenue where hopefully their future home will be. They also have letters of support from former Borough President Marty Markowitz along with many elected officials. The Greek School has a track record in this community and they would never do anything that would in any way not take into consideration the concerns of the neighborhood immediately around the school and in and around the Bay Ridge community. People are taking a stand to keep this valuable institution in our community.

Sandra Casatelli, who lives across the street from 670 92nd Street, spoke in opposition of the variance. She asked what their five year plan is for the school regarding the number of students, Universal Pre-K, and activities that would have an impact on the people who live in the direct area. Also, at the first meeting someone stated that the school has always been a good neighbor. However, they purchased this property in July 2013 and during the terrible snow storms last year not once was the sidewalk of the property shoveled nor was ice melt put down. During the summer weeds grew up past the fenceline. Just before the October meeting

suddenly the front was cleaned up. Her question is if they treated the property like that for 1 ½ years, what is going to happen in the future.

Dr. Spiro Demetis, speaking in support of the school, stated that the Greek School of Plato used to own a building that operated as a school in 1978 which was located at 78th Street and 3rd Avenue. There were never any major issues. This school would only be used by the students between 3:30 – 5:30 PM. They have never on any occasion leased any of their space for any other use during the day. He is a physician who has an office on 90th Street and Fort Hamilton Parkway. On a busy day they may see 150 patients a day. This location we are speaking of is a former doctor's office where there were hundreds of patients a day looking for parking. This is not the issue with the proposed school as they have 10 – 14 members who would be dropping off and picking up their children between 3:30 and 5:30 PM.

Victoria Hofmo spoke in opposition of the variance, saying her concern is the height of the building because we fought painstakingly for ten years to get zoning changes. She is on the board of the Lutheran school where the Greek School currently rents space and she does not see a problem with that. We should consider the neighbors, and their concerns about the height. She hopes the neighbors' concerns will be taken into consideration and the height will be reduced.

Alexander Hatzakis spoke about the importance of maintaining quality instruction and the needs necessitated by class size and the ability to provide direct instructive support. The school has made several concessions in trying to accommodate for the height, but that has all been for the purpose of maintaining class size in an environment that allows for students of varying instructional levels to receive the services they need. As we shave the building down we lose that quality of instruction, class size, and the student/teacher ratio that makes it possible for students to learn the language to speak to their loved ones. This organization has done a lot to instill service in the students and members. They have added to the character of this community and they look forward to this community deriving as much value as their small community does from this institution.

Elaine O'Rourke said she has no problem with the people coming into their neighborhood; it is the height of the building and more traffic coming into the area that she is concerned about. Poly Prep has 800 students and next to that is a medical building that has double parked cars picking up patients. They have exits from the Verrazano Bridge in both directions. She would like them to make it a smaller building so there will not be so many children being picked up. They have to consider the danger for the children and senior citizens crossing the street.

Vasilios Danas, President of the Greek School of Plato, said he began his comments last time by addressing many of the community's concerns and their willingness to work within the confines of the community. He thinks they have addressed the concerns regarding traffic and parking, in that theirs is an afterschool program and drop-offs are very quick and the student body is very small. Regarding "character of the neighborhood" it is his belief that the character of the community is not predicated on the height of the building, but on the quality and caliber of citizens it produces, and the Greek School of Plato has produced great citizens for over 40 years. They have shown their commitment and have tried to work with the community's concerns and have come back with many concessions and are willing to continue to work with the community to see that we can all co-exist peacefully. He asked Board Members to please vote in favor of the variance.

Salim Neame said his family came here in 1979 and he has lived in Bay Ridge 30 out of the last 35 years. This has nothing to do with being Greek. The size of the building proposed is twice the size of surrounding buildings and does not maintain the character of the neighborhood. If saying no for the as-of-right size in that spot means we are saying no to your school, then there is something wrong with the choice of the lot. He would do anything he can to pick a spot that allows you to build your school as needed and still meet the character of the community. They already have a building at 110 Battery Avenue that does not fit the neighborhood. He feels it is a quality of life issue for the people living directly around it.

Mary Roros spoke in support of the school saying that from the day her daughter started at the Greek School she learned what her second family is. That sense of family is why they are all here today, and that sense of family is why they will be wonderful neighbors. She understands the residents' concerns but feels they are adding something good to the neighborhood.

Margaret LiCausi said that she bought her house on Battery Avenue 45 years ago because it was a private block. Now there is one condo building on the block which is completely out of place and now they want to put up another large building. They want the children to have the best and feel they should find something that is suitable. It has nothing to do with the Greek School; it is just very out of place. She hopes the Board will vote against this.

Ted Pavlounis, past president of the American Hellenic Education Progressive Association, Brooklyn Chapter 41, noted they have over 200 families in that chapter, the majority of which come from the Bay Ridge and Dyker Heights area. He has been associated with the Greek School of Plato for over 10 years, and he opened up a business on 13th Avenue. He stated that the Greek School of Plato has the very best interest at heart. They want to continue to provide world class education of Greek culture, language and dance to anyone in the community who desires to learn. The Greek School is made up of members of this great community and they are part of the very fabric that makes this community. They live and work in the community and come from all walks of life. Over the course of this process the Greek School has listened to the concerns of those in the area of the building site and has tried to make every effort to find a solution that will work for all those involved. After all the concessions, the school finds itself in the position where it cannot concede any more. To do so would make the school building and their dream impractical. Therefore the ultimate future of the school and its children rests in the Board's hands.

Lawrence Tom spoke in opposition of the variance saying the proposed building is four stories plus a rooftop play area, a five-story building, located on a two-story landscape. He believes it is substantially out of character for the neighborhood. Asking for an additional floor is essentially asking for a 33% increase of as-of-right height, which is unreasonable and not supported by representation of the school size that they indicated. 92nd Street is already overwhelmed by traffic and noise problems; it cannot shoulder an additional burden. The residents' properties will suffer a detrimental devastating effect. He believes it is unwarranted. He asked the Board to remember that approving this variance would place more importance on granting additional rights than preserving existing rights. It should not be our neighborhood's responsibility to change; it should be the school's responsibility to fit in. He asked the committee to ponder why this property was purchased if it was not suited to their needs.

Michael Skountzos, a graduate of the Greek School of Plato, noted this is the third public meeting regarding the school building. They have listened to the neighbors and understand their concerns, and have done their best to address them. At the first meeting they were asked about their day school and clearly told them that they are an afternoon Greek School program. Residents had questions regarding day care center or universal pre-k and were told it is not a universal pre-k. At the last meeting Board Members had concerns about the building height. They tried to concede and came up with certain setbacks of the parapet and certain slopes to increase the site lines. The Greek School of Plato has tried its best to address all the concerns and they are trying to be a good neighbor. They also have no problem entertaining the idea of privacy screening on the rooftop. With regard to the cleanup of the building previously mentioned, he responded that they actually had to deal with a homeless person who was living in the back alley in the abandoned medical building. He and two fellow board members of the Greek School tried to clean him up and get him out of there, and they did that. He summed up by saying this is a public meeting, we are all entitled to our opinions, and we will disagree. This is the fundamental basis of democracy. They believe the Board Members will do the right thing for the Greek School of Plato.

David Pare is opposed to this variance for the following reasons. 92nd Street is a unique location, with a dead end, surrounded by the Bridge, a hospital and medical buildings. With the addition of more traffic, more trash and a towering structure at that location they will be closed in. They already have large condos that recently

went up at 185 and 118 Battery Avenue. He noted that there were a lot of people present at tonight's meeting who are rallying hard and forcing this. The fact is the school is not zoned for that spot. Finally, he noted there is no grid pattern around his block. Putting that school there closes them in and creates a hardship for people who live there.

Jordan Most, the applicant's representative from the law office of Sheldon Lobel, feels the two primary issues are the traffic that might be generated by the school and the height of the building. With respect to the traffic, he noted that the students are spread out throughout the week. The weekdays are fairly lightly attended after school programs with up to a maximum of 25 students on a Monday or Wednesday, which would be about 10 cars. It is not like a medical office that would have activity throughout the day; this is activity that is focused at 3:30 to 3:45 PM and again at 5:30 to 6:00 PM. They are also happy to include a drop-off spot on 92nd Street which might cost a couple of parking spaces but it might alleviate some of the double parking.

The other issue is obviously the height and he wanted to make clear that this proposed building is about 10-12 feet higher than the as-of-right zoning. The as-of-right building does not work for the Greek School because it is a shallow lot and is difficult to build on to accommodate classrooms and workable and economical floors. Most important is that the Greek School has made several important concessions, one being they pulled the building back on the play space and fourth floor so that there is a 10' set back area. The back of the building would be pulled forward so there would be three stories at the rear lot line rather than four stories and a play space. At the front of the building they also propose to pull back the two bulkheads and the play space fencing so that those elements are not visible from the street. That will alleviate some of the visual impact that one would experience when they walk down 92nd Street.

Zoning and Land Use Committee Chair Falutico then rendered the Committee report regarding the BSA Variance Application for 670 92nd Street. See attached. Discussion followed.

Chair Kieran asked for clarification on the parking waiver. Committee Chair Falutico said that Mr. Most has assured the Committee that the functioning of this community facility is so close to a school in spirit that he is confident the waiver will be granted. It has not been granted and she does not know how close or far they are from receiving that waiver, but if that waiver were not received, there would be another element to the variance to have a waiver for the parking. Chair Kieran asked if there is an artist's rendering of what it will look like and was told there are plans that are not concept drawings but they do describe their intention. Mr. Most displayed boards depicting the project.

BM Harrison asked for parliamentary procedure and Chair Kieran replied that questions could be directed to him and they can sidestep some of the niceties to get to the heart of the issue. BM Bortnick asked what the size of the base of the building is. Chair Kieran said that before we go to questions on the proposal it was pointed out that we do not have a motion right now. He asked from a motion from the floor so we have something to consider. As a point of order, BM Harrison said the problem he is having that it is the first time he has seen a variance of this type in which we have no presentation from the applicant with respect to what the plan is. How can anyone here vote on it without hearing from Mr. Most as to what the plan is. Chair Kieran asked if he was making a motion to have Mr. Most complete his presentation. BM Harrison said he did not think it was a presentation, just part of the Public Session, and at this point they need to have a presentation on what they are voting on. Motion seconded by BM Bortnick.

Motion: Mr. Most to give a presentation regarding the proposed plans for the BSA Variance Application for 670 92nd Street.

43 in favor; 1 recusal – BM Stelter. Motion carried.

BM Kokolis asked that Mr. Most explain it in a simple way. Mr. Most stated that the lot is 70' wide, 70' deep and 60' deep as it is not perfectly rectangular. He wanted to focus on what happened at the Committee meetings and make some clarifications in response to these very specific concerns about the height of the

building and the nature of the waivers. There are a number of waivers being sought and the more significant waivers are the building height, the front wall height, and the rear yard. The other waivers being sought really are relatively minor. For instance, the front yard waiver being sought is only for a small portion of the first floor lobby so that all the rest of the building and most of the first floor are complying with the front yard requirements. The side yard requirements which are 8' for the most part also comply. The maximum FAR that is permitted here is 2.0 and they are seeking 2.35.

Regarding wall height, the building has bulkheads which are enclosures for the stairs in the building which need to be in the front of the building. This creates additional perceived wall height above the floor of the roof. The front wall continues up another 10' which gives it the additional partial appearance in the front of another story. In response to that concern, they will modify the bulkheads as best they can. They cannot pull it back because the stairs will get in the way of other spaces in the building. They will pull the bulkhead back so there is only a short parapet wall at the top of the roof and the stair bulkhead will have a slanted effect, which will pull back the top floor height so it is not visible from the street.

With respect to the rear yard concern, the building could cover basically the same amount of the lot up to and through the first story. Here they are extending the second, third and fourth floors originally all the way to the rear lot line. The right portion of the building extends farther back than the left side of the building. The left side abuts the Poly Prep campus and a garage building on the Poly Prep campus. The right side of the building extends 10' farther back and meets up with the rear yard of a residential property. As the building sits today along that property line it is built to the lot line, which could remain. They are proposing now not to build a fourth story and play roof back there, and have pulled that back 10' to soften the impact on the rear lot line with respect to that adjacent property. Those are the two primary changes that they place before the Board as building concessions designed to reduce the impact.

In response to the question on why they chose that site, Mr. Most responded that one of the reasons is because a wide street is better able to handle a number of things, one of which is a taller building, and secondly the traffic issues. Across the street is at least a six plus story building at the corner of Parrott Place and 92nd Street. There is a four-story building on Parrott Place. The building to the west of this site is a two-story medical office building, and to the east is the enormous Poly Prep campus. He would suggest that from a character perspective there are not a lot of buildings in the immediate vicinity that are impacted by this building which is not that much larger than what is permitted as-of-right and has already shown some concessions.

Mr. Most stated that this was the first Committee motion which the Greek School is ready to do. The second Committee motion that was suggested was a 13' push back in the front and another floor in the rear that would come out. It would be a farther forward reduction and taking out more of what would be the third floor. This elimination would extend out one more floor. The problem they have with this is that it really pinches the fourth floor and makes it a difficult space to use. It also requires moving the stairs and has dramatic design implications for the interior of the building. They think this would actually create a view or sight line where you would actually see the taller portions of the building. In the other scenario you wind up seeing less of the taller portions. This constrains the number of classrooms the Greek School winds up with. Right now they are working out of 12 classrooms at Lutheran Elementary School, and here the proposal calls for 15 classrooms.

BM Kokolis said the bottom line is that this is a school. The Greek population of Bay Ridge is an American population. The opposition she hears is very much less than the benefits this school would bring to the community. There should not be this commotion. They educate students, we need that. The people there are going to offer services, they are going to help and educate.

Spiro Geroulanos, Chairman of the Building Committee for the Green School of Plato, stated that their school operates from Pre-K to 9th grade, and Saturdays are when they need the majority of the space. They currently use 12 classrooms at Lutheran Elementary School and they are busting at the seams. The classrooms they are proposing are very small classrooms, maximum of 15 children. Their goal was to get 18 classrooms to meet the

needs of the school at the 15 classroom size because they have more than 15 children in many classrooms. In addition they now have the issue of second and third generation where they have a different level of where they are at and cannot be put in the same classroom. They are also seeing demands from the American schools and their extracurricular activities which causing Saturdays to be the only time they can educate these kids because they are busy on weekdays. Saturday's traffic is the least. They requested 16 classrooms and made a concession to lose one classroom on the fourth floor. If they were to shrink the fourth floor or take away the third floor, the fourth floor would basically become useless, and he has the architect's letter stating this. He stressed that their program needs require this fourth floor, and not bringing that wall back. He also stressed that this is not a five story building. It is a four and one-half story building. It is 45' in height up to the parapet walls. They have an as-of-right to build a 35' building plus a 10' bulkhead which is equivalent to 45'. They can as-of-right build a structure that looks the same as this. It is very important to understand that by making the concessions they have made, visually it is going to look exactly like what they are allowed to build as-of-right. In addition, the fence they are proposing on using is not a chain link fence; it is a very thin metal which appears to be invisible from a distance. Finally, he stated that with the concessions they are only 15% bulkier than what they are allowed to be.

BM Rasinya made a motion to accept the applicant's application with the first modification. Motion seconded by BM Leonardos. Chair Kieran reminded everyone that if anyone has a conflict, they can be involved in the discussion but when it comes time to vote they should recuse themselves or abstain. BM Rasinya clarified that he knows many of the people that are part of the Greek School of Plato but it is not a problem because they are friends of his.

Regarding the parking issue, BM Carroll does not think you should count your chickens until they hatch. So he does not want them to assume they will get the waiver. If they do not get the waiver does that mean they come back to the Community Board to discuss it, or if we approve this motion are we approving the variance? Mr. Most replied that they have already obtained a Department of Building objection with respect to the parking issue. They are working to try to go away administratively at the Department of Buildings. Right now he would add to that list of variances being sought the parking variance. It is based on the notion that this is a school, that at its maximum will have 60 or 70 children in the building, but it is only going to have 10 to 12 adults. Technically this facility does not fall into the definition of school that is in the zoning resolution but it functions and operates as a school. An elementary or middle school would not have to provide parking. But since they operate as a school they get pushed into a different use group category which means they have to provide parking. But that provision is blind to the fact as to how the building is being used. They think the Department of Buildings will recognize the reality of the situation, which is first the maximum occupancy of the building at any given time may be such that it falls within the parking waiver, and certainly when you include that 90% of the people in the building are not driving age, should mitigate it. The answer to the question is that they would not need to come back to the Community Board because right now they are including that waiver in the application until they are able to remove it.

BM Quinones was confused about the number of students as it was first stated to be 25, and now 60. Mr. Most said that on the weekdays it is a lot less and a lot more on the weekend. BM Quinones said that she is inclined to vote for the school, but inconsistencies like this make her question everything. Mr. Most stated that on a Saturday from 9:00 AM to 1:15 PM, there are seven Pre-K, 15 kindergarten, three first grade, and averaging 11-12 children in each of the upper classes. They have about 25 on weekdays and maybe 100 to 110 on Saturdays.

BM Sokoloski asked if the building will be handicapped accessible and was told there is a handicap lift for the building. BM Johnson stated that public meeting spaces and restaurants must be handicapped accessible. The five new schools in our community are handicapped accessible with elevators to the top floor. This school does not have an elevator that goes to the top floor, so the unfortunate children who cannot walk up the steps are excluded from this building. She thinks as a Board when we vote let's vote for the kids, not for a building that does not belong on that small piece of property.

BM Bortnick complimented the people for the distortion they produced in their photographs. They have possibly 150 people maximum in that building at one given time and that is on a Saturday. He asked what this building is going to cost to build. Mr. Most said it is very difficult to quantify because many of the people who are involved in this project are people in the construction industry, so some services will be provided free of charge for the school.

Mr. Geroulanos addressed two of the earlier questions regarding handicapped accessibility. He spoke with the architect who said there is a new code since December and according to this new code there are different requirements for accessibility. According to the architect, the old code did not require the entire building be accessible. The Greek School of Plato is prepared to put an elevator from the cellar to the rooftop. It is a big exorbitant expense for them, but they have approved adding this expense to the building. BM Johnson said this is extremely important when you have a handicapped child and she does not understand why it is not on their diagram. She does not feel he is being honest with them. He replied that he is being honest and the Greek School will put the elevator in.

BM Sarsour said she has heard a lot of concessions and it would be very helpful for her to hear clearly the proposal with the concessions the school is willing to make. She also pointed out that at every Community Board meeting we talk about illegal conversions and how people do things without coming to the Community Board. Here we have people who keep coming back and forth having a dialog and proposing concessions. We need to reward good behavior in our community.

BM Cruz noted that the apartment building on Parrott Place and the hospital were all built prior to our current zoning. Anything that is being built now should not be compared to those. This Board and this community worked hard for years and years to pass the zoning resolution that was consistent with the built character of our community. We worked long, hard, arduous hours on an important zoning resolution and she thinks we should keep to that resolution. Once a building is built non-compliant, then the next building will be non-compliant.

BM Joudeh said the former medical building saw 800 patients a day. He thinks the variances need to change to what the community needs.

BM Grimaldi appreciates their idea of accommodations and providing for our community, but she is one of the people who worked very hard on the zoning and she is committed. Month after month we say "no special permits" because we do not believe in changing our zoning. She thinks the concessions of motion #2 which allows for them to be there but gives credence to our zoning and acknowledgment of our neighbors and their needs might be the right accommodations.

BM Seminara said that throughout her years on the Board they have consistently tried to down zone in the community. The goal of rezoning is to adhere to conditions that we all enjoy. This is not about supporting the Greek community or educating children. Our decision to build this school in our community is a zoning matter. The school has talked about compromises and to her mind if we build the second motion we have compromised a great deal on building in that rear yard above the level of the second and third floors, not as-of-right. It is a school and something that educates people and therefore she made the motion at the last meeting for the compromise. She does not support the present motion and she hopes people will consider the second motion which she thinks will be made as a compromise so the school can enjoy the space in whatever way they can configure it while also respecting the neighbors.

BM Hudock said to the applicants that people have a good point when they ask why they picked this lot. He thinks he knows that part of the answer is that there just are not that many building sites in this community where you can build a building of this size and program. They took a calculated risk because he thinks they knew they would have to ask for a variance. Maybe if they knew how arduous this process was going to be, they would have looked a little harder for a larger site or maybe a site not in this community. They would take the millions of dollars they are willing to invest in our community and infrastructure to benefit our economy to

another community, and he hopes that does not happen. He does sympathize with the neighbor whose backyard is being encroached upon. The Community Board understands and there has been a lot of negotiating back and forth to try to find a compromise. The traffic considerations are also valid. He is confused when you talk about preserving character because he does not have a clear idea of what the character of Bay Ridge is. There are a lot of single family houses, but there are also areas that have so much density that they are equivalent to density in Manhattan. Chair Kieran asked if he was favoring the motion and he responded yes. BM Hudock said that his main point is that every economist agrees that investment in infrastructure, especially in schools, brings a direct correlation to economic prosperity in the community. This school is not asking for public money; they are bringing money to the table and offering to make a big investment in the future of this community.

BM Willis hoped we would be voting on the motion and asked for clarification on the difference between the first motion and the second motion. Committee Chair Falutico stated that the first motion would be to slope the roof of the bulkheads. It is not gone; it is just a sloped roof as opposed to a flat roof. All other aspects of the trellises and solar panels remain the same. There is a small rectangular shape in the back of the lot that is most close to the residences. The school is offering to cut off that block at the fourth floor and the fifth floor as well. BM El-Yateem asked to call the question; seconded by BM Carroll. Chair Kieran stated that is the motion before the Board right now. Chair Kieran noted that the second motion would scale back the plan even further than the first motion.

In reference to what has been done in the past, BM Pulaski stated that when the Coptic Church came to the Board they proposed a six story building for their organization and church. Three stories were permitted. The Board, keeping in mind the zoning regulations, felt that zoning was paramount in the community's mind as we strive to preserve the character of our community. So they proposed to reduce the height and the footprint of the building. They reduced it to three stories. The entire Board voted for that. She then quoted from the minutes "ZALUC supports this project. We applaud the efforts, but CB10 needs more of an effort to end an innovation like this. But it cannot come at the expense of community character that we have fought so hard to preserve."

BM Harrison does not think anyone would deny that he had something to do with the zoning in this community over the last decade. No one cares more about the zoning and feels that we have to preserve the character of this community more than he does. However, when you have a building that is right across the street like the apartment house, or are talking about something that is pre-existing, we count all the properties that are out there in order to define the character of the community. You just cannot skip over those buildings and say only the houses exist in that area. More importantly he thinks we have to look at it from the point of view that the use of the building definitely affects what the character is. For example, this is a school; not a house. It is obviously going to be bigger. Pre-existing community facilities in Bay Ridge, whether they be schools or churches, are classically bigger and would never have fit in with the classic zoning. Every one of them would have needed some kind of variance. He has a unique perspective on this property which is why he supports it all the way. He lived across the street from the original Greek School of Plato on Third Avenue and 79th Street. He was a little concerned about this when he first saw it, but over time he found out they were the best neighbors you could ever have. The traffic was practically non-existent, people would pick the children up in the afternoon and there were no real problems. One other point: they have a rooftop playground. Some people were concerned about that. Rite Aid right next to his house has a rooftop which is the same situation as this. When you are walking on Third Avenue you cannot see that rooftop. You cannot see the playground on the roof that is completely fenced in. All buildings and apartment houses have steps that go upstairs; do you ever see them? They really do not count in the visual. He thinks there is nothing to worry about and he votes in favor.

As far as parking and traffic goes, BM Vallas said you have a lot more parking problems had that site been purchased by a medical office. We are talking about an afternoon school here which is much less traffic than if it had been a medical building. Secondly, we are not talking about a builder or developer who is building on this property and looking for profit like with condos. This is a school that will educate children and will benefit

the community. This organization has been in the community since the late '70s and they are good neighbors. They should not be punished; they should be commended.

As far as the Coptic Church goes, BM Rasinya noted that is a very different location compared to this site. In terms of why they chose that location, he noted that Bay Ridge is 85% residential and there are very few locations where you can put something like this. In terms of zoning, he respects what BM Harrison said, but as President of Concerned Residents of Bay Ridge 15 years ago their organization led the charge for zoning change because developers were coming in, buying residential homes and putting up multi-story buildings. This is an educational facility that deserves the Board's support even though it requires a variance because we support education.

Chair Kieran reviewed the motion. Mr. Geroulanos pointed out that they are also willing to add the elevator as a concession. Chair Kieran asked if that is dependent on if it is required, and Mr. Geroulanos replied no, they will add it. A roll call vote was taken. See attached sheet.

Motion: CB 10 to support the Committee's recommendation to approve the BSA Variance Application No. 181-14-BZ for construction of an education facility at 670 92nd Street, between Battery Avenue and 7th Avenue contrary to bulk regulations for community facilities with residential districts with the following two stipulations:

- 1. Revise flat roofs on the two stair bulkheads at the 5th Floor to sloped roofs and utilize "invisible" type fencing around the roof level.**
- 2. Revise the plan to include a 10' setback at the 4th Floor at the southwest corner of the site abutting the adjacent residential property.**

33 in favor; 8 opposed; 1 abstained; 2 recusals. Motion carried.

Chair Kieran thanked everyone who came out for and against who had the opportunity to be heard. He thinks on the whole this will be good for the community. If there are problems the Community Board will be involved and do what they have to do to make sure the problems are resolved.

BM Carroll made a motion to amend the Agenda to dispense with reading the informational reports because of the late hour until the next Board Meeting.

Motion: CB 10 to amend the agenda to dispense with the reading of the informational reports until the next Board Meeting. All in favor. Motion carried.

With regard to the DCP application submitted by 6208 Realty LLC requesting the second and final 3-year renewal of the previously approved special permit, Committee Chair Falutico rendered the Committee report. See attached.

It was noted that the Committee recommended disapproving this application. Richard Lobel and Irving Minkin, representing the applicant, were invited to present. Richard Lobel noted that this application came before the community in 2007 and it was approved at the time. At the time the work the Committee and Board did not only allowed the special permit, they rezoned it. As former Chair Rasinya said at the time, the people here are interested in supporting the project. The members focused on the need for housing in this community. Former Board Member and member of the Zoning Committee Harriet Rosenberg strongly felt this type of development would improve the area. He summarized that the members felt that the development of this site would benefit the neighborhood and help support the anticipated growth in the community. It meant more jobs in the area, more housing, and more importantly more affordable housing. The developer at the time had to make concessions; 20% of affordable housing, which the new owner agrees to; it was agreed that six months from the opening of this site the Department of Transportation would come in and conduct a thorough traffic study. They identified six different intersections around the site, and the applicant implemented the changes at his own cost. In 2007 the Community Board did the work and approved this. In 2011, the Community Board did not

even vote on it. Now we are at 2014 and they are not asking for approval on the building; it has already been approved. It is asking if there have been substantial changes of the facts and circumstances of the case that would prevent the planning commission to grant this approval. The same traffic consultant who did the traffic study in 2007, 2011, and 2012 stated that things have not substantially changed here. The choice the Board has to make it to rely on the letters of the previous findings, consider the site and allow this approval to stand or not.

BM Sokoloski asked if you want to vote for the project, you have to vote against the Committee's recommendation, and was told that is correct. Chair Kieran said the Committee weighed the same information and had their reasons for saying it is not appropriate for the community. He would say that if we do say yes we approve it, then we are basically stuck with what we did back then and nothing has happened between then and now. BM Germack noted that now the owner has changed and we do not know what the owner's plans are now. Mr. Lobel stated that they are the exact plans; they are not permitted to change the plans that were approved. Committee Chair Falutico said that the Committee knew that this motion and vote really had no power. They know it is an automatic renewal, but they really wanted to give indication that we already knew that this is a mammoth project. It may not change the course of this renewal but maybe some looking forward.

BM Harrison asked that assuming the Board followed the Committee's recommendation would that mean this would revert to current zoning, and was told it would not. Chair Kieran noted it is now a non-manufacturing parcel, C-42 zoning. The special permit is for the old project and would extend the time for the special project for the new owner. Mr. Lobel stated that they are asking the Board to approve the existing plans that were approved in 2007 and 2011. If the owners want to move forward at all on something which could be wonderful, then they need to have the approval to extend another three years. Chair Kieran stated that it is an opportunity now for the Board to say do we really want to sign on to that old project that we did in the past. Or do we want to say maybe we want to start from scratch. BM Sokoloski asked how many apartments would be available and was told that as the proposal exits, there are 217 units of which 42-44 would be affordable.

BM Cruz said that she was at the Committee meeting and one thing we have to remember is that we are giving our advice to City Planning. But they pretty much told us they are not going to build this and the Committee asked why we are doing this. The Committee felt uncomfortable voting for a renewal of something that will never happen. They also knew if they were voting for a renewal they were setting a benchmark. BM Seminara said that there was also the concern that this is seven years later and certain assumptions that the Board Members rely on do not hold up seven years later. Chair Kieran asked if she was saying that the Committee voted against it just because things have changed. BM Grimaldi was curious to hear that maybe it is just a tactic in order for them to get financing for a future project.

BM Willis asked to call the question. Seconded by BM Leonardos. Chair Kieran noted that the Committee recommended disapproving this application.

Motion: CB 10 to disapprove the DCP Application No. N150117 submitted by 6208 Realty LLC requesting the second and final 3-year renewal of the previously approved special permit (C060354 ZSK) to allow a portion of a railroad right of way that has been permanently discontinued or terminated to be included in the lot area of a proposed mixed use building at 6200 8th Avenue. 42 in favor; 1 opposed – BM Hudock; 1 recusal – BM Stelter. Motion carried.

CHAIR'S REPORT

Chair Kieran stated that he has seen tree pruners around the neighborhood and he hopes to see more.

DISTRICT MANAGER'S REPORT – See Attached

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

TRAFFIC AND TRANSPORTATION COMMITTEE – See Attached

Motion: CB 10 to approve DOT CityBench Program proposal at 9302 3rd Avenue, between 93rd and 94th Streets. All in favor. Motion carried.

POLICE AND PUBLIC SAFETY COMMITTEE – See Attached

Motion: CB 10 to approve the new SLA Wine/Beer Application for Hernandez Urena Inc., 6811 4th Avenue. All in favor. Motion carried.

ENVIRONMENTAL COMMITTEE – See Attached

OLD BUSINESS

BM Bortnick stated that he is in favor of the Greek School of Plato but he wants it understood that there are too many ifs, maybes and unanswered questions. He thinks there was a rush in judgment tonight.

NEW BUSINESS

BM Oualim announced that Josephine Beckmann will be honored by the Moroccan American House Association at their 237th Anniversary of the relationship between Morocco and the United States. It will be held at the Bay Ridge Manor on Saturday, December 20th from 2:00-5:00 PM.

A motion from the floor was made to adjourn. With no further business, Chair Kieran adjourned the meeting at 10:20 PM.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 5, 2014

ZALUC Committee Meeting was called to order @ 7:00 on Wednesday November 5, 2014

A quorum was met.

TOPIC #1

Board of Standards and Appeals Application for Special Permit application for 8008 Harbor View Terrace, pursuant to Section 73-622 of the Zoning Resolution . The application proposes the legalization of an enlargement at the 2nd Floor rear of an existing two-story one family dwelling contrary to side yard, rear yard and floor area requirements.

The dwelling is located in zoning district R-2.

Presentation was made by Michael Nacmias of the office of Eric Palatnick PC

General Description:

The one family house included a one story portion at the rear, above which a second story enlargement was added illegally prior to the current ownership. The application seeks to legalize the concept of the second story enlargement and then to reconstruct same with materials to match the original house. The allowable floor area for this lot is 1750 sf, the existing floor area is 2642 sf and the proposal with the second floor enlargement would total 2825sf.

The rear yard of the enlargement would maintain the existing noncompliant dimension of 26' 11". The side yard of the enlargement would maintain the existing non complaint dimensions of 4' 10 ½" on one side and 5' 2 ½" on the other side.

Committee Discussion:

There were two neighbors present who had no objection.

In reviewing the proposal, committee members did not feel that the proposed enlargement was detrimental to the immediate or nearby neighbors, nor to the character of the neighborhood as a whole.

Committee Action:

Motion was made to recommend that the board approve the application as submitted, pending confirmation that the front yard elements including the size and location of the curb cut, the increased width of the garage doors to permit a two-car garage and the reduction of green space are all as-of-right components of the project.

Vote = All in favor

Committee recommends approval of this application.

TOPIC #2

Application was submitted by 6208 Realty LLC requesting the second and final three-year term renewal of the previously approved special permit, granted in 2007, pursuant to Section 74-681.

This Special Permit allowed a portion of the railroad right of way that had been permanently discontinued, to be included in the in the development of a mixed-use building at 6200 8th Avenue.

There was a zoning change enacted as part of this permit.

There is no change in this application from the special permit granted in 2007.

Presentation was made by Irving Minkin of Sheldon Lobel PC

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 5, 2014

Background:

In September 2014, 6208 Realty and their design team came to the ZALUC Committee meeting, to introduce an upcoming amendment to the Special Permit, which they plan to submit to BSA in the near future. The amendment would increase the size and alter particulars of the 2007 scheme. The amended scheme which introduced to the committee and reported to general membership, is not the subject of discussions at this time. Formal submission of the amended plan has not been submitted for review or comment.

Regarding the matter of the renewal of the 2007 scheme which is the current subject before the board, the Zoning Committee expresses appreciation to the owners, for resubmitting the 2007 to committee. Community Board submission and review is not required by BSA for renewal of the 2007 special permit and was a courtesy on the part of the applicant.

General Description:

The Special Permit granted in 2007 was for a large mixed-use development project located over a portion of the railroad right of way, that had been permanently discontinued. The 2007 scheme is a single volume filling the footprint of the site and topped by a large U shaped high-rise. The overall height of the project is up to eleven stories.

The project approximate specifics are described as follows:

- Hotel space equaling 540,000sf
- Retail Space equaling 100,000sf including a big-box tenant
- Office space equaling 60,000sf
- Residential Space equaling 277,000sf with over 200 dwelling units
- Large underground parking facility
- Possible inclusion of a public school facility

Discussion:

The standing Zoning Committee in 2007, recommended disapproval this application when it was originally filed. The entire Board, however, voted in favor of the application at a special meeting in July 2007.

The concerns of the Zoning Committee in 2007 were with respect to density, bulk, traffic, congestion and lack of appropriateness to the neighborhood scale and character.

These concerns were reiterated by most of the current committee members. It was the opinion of most of the committee members that congestion in this area, has increased since the original approval of the application, heightening the previously stated concerns about the project. *Traffic and other relevant studies submitted with the original plan are not necessarily accurate some seven years later and it was the opinion of most of the committee members that updated studies and information regarding traffic, circulation, current built conditions, bulk, uses etc. should be made available prior to BSA renewal of this special permit.*

Committee Action:

Motion was made to disapprove this application given the size of the project and overall detrimental impact of the project, with respect to density, bulk, traffic, congestion and lack of appropriateness to the neighborhood scale and character.

Vote = (6) in favor, (1) opposed

Committee recommends disapproval of this renewal application.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 5, 2014

Meeting was adjourned at 9:15 PM.

Respectfully Submitted:

Ann Falutico

Committee Chair Zoning and Land Use Committee



Committee Members Attending:

Ann Falutico

Barbara Germack

Brian Kaszuba

Susan Pulaski

Joanne Seminara

MaryAnn Walsh

Brian Walsh

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 12, 2014

Follow-up Meeting for 679 92nd Street

ZALUC Committee Meeting was called to order @ 7:00 on Wednesday, November 12, 2014

At SUNY/Downstate Conference Room

A quorum was met.

TOPIC

Board of Standards and Appeals Variance Application pursuant to Section 72-21 of the Zoning Resolution seeks to permit the construction of an educational facility at 670 92nd Street.

The Greek School of Plato is the applicant.

This meeting was a second meeting by the ZALUC committee on this topic, the first meeting was October 2, 2014.

Presentation was made by Jordan Most of Sheldon Lobel PC

General Description:

The existing building is a one story medical building adjacent to the 92nd Street driveway into the Poly Prep campus. The application proposes an increase, beyond the allowable as-of-right limits with respect to the following:

Lot Coverage

Floor Area

Front Yard setback dimensions

Rear Yard setback dimensions

Side Yard setback dimensions

Front Wall Height

The most significant noncompliances being sought, are with respect to Front Wall Height and Rear Yard Setback dimension. Again, the proposed building is essentially five and one half stories in height, four and a half stories plus a fifth floor which would accommodate an outdoor recreational roof .

This top level includes the two full stair bulkheads and a solar panel "trellis" mounted above the entire play area.

As was the case at the October 2nd meeting, the head of the building committee and many of the directors of the school were present as well a very large group (approximately 100 count) who either have children attending the programs and/or are graduates themselves.

Mr. Most again, described that the school has existed since 1977 serving the Bay Ridge Community at various sites, with their current vision being to consolidate in one central location. They plan to continue to provide Greek language and enrichment programs, during afterschool hours and on weekends, with the possibility of incorporating a universal pre-k program in the near future.

Many neighbors from 92nd Street, Battery Ave and Dahlgren Place attended this meeting, as they did for the October 2nd meeting, to voice their objections to the application.

Neighbors' concerns included the following:

Project being out of character in height and scale with the adjacent residential buildings existing on this side of 92nd Street and nearby

Safety Concerns for pedestrians and vehicles

Lack of on-site parking or loading areas

Traffic issues and overcrowding

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 12, 2014

Follow-up Meeting for 679 92nd Street

No action was taken by the ZALUC committee at the October 2nd meeting since there had not been a final determination from the Dept. of Buildings as to the applicability of parking requirements . At this meeting, Mr. Most explained that the determination on the parking requirements had still not been finalized since the Plato School does not meet the zoning resolution's definition of a "school," and therefore could not automatically take advantage of the no-parking requirement afforded to schools. However, he stated that the reconsideration process was still ongoing at the Dept. of Buildings and he felt confident that parking requirements nonetheless would be waived for this project, given the particulars of this use.

Committee Action:

This was a very large meeting with many speakers in the public session, representing the opposing sides of this issue. At about 9:30 pm, the committee began its discussions but was unable to conclude its discussions nor reach a recommendation due to the late hour.

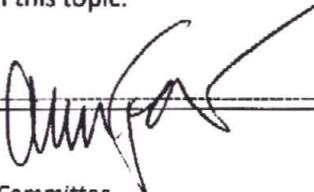
It was agreed that the committee would meet again on the following evening, Thursday, November 13th 2014 at 8:30 to continue working on this topic.

Meeting was adjourned at 9:50 PM.

Respectfully Submitted:

Ann Falutico

Committee Chair Zoning and Land Use Committee



Committee Members Attending:

Josphine Beckman

Ann Falutico

Barbara Germack

Ron Gross

Steve Harrison

Susan Pulaski

Joanne Seminara

MaryAnn Walsh

Brian Walsh

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 13, 2014

Follow-up Meeting for 679 92nd Street

ZALUC Committee Meeting was called to order @ 8:30 on Thursday November 13, 2014

At CB10 Office.

A quorum was met.

TOPIC

Board of Standards and Appeals Variance Application pursuant to Section 72-21 of the Zoning Resolution seeks to permit the construction of an educational facility at 670 92nd Street.

The Greek School of Plato is the applicant.

This meeting was the third meeting by the ZALUC committee on this topic (see also October 2, 2014 and November 12, 2014)

Presentation was made by Spiro Gerolanous, Chairperson of the Building Committee

General Description:

Meeting was a continuation of information gathering and discussions. The zoning particulars of the project are summarized as follows:

Floor Area allowable = 2.0 or approx. 9000 sf

Floor Area proposed = 2.35 or approx. 10,500 sf

Side Yard Setback required = 8'0"

Side Yard Setback proposed = 8'0" except for full height decorative mesh feature and a bay window

Front Yard setback required = 15'

Front Yard proposed = Varies from 0 at the entrance lobby to 15'

Lot Coverage allowable = 55%

Lot Coverage proposed = 64%

Rear Yard setback required = 20' setback required above the first floor to the east, 30' setback required above the first floor to the west rear.

Rear Yard setback proposed = 0

Front Wall Height allowable = 35'

Front wall Height proposed = 59'6"

Parking

Additionally, the application provides no parking spaces

Parking has not been waived by the Dept. Of Buildings as of this date and if the waiver is not obtained, the variance will need to be amended to include relief from the requirement for parking spaces which the applicant's attorney stated may be as high as 45 spaces.

The most significant noncompliances are being sought with respect to Front Wall Height and Rear Yard Setback Dimension. The proposed building is essentially five and one half stories, four and a half stories plus a fifth floor which accommodates an outdoor recreational roof. This top level includes the two full stair bulkheads and a solar panel "trellis" mounted above the entire play area.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 13, 2014

Follow-up Meeting for 679 92nd Street

As was the case at the November 12th meeting, the head of the building committee and many of the directors of the school were present as well a very large group of supporters (approximately 50 count) who either have children attending the programs and/or are graduates themselves. Many neighbors from 92nd Street, Battery Ave and Dahlgren Place again attended this meeting, as they did for both prior meetings, voicing their concerns objections to the application.

Committee Discussions:

The entire committee agreed that the use of this site as proposed by the Greek School of Plato is an appropriate use and is beneficial for the community. The entire committee recognized the value that has been brought to this community over the years.

The applicants focused their presentation on their programmatic need for a specific number of classrooms for the various age groups who occupy the building simultaneously on the weekend. They also addressed the constraints of the small site and the challenges of designing a plan layout that meets these needs.

Neighbors' concerns centered around safety and traffic issues for pedestrians and vehicles, as well as lack of privacy and open space for the adjacent properties. There were neighbor comments about the incongruity of the proposed height and bulk of this project, with current zoning goals and past general Bay Ridge zoning initiatives and that the proposed height and large footprint are seen to be out of character with the adjacent residential neighborhood.

The committee worked diligently at all three meetings on this topic. The Committee members opinions were not in alignment with each other. Some ZALUC committee members were of the opinion that the application as submitted, accomplishes the goals of the Greek School of Plato without any burden or detriment to the neighbors or the community. Some committee members were of the opinion that the large footprint and street wall height were not in keeping with the character of the neighborhood and that that this variance comes at the expense of the community character that we have fought so hard to preserve.

There were disagreements as to whether and to what extent the proposed building should be scaled back to better confirm with the other buildings in the area, balancing the needs and desires of both applicants and the neighbors

This ZALUC committee recognizes its responsibility to encourage and nurture worthwhile community facility uses while striving to preserve the character of our community. The motions were as follows:

Committee Action:

FIRST MOTION

Motion to approve the application as submitted with the following two stipulations:

1. Revise flat roofs on the two stair bulkheads at the 5th Floor to sloped roofs and utilize "invisible" type fencing around the roof level.
2. Revise the plan to include a 10' setback at the 4th Floor at the southwest corner of the site abutting the adjacent residential property.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

November 13, 2014

Follow-up Meeting for 679 92nd Street

Note: This motion would reduce the building floor area by about 300 sf on the 4th floor and retain all other aspects of the application as submitted.

Vote taken, four in favor, four opposed.
Motion did not carry.

SECOND MOTION

Motion to approve the application as submitted with the following three stipulations:

1. Reduce the height of building to three stories overall, or retain a four story scheme with a full-width front wall setback of approximately 13' at the fourth floor. This setback shall be unobstructed by stair bulkheads, mechanical equipment and any other obstruction.
2. Maintain a 10' rear setback at the rear southwest corner portion of the site, above the 2nd Floor.
3. Play-yards, if any, to be located on the uppermost roof only and to be surrounded by "invisible" type fencing only.

Note: The partial fourth floor alternative offered by this motion would decrease the building floor area by about 1000sf approx., reduce the height of the building to 49' at the street wall and retain all other aspects of the application as submitted.

Vote taken, four in favor, four opposed.
Motion did not carry.

Therefore, neither motion carried at committee.

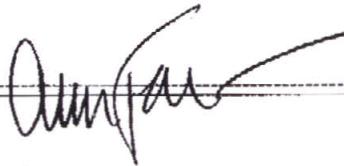
While committee members held strong opinions on this application, the committee as a whole brings no recommendation to the board.

Meeting was adjourned at 9:30 PM.

Respectfully Submitted:

Ann Falutico

Committee Chair Zoning and Land Use Committee



Committee Members Attending:

Josphine Beckman

Ann Falutico

Barbara Germack

Steve Harrison

Susan Pulaski

Eleanor Schiano

Joanne Seminara

MaryAnn Walsh

Brian Walsh

COMMUNITY BOARD TEN RECORD OF ROLL CALL VOTE

MEETING DATE Nov. 17, 2014
 MOTION TOPIC to adopt 1st recommendation, subcommittee

MEMBER	FOR	AGAINST	ABSTAIN	RECUSE
Ahl, Greg	✓			
Amato, Liz	✓			
Bishara, Jumana	✓			
Bortnick, Allen			✓	
Capetanakis, Ioannemario				
Cassone, Paul				
Carroll, Kevin Peter	✓			
Chin, Shirley				
Collins, Judith	✓			
Cruz, Doris		✓		
D'Amelio, Ida	✓			
DeMetz, Anna				
DePola, Donna Mac	✓			
El-Yateem, Khader	✓			
Falutico, Ann		✓		
Festa, Michael	✓			
Germack, Barbara	✓			
Grimaldi, Judith		✓		
Gross, Ronald	✓			
Harrison, Stephen	✓			
Hervas Castaneda, Victoria				
Hudock, Robert	✓			
Johnson, June		✓		
Joudeh, Habib	✓			
Kaszuba, Brian	✓			
Khatari, Katherine	✓			
Kieran, Brian	✓			
Kokolis, Stella	✓			
Leonardos, Nikolaos	✓			
McCone, Rhea				
Nikolopoulos, Nick				✓
Nolan, Mary	✓			
Oualim, Adil	✓			
Pulaski, Susan		✓		
Quinones, Mary	✓			
Rasinya, Dean	✓			
Rimawi, Husam	✓			
Sarsour, Linda	✓			
Schack, Dilia	✓			
Schiano, Eleanor	✓			
Seminara, Joanne		✓		
Shaia, Joseph	✓			
Sokoloski, Joseph		✓		
Stelter, Lawrence				✓
Vallas, Sandy	✓			
Walsh, Brian		✓		
Walsh, Mary Ann	✓			
Willis, Lori	✓			
Wu, Tony	✓			
Yedin, Jonathan	✓			
TOTALS				

44 present
6 absent

39 8 1 2

District Manager Report
November 17, 2013

Good Evening Board Members,

During the month of November, we are inundated with complaints from residents frustrated by growing leaves and sanitation sweepers not removing all leaves. These sweepers are not vacuum trucks – there are times when the route cannot be completed because of the quantity of leaves. Each year I ask all our residents to bag as many leaves as possible, put them out with regular garbage. I also urge residents to that they should not sweep sidewalk leaves into the street. On days like today – streets with leaf clogged catch basins flood. Flooding that impacted traffic was reported on several blocks including 74th Street at 5th Avenue; Bay Ridge Parkway at 10th Avenue; Ovington Avenue at 7th Avenue Southbound, Colonial Road 79th Street to 90th Street and 81st Street at 14th Avenue. All locations were reported to 311.

I spent several days at the intersection of 89th Street and 4th Avenue doing outreach notifying businesses and residents of the direction reversal of 89th Street between 4th and 5th Avenue. A special thanks is in order to Claudette Workman from the New York City Department of Transportation and the New York City Police Department 68th Police Precinct for assisting with the coordination and making sure transition was safe for parents and students as well as residents and businesses in the area.

Announcements:

The Friday after Thanksgiving is NOT a city holiday. Each year we receive complaints from residents who do not move their vehicles for ASP parking and are summonsed. Please spread the word.

I want to thank everyone for donating food for the food drive tonight in memory of our late Board Member Helen Sokolski who was a dedicated volunteer and was passionate about the need to collect food to donate to needy families. Thank you to all volunteers at St. Vincent DePaul at Saint Patricks – especially Jim and MaryBeth Lamond.

Each December Community Board Ten agrees to collect toys, household items and gifts for Greg Ahl's charity – Center Against Domestic Violence which shelters women and children. . This collection is made at our December meeting.

Holiday Tree Lighting – Monday – December 8 (rain date December 9th) at the Gazebo – Shore Road at 90th Street.

The next General Board Meeting will be on Monday, December 15^h at Shore Hill Community Room 9000 Shore Road– at **7:15PM**.

Respectfully submitted,

Josephine Beckmann District Manager



**COMMUNITY BOARD TEN
TREASURER'S REPORT**

Fiscal Year: July 1, 2014 to June 30, 2015

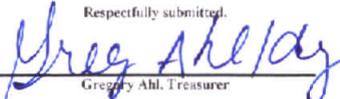
Budget Appropriation for FY 14	\$208,895.00
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	7/31/14	8/31/14	9/30/14	10/31/14	11/30/14	12/31/14	1/31/15	2/28/15	3/31/15	4/30/15	5/31/15	6/30/15		Y - T - D
DISTRICT MANAGER	\$8,157.36	\$12,236.04	\$8,157.36	\$8,157.36										
COMMUNITY COORDINATOR	\$4,931.83	\$7,397.76	\$4,931.84	\$9,963.90										
COMMUNITY ASSOCIATE														
COMMUNITY ASSISTANT	\$1,380.80	\$2,071.20	\$1,380.80	\$2,419.93										
Total Personal Services	\$14,469.99	\$21,706.00	\$14,470.00	\$20,541.19	\$0.00	\$71,186.18								

ExpensesCode	Description	7/31/14	8/31/14	9/30/14	10/31/14	11/30/14	12/31/14	1/31/15	2/28/2015	3/31/15	4/30/15	5/31/15	6/30/15		Y - T - D
10B	Telephone	206.42	203.66	204.84	205.58										
10X	Intra-City Supplies														
40B	Intra-City Telephone														
109	Supplies & Materials														
101	Printing Supplies														
117	Postage														
170	Cleaning Supplies														
199	Data Processing Supplies														
302	Telecomm. Equipment														
314	Office furniture														
318	Office Equipment														
319	Security Equipment	75.00			75.00										
332	Data Process. Equipment			63.90											
337	Books														
402	Tel./Communications														
412	Rentals/Misc./Equip.	44.41	44.41	491.41	193.41										
417	Advertising														
431	Leasing Misc. Equip.														
451	Local travel expenditures			400.00											
602	Telecomm. Maintenance	28.33	28.33	28.33	28.33										
613	Office Equip. Maint.														
613	Data Process. Equipment														
615	Printing Supplies														
622	Temporary Services-contractual														
624	Cleaning Services	160.00	160.00	160.00	160.00										
698	Iron Security Gate Maintenance														
676	Awning														
Total Other than Personal Services		\$514.16	\$436.40	\$1,348.48	\$662.32	\$0.00	0.00	\$2,961.36							

TOTAL PS AND OTPS EXPENSES	14,984.15	22,141.40	15,818.48	21,203.51	0.00	74,147.54									
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TOTAL UNCOMBURED BUDGET BALANCE															\$132,747.46
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Respectfully submitted,

 Gregory Ahl, Treasurer

Traffic and Transportation Report: October 27, 2014

Chair: Jaynemie Capetanakis

Committee Members:

- Elizabeth Amato (excused)
- Jumana Bishara (excused)
- Doris Cruz
- Judith Grimaldi
- Steve Harrison
- Victoria Hervas-Castaneda
- Brian Kaszuba (excused)
- Nick Nikolopoulos
- Dean Rasinya
- Joseph Sokoloski
- Larry Stelter

The Traffic and Transportation Committee met on Monday, October 27, 2014 at 6:45 pm. We had a full quorum in attendance.

The committee reviewed the following item:

1. Proposed City Bench location at 9302 3rd Avenue, between 93rd and 94th Streets.
 - This request was made to the Department of Transportation.
 - It is in front of the Rite Aid store and Rite Aid has no objection.
 - The City Bench Program is intended to have benches placed in high traffic areas of senior citizens to meet the needs of our seniors. The benches are maintained by the city. They won't be placed unless the Community Board approves.
 - Committee members noted that another nearby bench on that block is always filled and that this would be an asset to the seniors in that area.
 - The committee voted and unanimously agreed to approve this request.

2. Presentation by MTA representatives for an update on the Sea Beach Station Renewal Project for nine stations along the N Line from 8th Avenue to 86th Street.
 - These stations cross into three community boards, our own Community Board 10, Board 11 and Board 7. Given this fact, we invited and were joined by Marree Elias-Pavia and Jin Wing Chiu from Community Board 11 and Dan Murphy from Community Board 7.
 - The presentation was given by Design Manager David Foell and we were also joined by NYC Transit Assistant Director Melissa Farley.
 - Plans for this project first began in 2007; this has been on the list for several years, but was deferred from the last Capital Plan. This project is now currently out to bid and the object is to award this for construction by the end of the year.

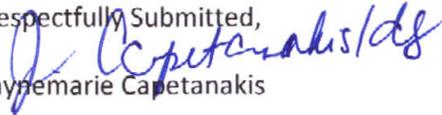
Then, there will be a 90 day or 3 month mobilization period, so work won't actually happen until the spring.

- The work on this project will involve two periods of 14 months with closures. The stations affected are on the N Line beginning at 8th Avenue, and going on to Fort Hamilton Parkway Station, New Utrecht, 18th Avenue, 20th Avenue, Bay Parkway, Kings Highway, Avenue U and 86th Street.
- What they intend to do is that in the stretch of these 9 stations, they will place a temporary platform at the beginning of the construction area at the 8th Avenue station and at the end of the construction area at the 86th Street station. These temporary platforms will allow "back riding" in an efficient manner. For example, if all the stations are closed southbound, a passenger must get off the train at 8th Avenue ride express to the temporary platform at the 86th Street station, go up the stairs and cross over the platform to take the local back to the stations that they do not have access to due to construction. In this scenario, the passenger would take that local train at 86th street to then make their stops back along the line going to Avenue U, Kings Highway, Bay Parkway, 20th Avenue, 18th Avenue, New Utrecht, and the Fort Hamilton Parkway station.
- This is considered a "concrete project" and all of the repairs and improvements are structural. There is no overnight work, it is all daytime work. Because they cannot load and unload all of this concrete and heavy materials on a daily basis, by closing the stations in one direction it will allow continuous work.
- Work done will include the Building Control Houses. Stations are in need of new cement and plaster. They will need light globes, all new windows and doors, and there are also terra cotta tile mosaics in the detail of these stations. Both the Avenue U and New Utrecht stations are on the historic register and they will have special attention to the details. So, for example, in the historic stations, they will make the lights more period authentic.
- They will put more turnstiles at both 8th Avenue and New Utrecht.
- There are many structural problems that they will be addressing; these include stairwells, track walls, a need for new platforms, and canopies over the outdoor stations and stairwells, and the back walls and columns on the station platforms.
- The parapet walls will be painted with a special graffiti resistant paint. They will be using a high quality gridded fence that is spray paint resistant to deter graffiti. The overhang will also be replaced with a sloped metal overhang making graffiti very difficult.
- There are property issues that are being addressed. There are 300 properties that are adjacent to the parapet walls. They are in the process of reaching out to those homeowners to inform them that they intend to conduct the work from the subway side, however, they must inform the homeowners.

- The 8th Avenue Station will be made ADA compliant with a fully accessible ramp. This will be on the northbound side and a future contract will add the southbound ramp.
- The New Utrecht station will also be made accessible with elevators at the street level to both the north and southbound levels of the station. The walls will be rebuilt to allow wheelchair accessibility.
- The plans for this project with the temporary platforms at the two ends of the construction project are based on a similar plan that was used on the Brighton line.
- The next step for us will come before the work actually begins when MTA will have more community outreach, signage, announcements and they will return to the community board to update us so that we can help to inform the public. They do not have a travel time analysis at this time, but once this is in place, they will look at the traffic flow and monitor the travel patterns for any problems.

Respectfully Submitted,

Jaymarie Capetanakis

A handwritten signature in blue ink, appearing to read "J. Capetanakis/dg", is written over the typed name "Jaymarie Capetanakis".

**POLICE AND PUBLIC SAFETY COMMITTEE
COMMUNITY BOARD 10**

Date/Time of Committee Meeting: November 10, 2014, 7:00 p.m.

Called to Order: 7:15 p.m.

Place: District Office, 8119 5th Avenue, Brooklyn , NY 11209

Quorum: Yes (attendance sheet attached)

The Committee had four items on the agenda for this meeting. However the following applicants contacted the District Office before the meeting and cancelled:

1. Kismet Grill Corp., 7026 3rd Avenue, New SLA Wine and Beer application; and
2. To Restaurant and Bar Inc., 834 62nd Street, New SLA On Premises application.

New SLA Wine and Beer License for Hernandez Urena Inc.

Premises: 6811 4th Avenue

200 Foot/500 Foot Hearing: n/a

The applicant appeared via its owner, Mr. Nelkis Urena. The establishment is an existing restaurant, serving Spanish food, and will continue to operate in the same manner. The establishment has 8 tables, seating a total of 32 persons. There will be only background music. The hours of operation are 10am to 10:30pm, 7 days a week. There is no adverse history at this location. No one from the public appeared to speak regarding this application. The committee voted to approve the application.

New SLA Wine and Beer License for Theresa's Place

Premises: 8308 13th Avenue

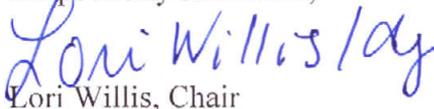
200 Foot/500 Foot Hearing: unknown

The applicant had provided notice to the Community Board and advised that it would attend the meeting. However, the applicant did not appear, and did not submit any paperwork whatsoever in support the application. The Committee therefore voted to deny the application on this basis.

However, earlier today the applicant's attorney, Neil Visoky, Esq., contacted the District Office and advised that the applicant shall not submit its application to the State Liquor Authority at this time, but would like to adjourn its meeting with the Community Board to the Board's December meeting, as the applicant is awaiting a letter of "no objection" from the New York City Department of Buildings with regard to the permitted occupancy of the premises. Thus, the applicant's request has been withdrawn, and accordingly, no vote is required by the Board at this time.

Dated: November 17, 2014

Respectfully submitted,


Lori Willis, Chair

Community Board Ten
8119 Fifth Avenue
Brooklyn, NY 11209
Environmental Committee
November 17, 2014

The Environmental Committee met on November 17 at the community board office at 7 PM. A quorum was not met attendance is on record at the board office.

The committee met and was given an update from our local Business Improvement Districts. In attendance was Jim Clark who provided the Committee with an update of services provided by the Fifth Avenue BID including security, street cleaning and marketing. The avenue is cleaned days a week. The cleaning crews are paid above minimum wages and are provided health care benefits. Security is provided 5 days a week and has been involved in the capturing criminal in the act.

Also in attendance from 13th Avenue was Dominic Sarta who is working on the 13 Avenue BID formation. Currently they have about 35% yes votes towards the final approval level needed of 45%. They hope to get at least 55%. Unfortunately the BID is not yet complete, and so the holiday lights will not make it up this year on 13 Avenue.

The Committee then discussed hosting another Electronic Recycling event in March or April and will again partner up with the Xaverian Robotics team. The Robotics team collects the cell phones and printer ink cartridges for which they get money to fund their work. BM Larry Stelter suggested we combine the event with a Shredding event as he has found this is a popular local request.

Respectfully submitted,

Greg Ahl 
Chairperson, Environmental Committee

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Lock Yard, 9221 5 th Avenue	11/10/14	*New Application – Class Change Liquor, Wine & Beer
Best Western Gregory Hotel, 8315 4 th Avenue	11/14/14	Renewal Liquor, Wine & Beer
Third Avenue Mini Market, 9721 3 rd Avenue	11/17/14	Renewal Wine & Beer Only
Anthony Rinaldi or Corp. to be formed, 8201 3 rd Avenue	11/20/14	*New Application Liquor, Wine & Beer
Go One Sushi Inc., 848 64 th Street	12/1/14	**New Application Liquor, Wine & Beer
Rocco's Pizzeria & Restaurant, 7818 5 th Avenue	12/2/14	Renewal Wine & Beer Only
6723 Convenience Inc., 6723 Fort Hamilton Parkway	12/3/14	Renewal Beer Only
Three Star Indian Corp., An India Passage King of Tandoor, 7407 3 rd Avenue	12/4/14	***New Application

*Has been invited to present application at Police & Public Safety Committee Meeting in December 2014.

**Declined invitation to attend Police & Public Safety Committee Meeting in December 2014.
Will be invited to attend the January 2015 Committee meeting.

***Will be invited to present application at Police & Public Safety Committee Meeting in January 2015.