



CITY OF NEW YORK
Community Board No. 2

350 JAY STREET - 8TH FL.
BROOKLYN, N.Y. 11201

(718) 596-5410 FAX (718) 852-1461
bk02@cb.nyc.gov

ERIC ADAMS
Borough President

LENUE H. SINGLETARY III
Chairperson

ROBERT PERRIS
District Manager

Wednesday, October 10, 2018 – 6:00 PM
The Brooklyn Hospital Center
North Pavilion, Third Floor Auditorium
121 DeKalb Avenue at St. Felix Street

MINUTES OF THE GENERAL MEETING

Present, Excused and Absent: *See attached attendance sheet.*

Dignitaries and Other Guests: *See attached attendance sheet.*

Staff: Robert Perris

1. Approval of the Agenda

Ms. Janner asked for a motion to accept the agenda. Mr. Cohen made a motion, Ms. Zahler-Gringer seconded, approved unanimously by consensus.

2. Approval of the Minutes – September 12, 2018

Ms. Janner asked for a motion to accept the minutes. Motion by Mr. Ibelli, seconded by Mr. Jordan. Ms. Janner asked whether anyone had any corrections or changes to the September 2018 minutes.

Ms. Janner provided a number of small grammatical edits to the District Office. Ms. Zahler-Gringer stated that she did not mention missing page numbers; this should be changed to “a board member.”

Ms. Janner asked for a consensus to approve with the changes; the Board approved.

3. Chairperson’s Report, Ms. Irene Janner

- Ms. Janner thanked the Brooklyn Hospital Center for allowing us to meet in this space.
- Public Hearing: C 190071 ZMK, C 190072 ZSK, C 190073 ZSK, N 190074 ZRK “809 Atlantic Avenue Rezoning”
 - Wednesday, October 17 at 6 PM at NYU Tandon School of Engineering, Dibner Building, Room LC400, 5 Metrotech Center

- More information is available in the Public Hearing notice, which was distributed to Board members. Ms. Janner recommended reviewing the maps to understand the content of the hearing.
- Board members may submit testimony in writing if they cannot attend in person. Mr. Augustus stated that this hearing and application are stacked against the community. Ms. Janner recommended that he bring up these issues at the hearing; it is a very complex project.
- *The Acting Chair paused her report to allow several dignitaries to speak; please see notes below.*
- The Draft EIS on Brooklyn House of Detention will likely come out in December. The Board is forming an ad hoc committee to review that DEIS once it becomes available. We did something similar when Atlantic Yards' DEIS came out. If you have expertise and are interested such as traffic, land use, environmental controls, landmarking, let the Board office know. We will have limited time to make recommendations to the full Board. Mr. Flounoy will lead the group.
- Two committees are holding their meetings this month in in new spaces. Look at calendar.
- Nominating committee – Mr. Jon Quint
 - He is the appointed chairperson of this Committee. This begins the annual three-month cycle of choosing the Board's officers.
 - This Committee doesn't make nominations; it receives nominations and conducts the elections. Candidates are self-nominated. Only members of the Board can be officers of the Board or can nominate other people.
 - Only if there are no candidates will there be new nominations in December – it's one time only, at the November meeting. The only people who will be on the ballot will be those who have been nominated in November. If there is only one candidate, that candidate will be automatically elected in December. If there are two or more candidates, we will vote by ballot; if no one gets a majority of voting members, then there is a run-off of the top two. Board members may only vote in person.

4. Dignitaries

Several dignitaries attended the meeting and the Acting Chair invited them to speak, explaining to Board members at the beginning of the meeting that there might be related adjustments to tonight's agenda.

Hon. Comptroller Scott Stringer

- Mr. Stringer shared his office's new report, which includes 65 ideas about the charter revision. He explained that community boards need more resources and we need community-based planning. He also wants to appoint a Chief Diversity Officer that reports directly to Mayor de Blasio, in addition to having one in every agency, as a way of increasing MWBE spend. All of these reforms can be accomplished through the charter revision commission.

Hon. Council Member Steve Levin

- Council Member Levin provided an update on 80 Flatbush. He explained that he approved the development project but with an overall reduced density of 15.75, of which 1.75 is school space, down from 18 Far. The residential and commercial spaces are a combined 14 FAR. This is a good balance because it allows the

project to move forward while keeping the school seats and affordable housing. The tallest building will be 150 feet shorter (he is not sure of the number of stories to which this equates) and there will be a reduction of over 130,000 square feet of development. They will also remove the loading dock off of State Street.

- School buses will let out on State Street. Commercial trash pickup will be on Flatbush Avenue late at night. They will look into Sanitation picking up school trash on the Schermerhorn Slip, but as that will be a staging area for the next several years, CM Levin can seek a commitment from Sanitation now but it won't be implemented for a long time. The Schermerhorn Slip was not de-mapped.
- Ms. Rothbard asked about commercial vehicle deliveries; there will be a long (over 100 feet) drop-off zone with no standing on State Street.
- Ms. Peterson asked for details about the schools. The school is in D15, though CM Levin is open to it being a "choice" 13 and 15 school, like PS 133.
- Ms. Krejcie asked whether there were commitments made for local hiring for construction. They have MWBE commitments but they were not a part of the final negotiations.
- Ms. Morales asked about the AMI for the affordable housing, and stated that in this and other gentrified communities, developers tend to select the higher end, which is very unaffordable for many people. The first phase of the project does not produce any affordable housing because it will pay for the schools, so that supersedes mandatory inclusionary housing (MIH). Proceeds from that will be used to pay the debt on the bonds used to build the schools. About 28% will be affordable at an AMI of 60%. Of the two MIH options, it's the lower AMI and the lower percentage.
- CM Levin further explained the difference between the School Construction Authority (SCA) and the Educational Construction Fund (ECF) regarding this project. The city created the ECF in the 1960s to use development dollars to build schools as public/private partnerships. This administration identified this project as an opportunity to do this as an ECF project. CM Levin would prefer it were a SCA, using capital dollars to pay for it, but the administration knew it could proceed with the project without drawing down on taxpayer funds. We are foregoing tax dollars to do it because it's relying on pilots to pay the debt service on these bonds, so that is money that would otherwise go toward the general fund. ECF will subcontract to SEA. Mr. Augustus argued that this is not a good tradeoff; CM Levin stipulated that this is a philosophical question of sorts regarding whether we support public/private partnerships for school development. He concluded that a benefit is that the project will no longer set a precedent of 18 FAR across Community District 2.
- CM Levin extended his condolences to Sidney Meyer on the loss of his wife.

Hon. State Senator Brian Kavanagh

- Senator Kavanagh has called on the detention center development process to be withdrawn because there are still many questions about it. He wants to close Rikers but argued that the city has not answered how it will do so.
- He is currently pushing DOT to give us a wider range of options than they've proposed for reconstructing the BQE. One option is for a standard highway

construction project (8+ years, traffic backup for 12 years, and traffic through our communities), and another is to take down promenade and rebuild it after. They don't have a lot of great options but he is asking them to be clearer about pros and cons.

- The Bridge to Squibb Park is shut down because the wood is rotting; he is in discussion with Brooklyn Bridge Park's board about how to address that, and they are looking at various options and costs.
- They are building a larger public swimming pool. The current pool will not be available next summer but he pushed it to be open in 2020 and was assured that no matter what happens with the bridge, that pool will be open; no reason to believe BQE project will impede pool project.
- Domestic violence awareness month – Senator Kavanagh joined some colleagues that today announced the allocation of \$16M for community programs intended to ensure people victims of DV have resources to address it.
- The city is looking for commentary on where to put additional ferry stops.
- He is co-sponsoring a series of caregiver events: November 13, 20, and 27 at St. Francis college from 6-8 PM. They are focused on what caregivers need to be effective caregivers and to take care of themselves.
- Less than 4 weeks until election day. Please get out and vote. Register or change registration address – application to register must be postmarked by 10/12 or in person until 10/17; change address until 10/17.

Representing the Hon. Borough President Eric L. Adams, Nan Blackshear

- The BP's domestic violence awareness event is on October 30 at 6 PM.
- Donation drive to collect feminine care products – the campaign has collected 4300 pounds of products. Donate at Borough Hall or foodbanknyc.org/womantowoman.
- The BP launched a campaign to rename the Brooklyn municipal building after Supreme Court Justice Ruth Bader Ginsburg, a native of Flatbush and noted civil rights champion. He is looking for support for this effort; visit change.org/rbg to sign a petition so that we can successfully have the municipal building renamed to RBG.

5. District Office Report, Mr. Robert Perris

- Budgetary priority worksheet: Return it this evening, scan it or photograph it and send by email, or mail it back to the board office. The ranking is calculated by summing and taking the average for each entry.
- Mr. Dew asked that this report include the number and type of constituent service request that come into the CB. Mr. Perris responded in the affirmative.
- Mr. Flounoy asked about the Brooklyn Detention Complex quarterly advisory committee. Mr. Perris explained that it is expired per the court order and that's something we need to address whether there's value in going forward.
- Mr. Flounoy asked about the "trench restoration of Brooklyn;" when people dig into the street and then repave when the work is done, they often don't do a good job, at which DOT has to do a trench restoration.
- Mr. Flounoy asked what the time frame is for the lottery for affordable housing for 15 Bridge Park Drive; it is November 9.
- Mr. Flounoy stated that the LPC agreed with the Land Use Committee that the masonry to glass ratio was too high at 29 Jay Street.

- Mr. Perris stated that we are unlikely to find another spot for a ferry stop in the district.

6. New Business, Ms. Irene Janner

- **Fiscal Year 2020 Budget Priorities**

Please submit the budget sheets. We would like to have the budget reflect the judgment of all of our members.

7. Committee for Board Action

- **Land Use, Ms. Irene Janner**

“570 Fulton Street” – N 180455 ZCK, N 180457 ZRK, C 180458 ZSK and C 180459 ZMK

- The Committee held a public hearing on September 13, which was well-attended. The action report is in the Board member packages. This is a project to construct approximately 96,000 of commercial office space at 570 Fulton Street in addition to residential and retail development that is already permissible. The office space would roughly double the size of the building that could be constructed there. They have requested to up-zone from a C6-4 to a C6-9 property. There are no C6-9s currently in Brooklyn.
- The Committee cited three primary concerns:
 - 1) There seems to be a mismatch with the zoning. Downtown Brooklyn was rezoned in 2004 specifically to encourage mixed-use buildings to make 24/7 lively blocks, which we support. We need more commercial space. The developer indicated that that rezoning by the city is not financially advantageous for developers; if they do a mixed-use building, they find that they cannot get enough residential space in it because they are limited by the FAR of the building. This application is essentially asking for commercial office space without giving up any potential residential space, which then almost doubles the building size. The Committee’s concern was that we were being asked to give double-sized buildings to get commercial space because developers won’t give up on the residential buildings.
 - 2) There is no loading area or dock proposed or off-street place to go; the building would front on Fulton Street, which is two-way with buses and traffic.
 - 3) The sorry state of the Nevins Street subway station is a concern. The developer at One Fulton said that they spoke with MTA, which said it did what it had to do. The concern is the density, which would translate to that much more truck delivery, sanitation pickup, and more, all on Fulton Street, likely blocking the bus lane. The Committee wants more commercial space, but traffic congestion is choking us.
- At the Committee, a motion was made to approve the project under certain conditions: 1) improvements on the Nevins Street subway station (to look for ADA-compliant elevator access); 2) a study on how deliveries

would be made that would not back up the traffic into the intersection. The motion failed to pass.

- A second motion was made to disapprove the application for the same concerns. The motion to disapprove passed the Committee by 5-1-1.
- **Motion:** Mr. Augustus made a motion to accept the Committee's recommendation, seconded by Mr. Ibelli. Discussion:
 - There was extensive discussion, much of which is noted below. The discussion centered around a philosophical question of whether the Board's opinion is better heard, and its recommendations taken more seriously, if it votes in the affirmative (with stipulations) or the negative for a development project with which it has significant concerns.
 - Mr. Dew: I made the motion to approve the application. For 80 Flatbush, we voted almost unanimously to disapprove it, yet as the Council Member discussed tonight, it was still approved (with some modifications). Because we voted to not approve it, we are no longer at the table. I thought we should approve this current application with the requirement that it has a loading dock. The Nevins Street subway station is a disaster; it has only one exit and it is a tight exit. We have almost no attention paid to the public transportation system despite all this development in downtown Brooklyn. This continues to happen, but the Community Board has to be at the table. The building is going to be approved, because we only make recommendations. We have to try and do what is most effective for the community. I vote that we should approve it with heavy stipulation and not say "No" again.
 - Mr. Flounoy: I don't think we can actually address the Nevins Street station issue. We were just told that 80 Flatbush was reduced in mass. This property should also be reduced for the same reasons that Mr. Levin said. We should also have a loading dock; traffic will be a nightmare, as it is already problematic without the trucks. Massing should be lowered like with 80 Flatbush.
 - Mr. Cohen: I agree with Mr. Dew. The Community Board is becoming an anti-development body and aren't having our voices heard about issues that would enhance the development. We need commercial office space.
 - Mr. Augustus: We are over-developed in downtown Brooklyn. We opposed 80 Flatbush so the Council Member could have some power to negotiate and bring down the height. We won't have leverage or negotiating power because we don't have oversight of the other agencies, and some are statewide. I ask the Board to vote in support of the Committee's recommendation.
 - Ms. Rothbard asked Mr. Perris for clarification around whether we can vote with a stipulation. He explained that Community Boards can make recommendations for approval, for disapproval, for approval with conditions, and for disapproval with conditions. Ms. Rothbard cited several reasons to oppose the development, including loading dock issues. She argued that this is not anti-development; the development will still happen; she is anti-bulk.

We zoned it this way for a reason. We have vacant commercial and retail space on Fulton Street.

- Ms. Peterson agrees with Mr. Dew; if something is going to happen anyway, we need to talk about enhancements. As the Co-Chair of the Economic Development and Employment Committee, she'd like to talk about jobs and how they should be fair-wage jobs.
- Mr. Ferreira asked Mr. Dew what table we will get invited to by voting yes. Mr. Dew: We get to set the stage going forward. For this project, it's already there, so we're not going to have an opportunity. Mr. Ferreira argued that saying "No" to 80 Flatbush may have been why Mr. Levin was able to negotiate. Saying "Yes" is a tacit approval.
- Mr. Singletary: We've been charged with being a voice for the entire community, not a subset for the community. There is nothing wrong with making a statement with our considerations and qualifications about what we want to do. This is an opportunity to support affordable housing. This is an opportunity to say we want jobs. It's not about pro- or anti-development. We can be in a position to ask for different height recommendations. We should take the full comments of the community and the Board and make a full package of recommendations.
- Ms. Morales: It's not clear if this will be rentals or condos, or how much affordability there will be. So-called affordability is in the higher AMIs, for people making over \$100,000 a year. These developers promise jobs but they are not quality jobs, or many people get laid off after six months. Mr. Perris: At the Land Use Committee, the developer said it was not clear what the affordable housing percentage would be. There may be 42 units but their affordability is unclear.
- Ms. Zahler-Gringer asked Mr. Singletary to remind the Board of one or two instances when we voted in favor of something with conditions and that was made part of the project. Mr. Singletary cited conditions at Atlantic Yards and BAM North, and explained that we are advisory; there is no guarantee that they will accept the condition. Our purview is to make a recommendation with conditions.
- Ms. Ali seconded the motion and is in favor of the development. We need to have a place at the table. She cited the 29 Jay Street project. Mr. Perris made a point of clarification: there were two land use applications at 29 Jay Street. The design of the building itself went before LPC; it was LPC that agreed with the design; it did not have to do with the land use actions.
- Ms. Richardson wants to approve this development because she thinks the commercial space is necessary and that it will bring jobs to the community. She supports adding the condition of the loading dock.
- Mr. Singletary: If the location is on the corner of Fulton and Flatbush, within the zoning, are we allowed to even have a loading dock? Mr. Perris: The developer cannot include a curb cut of any kind at that location.

- Mr. Quinn: Whatever our vote is, what we've talked about will be reported out. It will go to the Borough President. I'm going to approve the Committee's recommendation to disapprove the building.
- **Vote:** See roll call sheet for full details.
 - **Motion to accept the Land Use Committee's recommendation to disapprove the application:** Mr. Flounoy called the question, seconded by Mr. Singletary. 22 voted in favor.
 - The motion carries, 19-13-1.
- Ms. Blackshear shared that the Borough President's review is October 11 at 6:00 PM at Borough Hall. She shared that the office will pay close attention to the Board's discussion.
- Ms. Rothbard recommended Board members pay attention to the charter review, as it relates to what is within the Board's purview to review.
- Mr. Cohen asked for clarification around the as-of-right. Ms. Janner explained that the developer could do an all-residential building and that that would be more profitable than commercial. Right now, they are talking rentals, and have not shared plans on affordability.

8. Committees to Report

- **Economic Development and Employment, Mr. William Flounoy**
 - The Committee is prioritizing four issues:
 - Opportunities in local construction and development jobs
 - Office of resources for CB2 entrepreneurs and small business owners
 - Technical education and training for youth (jointly with Education committee)
 - Employment opportunities for the previously incarcerated
 - The Committee is focused on several budget priorities:
 - #3 educational programs and vocational training and career technical education for high school students and approach
 - #16 address epidemic of small businesses closing throughout the district
 - #33 provide or expand assistance to obtain licenses and grants
 - #35 expand business education to entrepreneurs focused on small businesses within the district
- **Health, Environment and Social Services, Mr. Brandon Smith**
 - The Committee did not meet this month.
- **Parks and Recreation, Ms. Barbara Zahler-Gringer**
 - The Committee will meet here at Brooklyn Hospital on Monday evening and will discuss Fort Greene Park.
 - At the last meeting, we had a rousing meeting about Commodore Barry Park. The City Park Foundation, through its Catalyst program, has been working with the community and its stakeholders. People are invested in the park and seeing where it will go. Ms. Quint noted that it moved up to item #4 last year and she argued that its elevation likely helped get its attention this year.

- Ms. Rothbard asked about the BAM triangle.
- **Transportation and Public Safety, Ms. Cheryl Gelbs [did not present]**
- **Youth, Transportation and Cultural Affairs, Ms. Betty Feibusch**
 - Ms. Feibusch is not in attendance. Review the notes in the packet.

9. Open Session

- Rep. the Hon. Hakeem Jeffries, Mr. Lee Church
 - Town Hall on the affordable housing crisis in Brooklyn: October 22, 6-8 PM, Billie Holiday Theatre, RSVP at 718-237-2211.
 - Ms. Rothbard asked Mr. Church to mention to the Congress Member that the AMI is skewed because it is a federal calculation that takes into account wealthy suburbs.
- Rep. the Hon. Jo Anne Simon, Ms. Alexis Sfikas
 - Check out the newsletter with the link to the ferry study.
 - We are trying to put out more tips and tricks about how to be less wasteful in light of the climate change report. Much of the district is in the Gowanus watershed and it has a combined sewage system. Use less water when it is raining.
 - Free flu shots next Tuesday, 10:30 – 2:00 PM, at the office
 - Still accepting brochures from student reading challenge this summer. There will be a celebration on October 30 at the Carroll Gardens Library at 6:00 PM.
- Rep. the Hon. Council Member Laurie Cumbo, Jason Hur
 - Participatory budgeting is up and running. You may volunteer as a budget delegate
 - Town Hall: October 23, 6:00 – 8:00 PM at 222 Clinton Avenue
- Rep. the Hon. Assembly Member Walter Mosley, Lucien Allen
 - Walk with Walter Wednesdays: last date is October 24 from 12 – 2:00 PM on Myrtle Avenue
- Rep. the Hon. Council Member Steve Levin, Glomani Bravo-Lopez
 - Participatory budgeting: October 16 town hall – how to spend \$1.5M in capital funding
 - October 24, 1 PM, City Hall – Committee on public housing hearing regarding preparations for the winter. Oversight hearing regarding what happened in prior years; at the 7 developments in the 33rd council district, half had issues with heat, etc. at any given time.
- Rep. the Hon. DA Eric Gonzalez, Mr. John Watkins
 - Visit brooklynda.org for important information from the DA's office announcing its proceedings, including prosecutions that have been adjudicated.
 - Domestic violence awareness month: See brochures from the DA's office. Mr. Watkins also brought brochures on campus sexual assault.
- Rep. the Brooklyn Navy Yard, Harrison Green
 - New Director of Community and Government Affairs at the Brooklyn Navy Yard
 - Renderings of our 30-year plan
 - Hoping to connect the community with the jobs and employers at the Navy Yard; the employment center does intake every Tuesday from 9:30 AM – 1:30 PM at Building 92 on Flushing Avenue

- October 13: As part of Open House New York, our tenants will be hosting a number of events from 10:00 AM – 6:00 PM.
- \$5M was allocated to the STEAM Center (part of Building 77). The STEAM Center hosts students from 8 schools across Brooklyn. The school is set to be online in January 2019.
- Rep. the Brooklyn Public Library, Alex Tretiak and Tracey Mantrone
 - Brooklyn Heights branch is still offering regular programming, including the Brooklyn Robotics Club on Mondays for teenagers and two classes a week for adults in computer skills. Friends of the Brooklyn Heights Library will hold their 25th anniversary celebration on October 23. On September 25, national voter registration day, all Brooklyn public library branches helped in facilitating voter registration; they had 261 registrations across the branches. The Brooklyn Public Library mobile app is live.
 - October 13: Friends of the Clinton Hill library event. On October 16, author Noam Cohen is doing a book talk at Clinton Hill. On October 30, teens can “escape the library” with a murder mystery escape room event across five sessions, with five teams per session. They may sign up on October 29.

10. Other Business

- Mr. Dew: Asked the CB to find out what the prohibition on curb cuts is and how to have it reversed. Ms. Rothbard clarified her earlier concern; having a building that is twice as high means twice as many trucks.
- Mr. Dew shared that there is a discussion about creating smaller pockets of AMI referred to as “neighborhood AMIs.”
- Ms. Thurston made a motion to write a letter of support to rename the municipal building after Justice Ruth Bader Ginsburg, seconded by Mr. Dew, passed 25-0-0.

11. Adjournment

There being no other business, Ms. Janner entertained a motion to adjourn from Mr. Harrison, which was seconded by Mr. Ibelli and approved unanimously; the meeting was adjourned at 8:30 PM.