

The City of New York
Brooklyn Community Board 15



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Monthly Board Meeting - Minutes

September 13, 2021 Webex Conference 6:00pm

The meeting was called to order at 6:01pm, by Chairperson Theresa Scavo. She requested a moment of silence be observed in memory of the passing of long time Board Member and Community Leader Rabbi Melvin Burg.

Chairperson Scavo welcomed new Board Members, Jennifer Faucher, Frank Kopylov and Doug Luback.

Chairperson Scavo, called upon Zoning Chairperson Ronnie Tawil who would conduct this part of the meeting. Mr. Tawil called upon the first presenter from City Planning, Katherine Richard who introduced her colleagues Ronda Messer from the Department of Transportation and Dash Henley from City Planning who spoke on the Citywide Open Restaurants Text Amendment, ULURP N 210434.

The New York City Department of Transportation (DOT) and The Department of City Planning proposed a text amendment that will allow DOT to administer the Permanent Open Restaurants Program. The proposal will remove sidewalk café regulations from the Zoning Resolution to increase eligibility of sidewalk cafes, remove obstacles to permanently assist restaurants who were deeply impacted by the Covid Pandemic to set up unified sidewalk and roadway outdoor dining that will be administered by DOT.

Katherine Richard added it has been a successful program that removing the financial obstacles and temporary suspending Zoning Laws have made many previously ineligible restaurants eligible and they have taken advantage of this program. All restaurants with ground floor space are now eligible to apply. It took a dark time in our City's History with mandated Covid restaurant closures and brought back vitality to communities citywide.

A wide range of concerns from the floor were expressed, the large amount of parking lost to accommodate these outdoor dining structures, the driving

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hazards they have created in our roadways, their blatant disregard for obstructing pedestrians from walking by encroaching on sidewalk space, their blocking of bus stops, their creating very narrow spaces and difficulties for our disabled residents in not allowing for ADA compliancy, loud unpermitted music, and the illegal removing of a public plaza to accommodate more restaurant seating. Some structures have gone unpoliced or unmonitored and have become large and dark intimidating places blocking safe passage for pedestrians, allowing no light and others stand abandoned becoming unused eye sores deteriorating in viable residential parking spaces. Ronda Messer from DOT spoke and said they were trying to work with restaurant owners to comply and is aware of the non-compliant restaurants called in by the Community Board and is working to bring them into compliance and would happily assist with other non-complying locations. A concern that landlords will not receive rent because most of these restaurants have tripled their size outdoors and may not honor their leases in having no incentive to pay rent. Lastly, it was brought up that these proposed changes are not temporary but permanent changes that the community would have to contend with for a very long time. It seems the lack of strong enforcement has failed to convince these restaurants to be good neighbors and expectations that these restaurants will comply in the very near future is very low.

A motion to support the Citywide Open Restaurants Text Amendment was made by Ronnie Tawil and seconded by Robert Gevertzman.

A Committee Vote was taken, 10 No, 0 Yes and 0 Abstentions. The motion did not pass in the Committee, a full board vote would take place in Executive Session.

Mr. Tawil called the next Presenter Jay Goldstein Esq., representing BSA Cal. No 2021 -45- BZ / 1714 East 27th Street (Between Quentin and Avenue R)

Seeking a Special Permit to permit the enlargement of an existing home in an R3-2 zoning district, contrary to FAR, open space, and lot coverage (ZR 23-142), perimeter wall height (ZR-23-631 (b), and rear yard (ZR 23-47) requirements.

The lawyer stated it was a small enlargement mostly interior FAR not noticeable from the outside and predominantly at the rear of the home. Questions were asked if the Board received any letters opposed or in support, no letters were received. A question if this modification fit in with the character of the neighborhood and the other homes around it. The lawyer

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stated this house is the second one in from the corner and although the house immediately next to it did not extend into the rear yard, several other houses on the block have.

A motion to support was made by Robert Gevertzman and seconded by Mitchell Shpelfogel. A Committee vote was taken, 10 Yes, 0 No and 0 Abstentions.

The motion passed in the Committee; a full board vote would take place in Executive Session.

Mr. Tawil called for the next Presenter, Richard Lobell, Esq. representing an upcoming ULURP for 2761 Plumb 2nd Street Rezoning proposal, 2777 Plumb 2nd Street and 1 Plumb 3rd Street.

Mr. Lobell explained they are requesting a change from an existing R-3 to an R-3-2/C2-4, because in order to run the several businesses they currently have at this location like cold stone creamery, they must come before the Board every 5 years for a special permit. They would like to not have to come before us every 5 years and save on the costly fees associated with having to request a special permit every 5 years. A question from the floor asked how would the zoning change, if permitted, impact on the maximum height of the building they would be allowed? The height would not change. Perhaps another floor. They want to remain retail, and are just seeking to eliminate the additional fees they incur every 5 years for the presentation of a 5 year special permit.

A motion to support was made by Mitchell Shpelfogel and seconded by Ed Chalom. A Committee vote was taken, 10 Yes, 1 No and 0 Abstentions.

The motion passed in the Committee; a full board vote would take place in Executive Session.

Mr. Tawil called for the next Presenter, Lyra Altman, Esq. representing BSA Cal. No. 2017-306-BZ / 1977 East 14th Street – East side of East 14th Street between Avenue S and T.

This is amended from a previously approved Special Permit. They are not touching the side yards. The changes are within the allowable numbers for the community, for example, the perimeter wall will go from 25 feet to 23. The height from 37.6 to 36.9. The rear yard on the second floor was not correctly reported and will be out a bit further than previously believed with the enlargement.

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The Board received no letters of support or opposition.

A motion to support was made by Mitchell Shpelfogel and seconded by Al Smaldone. A Committee vote was taken, 10 Yes, 0 No and 0 Abstentions.

The motion passed in the Committee; a full board vote would take place in Executive Session.

PUBLIC SESSION:

Chair Scavo called upon guest speakers:

Reeves Eisen from Senator Gournardes' office sent greetings from the Senator. She stated it has been a busy summer between yoga in the park, concerts and community clean-ups. There are two more Sunday concerts upcoming for Marine Park and a mammogram sponsored screening for September 25 from 8:00am-3:30pm. They are currently working on a shredding-e-waste date for October details will follow, it will be on a Saturday this year since it was offered on a Sunday last time to be fair. The Senator was working on legislation related to 911 and 1st responders while dealing with administration changes. For all who observe a Happy and Healthy New Year. She provided the Senator's office phone number (718) 238-6044 in the chat.

Lenny Markh, Chief of Staff to Assemblyman Cymbrowitz, sent greetings from the Assemblyman. He stated that the Assemblyman sent a letter of support to the Board and voted in support of keeping Community Board meetings virtual through January 15, 2022, for the safety of community members with the emergence of the Covid Delta Variant. He wished all who observe a Happy and Healthy New Year and an easy fast. He placed his office phone number (718) 743-4078 and email cymbros@nyassembly.gov in the chat should anyone require assistance.

Sergey Chuprik sent greetings from Comptroller Scott Stringer's office. He mentioned the comptroller just released a Back to School Guide and he would be happy to provide anyone with a condensed email one page version of the guide, available in eight languages or a link to the whole guide now available on the Comptroller's website. He inquired in chat if anyone needs any assistance with Flood Claims to reach out to him at the Comptroller's office. He provided his email in the chat schupri@comptroller.nyc.gov

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Marie Nelson, Brooklyn South Ambassador introduced herself and mentioned she was here to be a resource and liaison for the NYPD. She provided her email Marie.Nelson2@nypd.org and her number (917) 803-4015.

Glenda Silva, Deputy Director, from the Brooklyn Borough President's Eric Adam's office stated they too had a busy summer with Wellness Wednesdays offered in their plaza with resource tables and live musical performances. They have an upcoming animal adoption event coming up this Saturday September 18. The event information she provided in chat <https://www.brooklyn-usa.org/event/adopt-a-shelter-animal-3/> She provided her email in chat glenda.silva@brooklynbp.nyc.gov and a link to the Borough President's Message of the Month <https://www.brooklyn-usa.org/wp-content/uploads/2021/07/MOTM-2021-07-v7.pdf>

Nancy Lulu, from Brooklyn District Attorney Eric Gonzalez' office apologized but had to be at another meeting. She left contact information in the chat. The Brooklyn DA's Action Center can be reached at 718 250-2340. Ms. Lulu also provided her email which is Lulun@BrooklynDa.org

Board member Ed Jaworski stated that litter has become out of control throughout the Community and the City at large. He suggested the Board should mandate any lawyer or home owner coming before the Board for a special permit should be given a broom and a set of sanitation rules on how to properly maintain their property. We should also extend that to businesses seeking to apply for an open restaurant permit.

EXECUTIVE SESSION:

A Roll Call Attendance was taken by Chair Scavo; with a Quorum present, Chair Scavo asked for the adoption of the Board Meeting Minutes of June 22, 2021.

A motion to adopt the June 22, 2021 minutes was made by Debra Greif and seconded by Robert Gevertzman.

CHAIRPERSON'S REPORT:

LIQUOR LICENSES- Month of September 2021

TRANSFER LICENSE – LIQUOR, WINE & BEER

Buckley's

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2926 Avenue S
NEW APPLICATION – WINE, BEER & CIDER

Cats On The Bay, Inc.
2027 Emmons Avenue
11235

Khinkali Factory Corp.
Dba X Khinkali Factory
1105 Quentin Road
11229

Izcoatl Corp.
Dba Spiro's Diner
2103 Avenue U
11229

RENEWAL – BEER & CIDER

Brennan and Carr
3432 Nostrand Avenue
11229

Nagoya Fusion
1907 Kings Highway
11229

Shinjuku
1664 Sheepshead Bay Road
11235

JR Pizzeria
1916 Kings Highway
11229

Randazzo's
2015 Emmons Avenue
11235

RENEWAL – FULL – LIQUOR, WINE, BEER & CIDER

Soup N Burger Corp.

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1809 Emmons Avenue
11235
Lan Spirits
154 Avenue U
11223

Momoyama
1901 Emmons Avenue
11235

The Draft Barn on X
317 Avenue X
11223

Chair Scavo stated if you know of any issues with these establishments, please share those concerns with the Board Office.

COMMITTEE REPORTS:

Zoning Committee:

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT:

A motion to adjourn was made by Judy Baron and seconded by Pearl Siegelman. The meeting was adjourned at 7:28 p.m.

This is not a verbatim account of the meeting but a synopsis of the main points.