

Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, New York 11225
ULURP/Land Use Committee Meeting Minutes

June 14, 2022

Meeting ID:

Attendance (Board Members): Pat Moses (committee chair), Warren Berke (committee vice chair), Suki Cheong (committee secretary), Felice Robertson (committee member) , Fred Baptiste (CB9 Chair), Francisca Leopold (CB9 Vice Chair), Unella Perry, Beverly Newsome

Attendance (Community Resident Members): Nichola Cox; Esteban Giron, Thomas Thomas, John Craver

Absent (Board Members): Lorianne Wolesley

Absent (Community Resident Members): none

Guests

Micah Hunter(NHP), Jamie Smarr (NHP), Jorge Chang (Urban Architectural Initiatives), Denzil Vaughn (pastor Faith Gospel church), Janelle Allwood (Faith Gospel church member, daughter of pastor), Jessica Loeser (Goldstein Hall Attorneys)

Menachem Moskowitz, Jawel, Itty, Chanoch Chaskind, CC, Boruch Ganetz, Julianna Robinson, Craig S, Jay Sorid, Pinny Margolis, David Marasow, Aidela Rabiski, Boruch Gancz, Denise Mann, Maxine Barnes, Francisca Leopold, Chanoch Chaskind, Adam Epstein, Barbara Lindsey, Berl, Frum Simpson, Jannice Grannum, Katie B, Michael Hollingsworth, Leslie Farrar, M Gurkow, Nechamie Margolis, Tre, David R, Diane Wheelless, Diane Duchan, Chanie K, Sholly Weiser, 201 Second Street LLC, Menachem Schonbuch, Aidela Rabiski

CB9 Staff: Mia N. Hilton, Assistant District Manager

- I. Meeting called to order by Chair Moses at 7:05pm
 - a. Chair states that rules of order of CB9 are in place, and virtual meeting etiquette applies. There is no in person meeting.
- II. Old Business
 - a. **Fenimore street downzoning** application – Chair Moses and Mia Hilton state that there are no updates on the Fenimore street rezoning from either the Fenimore Street Block Association or the Department of City Planning.
 - b. **54 Crown** street court case update – Nichola – no none
 - c. **341-349 Troy Avenue** Variance update – owner of vacant lot with contaminated soil requesting additional four year extension of time to remediate soil and construct new five story, 26 unit building in R4 zone, permitted by variance originally granted in 2010. Suki attended the BSA hearing on May 25 with board

member Naomi Baptiste and reports that the BSA commissioners had no questions of the applicant during the review session except whether the applicant had hired an architect yet (he had). During the public session no questions were asked but the applicant told the commissioners that plans for electric work were complete. Applicant promised to start cleaning up the site. Applicant requested that a decision be made ideally by the first week of June, but there is currently no decisions listed on the website.

- i. There are currently no approved plans on file with DOB for either remediation or electrical/mechanical work as the building plans are still pending zoning approval. There appears to be a stop work order on the property.
- ii. Pat requests that the environment committee follow up to make sure remediation plans are on file and carried out to safeguard the neighbors health.

III. New Business

- a. **777 Rutland Development** - Presentation by NHP Foundation and Faith Gospel Church for new 100% affordable housing development + new church. [Video recording](#) link from 24:29 min - 33:11 min

- i. **Micah Hunter (NHP)** We're looking for upzoning from R6 to R7x
- ii. **Jessica (Goldstein Hall)** - the first part of the ULURP request is to modify the underlying deed restriction to allow both residential and community facility, the second part is to expand the building envelope to allow more residential units to be developed and allow more flexibility in the building design.
- iii. **Janelle (Faith Gospel)** - our church acquired the property in 1997. We entered into a joint venture with NHP. Our goals are:
 1. serve community by offering 100% affordable housing
 2. continue religious ministry with worship space
 3. offer the community a facility to use

We've been offering a lot of youth summer camps, bible camps and after school program, deliver food

- iv. **Micah Hunter** (used to work for HPD) - formerly homeless units will be supportive housing units for those with mental health issues. Services will be coordinated for them onsite.
- v. **Jessica** - our formal ulurp process has not begun. This is to familiarize the board with the church and our project.

b. Q&A

- i. **Unella Perry** – (board president for Harry Silver Houses, the Mitchell Lama co-op across the street). We are 6 stories high.
 1. Concerns about strain on infrastructure from a 12 story building - parking and other issues.
 2. Oversaturated with social services, mental health services in this area.

3. Concerns for safety and community benefit - We have two day care centers right across from the church. We have a number of seniors. I would like to have further discussion. What is it you are offering that would be beneficial to our community.

Jamie Smarr (NHP) - there have been no uses identified for the community rental space. We stand ready to have dialogues. It is not twelve stories at the street wall. The sky exposure plane allows the maximum amount of light to the street.

Jorge Chang (urban architectural initiative) - the site is currently zoned at R6 which caps the height at 75 feet. City planning raised similar concerns about bulk. We worked with them on plans on where to reduce and increase the bulk. At the corner of the lot, the massing is increased to twelve stories, On the interior portion of the lot, the scale is reduced to 7 stories. We are mindful of concerns about density and scale.

- ii. **Maxine Barnes** - 29% studios, 40% 1 bedroom. Our community is predominantly families. You want to go from 6 stories to 12 based on alleged 100% affordability. What is your AMI based on? It looks like over \$100,000. That is not affordable for this community. Why can't you adhere to the current zoning. Why do you have to rezone for those kind of numbers.

Micah - the AMI is defined nationally by HUD. The rents that we have are set for much lower than that. Half of CB9 is paying over 50% of their income on rent (rent burdened).

Jorge - if we're looking at strictly residential use, R6 floor area ratio is 3 maximum versus 6 FAR for R7X. It would be mandatory inclusionary housing. So we would make these units affordable in perpetuity. Under R6 we would be capped at 130 units, with R7X we can get to 185 units. There is a significant increase in units we can provide to the community.

- iii. **Adam Epstein** - Will the residents of this building actually be residents of this community. There are a lot of families. Or will people from other places be coming in. I'm new to New York but I've lived in similar places in Atlanta and Chicago. The houses for single mothers were beautiful town house style 2 unit housing that kept away negative influences. Are there lists of people who need housing right now and what they need.

Micah - there is currently a 50% preference at the community district level. Congregate care has been shown to be an effective way to provide services onsite instead of traveling.

iv. **Esteban Giron** – Your presentation says 943 affordable units may be lost is in cd 41 in 2017, but in 2019 HSTPA passed so those units won't be lost to deregulation. A majority of rent burdened are living in non-stabilized housing. Any time there is a new development, affordable or otherwise, there tends to be more upward pressure on rent. The entire vital Brooklyn project we had no say in because it's a state project so anything we do have a say in we're going to be very cautious and direct about.

v. **Beverly Newsome** - Where will the social service support be. It sounds like if the deed is not modified the church will not be on the first floor.

Jessica - There is a ulurp component to modifying the deed.

Beverly - If DCAS says no, what happens.

Jessica -we wouldn't be able to come to the board if DCAS wasn't in support.

Beverly - a lot of times the church gets into a partnership with the developer and the church ends up getting screwed, they end up in the basement.

Micah - The church is a 50-50 partner in this. The team has not identified a social services provider yet. We would open it up to the community as well.

vi. **Nechamie Margolis** –

1. Adding that many units is going to block our light. It would overcrowd our community.
2. We have a halfway house around the corner the police are there constantly.
3. Is it really necessary to add more housing when there's already a huge development going up at the hospital. 50% of the housing is going to people who can afford other housing in the community - they don't need subsidized housing.

NHP - We don't think the other developments fully address the affordable housing needs in this area. HPD is supportive of adding more housing on this corridor. This was structured according to HPD's term sheet. 27% and 48% are extremely low and low income according to the city.

vii. **Fruma** -

1. Parking spots - how many will actually be there. It's already very hard to find parking.
2. I don't understand why we need to rezone to R7X and not keep R6. You already have the option to have a lot of units. I don't think these extra units are going to make the neighborhood better but maybe make it more saturated.

3. Safety - Is there a plan to keep the children safe since there will be formerly homeless with mental health issues. There is a school right around the corner.
4. AMI shows for a family of four but the prices you are showing are for studio or 1 bedroom.

Micah - It is a requirement of the city that every new affordable construction have a formerly homeless set aside. There will be a social services plan. 7 day a week security.

- viii. **Chaya** - live on e 46th and rutland. Safety concerns. Since the halfway house moved in it became very unsafe for my children to be outside alone. How are you justifying bringing more of these individuals into our community when we have already been inundated.

Jamie - They will continue to receive services that will help them be productive. They are not clients of a halfway house. They are formerly homeless. They will be responsible for paying rent every month

- ix. **Suki** –

1. Have you obtained a written deed release from DCAS yet and what are you expecting to pay them for the deed release as per the terms of the deed. Will you forward us copies of the documents?

Jessica – We haven't negotiated the deed modification yet. It won't be lifted but modified. If it's a public document we'll let you know.

2. Would you be willing/able to build at R6 zoning as requested by community members?

Jamie – We're willing to have a discussion about all possible options but we did our proposal for R7.

Micah – when I worked for the city I looked at this project and it would have been difficult to make the numbers work at R6.

Anyway, the goal is to maximize affordable units.

Suki – will you be tapping other subsidies besides HPD ELLA program?

Micah - We are planning to layer subsidies with ELLA including state tax incentives and capital reserve. We would have to.

- x. **Menachem** –

1. My concern is about safety. I was attacked and almost killed at the corner with the church. Thanks to the pastor for giving the police the videos. Parking is very hard to find at night – its decreased from 7 years ago when I moved here. It's very crowded.

Micah – The only solution to overcrowding is building new housing. Surface parking is reserved for the church. The project isn't required to build parking. We can't build underground parking and still build affordable housing.

There is 24/7 security. It's also to protect vulnerable individuals. It's better that they assimilate with general population. It's worse when you put them all in one place. These units will be spread evenly throughout the building. You may not even be able to tell who they are.

Menachem - My concern is about security OUTSIDE the building, not INSIDE.

xi. **Pinny** –

1. How much parking will you provide for 183 units of housing.
2. Are you applying for off hours Permits to build.

Jamie – The church has 24 parking spaces which are reserved for faith gospel. Outside of weekends they can decide who can use the spaces. We haven't applied for any building permits yet.

Jorge - under the zoning, parking can be waived for affordable housing and senior affordable housing. We are electing to not provide parking because it's in a transit zone.

xii. **Katie B** - I am directly across from the church since the 1970's before the church got here.

1. Immediate community has not been engaged properly – should survey the homeowners on what they want.
2. Church has not been inclusive of community over the years in its activities. How many of the church members live in this community.
3. Safety - we already have an issue with high crime. Homeless population (large single men's shelter at hospital) and mental health services. I am a minister I understand what outreach means.

But what you are proposing is not for this direct community
Pastor Denzil – it's all a process in terms of engaging with community. Quite a few of our congregation live here.

xiii. **Jay Sorid** –

1. there is a new part of the environmental review, effective date June 1 that would affect neighborhoods of color. There will be 1222 units (counting Vital Brooklyn) within a five minute walking distance.
 - a. Ability to drive - The majority of people are working class and use cars. If they can't use their cars, that's displacement of a black community. What kind of impact

will this have on parents driving to the adjacent ball fields to see their kids play.

- b. Unit size - 24% of kings county families are 4 people or more who would need 3 bedrooms. You have provided 0 three bedrooms.

- 2. If the community board votes no on changing the use from community facility to residential and the city council votes no, can the use be changed?

Jessica - Whenever we're ready to submit the ULURP application we'll address it. There will be separate items for the disposition and the rezoning

- xiv. **Diane Wheelless**- the church is a 501(c)(3). How is the church in partnership with someone? I need clarity on that. Who does the deed belong to? Clearly the church is going to have to sell before any of this takes place, so the Attorney General's office would have to be part of it. Is there any other LLC or subsidiary involved besides the church and NHP foundation?

Jessica. The deed belongs to the church. Yes - we do need a sign off from the AG

Micah – there is no one in the partnership besides the church and NHP.

- xv. **Barbara Lindsey** - how come someone making 36,000 would pay 700 for a 2 bedroom but 465 for a studio?

Micah – It's based on a ratio and the household income.

- c. **Three new City wide zoning initiatives** proposed by Mayor- zoning for housing affordability, zoning for economic opportunity and zoning for Zero Carbon/
 - i. Suki - If anything happens over the summer will we be updated and meet
 - ii. Fred - absolutely. We have asked that city planning be respectful that we are on break over the summer.

IV. Next Meeting – no date set. Community Board resumes in September

V. Meeting Adjourned at 8:56 pm.

Minutes submitted by Suwen Cheong.