

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

September 13, 2022  
Meeting ID: 873 5285 2263

**Attendance (Board Members):** Pat Moses, Committee Chair; Warren Berke, Vice Chair; Suki Cheong, recording secretary

**Attendance (Community Resident Members):** Nicola Cox, Esteban Giron

**Absent (Board Members):** Rashida Sykes

**Absent (Community Resident Members):** Tom Thomas (excused), John Craver (excused)

**Guests:** Alicia Boyd, Anderson Mateo, Diane Sheppard, Jay Sorid, Andrew Magnus, Theresa Westerdahl

**CB9 Staff:** Mia N. Hilton, Assistant District Manager

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- I. Meeting called to order by Chair Moses at 7:05pm
  - a. Chair Moses waives reading of Rules of Order and provides general meeting etiquette
  - b. Chair Moses appoints Warren Berke as Vice Chair and Suki Cheong as recording secretary
- II. Old Business
  - a. **Fenimore Street Rezoning** – Chair Moses suggests we drop this item from the agenda until we hear news.
  - b. **54 Crown Street** – Cornell Realty attempted to upzone a large chunk of Franklin Avenue, the only part of our community with contextual rezoning (limited to 7 stories to protect the Botanic Garden). The environmental assessment was challenged by Alicia Boyd’s group, who won in the lower court under Judge Bodie. Michael Hollingsworth is one of the pro se litigants on that case. Alicia tells us they are moving to the appeal process and are going to court on **Oct 3 at 10am**. The hearing is open to the public.
- III. Introductions of committee members, guests and staff
- IV. New Business/ Community Resident Concerns
  - a. **1042 President Street development**
    - i. Diane Sheppard has submitted a challenge to the department of buildings about an 8 story building.
      1. There was no response to the challenge, there was a stop work order for a while but now they are building again.

2. Community residents want to know how an 8 story building is being put on their block with valet parking on a one way street.
3. Used to be a parking lot. The highest building on the block is 4 stories. The zoning is R6 - other buildings couldn't go higher than 55 feet under that zoning. Understanding zoning can be overwhelming.
- ii. Esteban and Alicia offer to follow up with Diane Sheppard in person.
- iii. Suki says we previously looked into this issue - the building is permitted under the **Zoning For Quality and Affordability** legislation passed in 2015
  1. ZQA allows significant upzoning without going through the ULURP process in exchange for affordable senior housing.
  2. HPD discontinued regulatory support for the program in July 2021 because of a fair housing lawsuit, but this development was approved right before the program ended. However the zoning legislation remains in place.
  3. ZQA developments have been a complaint in at least two or three cases brought to the community board by residents last year – can we as a board advocate to make sure this doesn't happen again?

- b. **Kingsboro West** development - Jay Sorid asks if the ULURP committee will have jurisdiction over the 900 unit supportive housing development planned for the former hospital buildings.
  - i. It is state owned land and a state sponsored development so it normally doesn't follow ULURP
  - ii. The RFP for Vital Brooklyn states that the deed has a right of reverter returning the land from the state to city ownership if the state allows the land to be used for non hospital purposes.
  - iii. There is significant community concern about loss of parking and the number of homeless residents
  - iv. The AG has to sign off on this development if it is a state development.
  - v. The public advocate helped pass a special law requiring a heightened environmental assessment under a city ULURP process when large developments such as this are planned for a community of color.
  - vi. Jay wants us to
    1. ask the Attorney General or the Public advocate to give a legal opinion on the deed restriction, and
    2. asks district office to get **a copy of the deed**. He has not been able to obtain a copy of the deed despite a FOIL request 12 months ago.
  - vii. Mia agrees to look into this issue.

- c. **Citizens Budget Committee** proposal to change the ULURP process
  - i. Alicia Boyd informs committee that the Citizens Budget Committee has formed a commission to propose new rules that would allow developers to

build faster and cheaper than they can now. There were 12 major recommendations, including

1. Remove the community board from the ULURP process. The borough president can speak for us since he appoints CB members
  2. No environmental review process
  3. Every development would be as of right unless it was located in a brown field or a wet land – there would be no more ULURP process.
  4. City council member deference on ULURP votes would be eliminated – a group composed of Mayor, public advocate and speaker of the city council would be able to overturn the city council members' vote.
- ii. Warren says there is a coalition of community boards which is opposed to these recommendations but since the proposer is a private 501(c)(3) it may not have progressed to the level of government consideration.
  - iii. Alicia says it is being proposed by the New York City housing and economic development commission and they have already presented to a number of government entities including the department of city planning
  - iv. Alicia requests we form a subcommittee to review these recommendations if they are proposed into state or city law or a charter revision.
  - v. There is a webinar panel about this subject on **Sep 28**. Mia will send out the link. The committee will look into this.
- d. **Firestone Building** on Empire – Theresa states that building was demolished without any environmental mitigation. The EPA was not involved and there was no testing done – there is all kinds of asbestos and chemicals. It is next to Ebbets Field - a huge housing complex.
- i. Pat states we referred this matter to the **environment committee**
  - ii. The environment committee has referred it back to ULURP.
  - iii. Mia says to email her with any outstanding issues.

Meeting adjourned at 8:30 pm.

Next meeting is Oct 11, 2022 at 7 pm.

Minutes submitted by Suki Cheong