

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

December 5, 2023  
Meeting ID: 818 5078 7125

**Attendance (Board Members):** Suki Cheong, Committee Chair; Rabbi Yaacov Behrman, Pat Moses; John Woefling

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

**Absent (Board Members):** N/A

**Absent (Committee Members):** N/A

**Guests:** Nicolas Almonor; Andrew Magnus; Tara Westerdahl

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

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**I. Call to Order** at 7:07pm

**II. Committee Updates**

a. 777 Rutland Road – As per Assistant District Manager, M. Hilton – DCAS has not signed off on the lease modification. This project is subject to the ULURP process, and the modification request is in tandem with any application

b. 975 Nostrand Avenue Fresh Application

i. 45-day public comment period that has begun

ii. Authorizing the extra height and density; 17/19 extra units and an extra 15 feet in height to accommodate the fresh supermarket and again just a reminder that this is a voluntary incentive so the developer

iii. City Planning Commission can disapprove it based on certain criteria but if they do then developer does not have to build supermarket

iv. Developer appeared at the CB9 ULURP committee last year

v. **Proposed resolution**

1. **Whereas, an affordable supermarket has existed for over 50 years at 975 Nostrand Avenue and the current lack of a supermarket at this location has created a food desert for parts of Crown Heights and Prospect Lefferts Garden, Community Board 9 approves the Fresh Program application to enable the Associated Supermarket to return to this location.**

- c. City of Yes for Economic Opportunity
  - i. Citywide text Amendment meaning it's going to apply to the entire city not just CB9 – should we evaluate based on citywide effects or effects on CB9?
  - ii. There have been public information sessions in July and September
  - iii. 60-day clock has begun because they've issued the EAS
  - iv. Motion to pass the substance of the resolution but return back to the sub-committee to be summarized
    - 1. Motion passed by majority
    - 2. Summarized resolution attached per subcommittee meeting on Dec 18
- d. Introduction of CB9 Land Use Framework Road Map by Chair Cheong
  - i. **LOCAL PREFERENCE**
    - 1. ***SUBJECT TO:***
  - ii. **WIDER COMMUNITY NEEDS**
    - 1. DISTRICT
    - 2. CITY/STATE
      - a. Discussion of what constitutes “sufficient housing” in light of Mayors goal of 100k new units by 2040 and 119k units already permitted for building citywide
        - i. Issue is not housing per se, but affordable and low-income housing
      - b. Vacancy rates < 5% considered a “housing emergency”, but 5% vacancy rate required to maintain rent stabilized housing.
  - iii. **FAIR SHARE**
    - 1. Reasons for rejecting housing matter – black and brown communities are not just exclusionary nimby’s – they are negatively affected by new development that displaces them.
      - Discussion of Secondary displacement due to rezonings even with affordable housing component
  - iv. **SUITABILITY (aka “highest and best use”)**
  - v. **OTHER LAWS**
    - 1. Constitution
    - 2. Environmental Law
    - 3. Racial Impact Law
    - 4. Landmarks Law

### III. Adjournment